

STATE OF OHIO

ACCURACY, SECURITY AND PRIVACY PLAN
CRIMINAL HISTORY RECORD INFORMATION SYSTEM

AUGUST, 1976

ADMINISTRATION OF JUSTICE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

MICROFICHE

43590

Prepared under Grant No. 76-SS-99-6028 from the National Criminal Justice Information and Statistic Service, LEAA, and the Department of Justice. Opinions stated in this plan are those of the authors and will be noted as such by footnote reference.

STATE OF OHIO
James A. Rhodes, Governor
James A. Duerk, Director



Department of Economic and Community Development

P.O. Box 1001 • Columbus, Ohio • 43216

December 6, 1976

NCJRS

OCT 28 1977

ACQUISITIONS

Richard W. Velde
Law Enforcement Assistance Administration
U. S. Department of Justice
Washington, D.C. 20530

Dear Mr. Velde:

The responsibility for preparing Ohio's Security and Privacy Plan, in accordance with Rules and Regulations promulgated by the Department of Justice, was assigned to the Administration of Justice Division, Department of Economic and Community Development by the Office of the Governor.

Historically, Ohio citizens and public agencies (criminal justice and others) have operated on the principle of "the public's right to know" as the basic rule for most government records. Because of this, administrators and operations personnel in the state have been concerned more with the accuracy, completeness, and public control than with the secrecy of records. Ohio Senate Bill 399 specifically addresses and supports the individual's (public's) right of control of governmental records.

In view of Ohio's history of public records management, and the decisions of the Ohio Supreme Court in this regard, the Administration of Justice will ensure that all covered criminal justice agencies are compliant with the Department of Justice Rules and Regulations to the maximum extent feasible.

The Administration of Justice will inform all agencies of their responsibility. The CJIS/CDS Project Director will monitor the Security, Accuracy, Completeness, and Availability of criminal history record information systems in Ohio.

This Plan represents Ohio's initial submission. As the regulations are implemented, the Plan will be updated as appropriate. Your office will be notified of the update policy and procedures.

If the NCJIS staff needs additional information, please feel free to contact me.

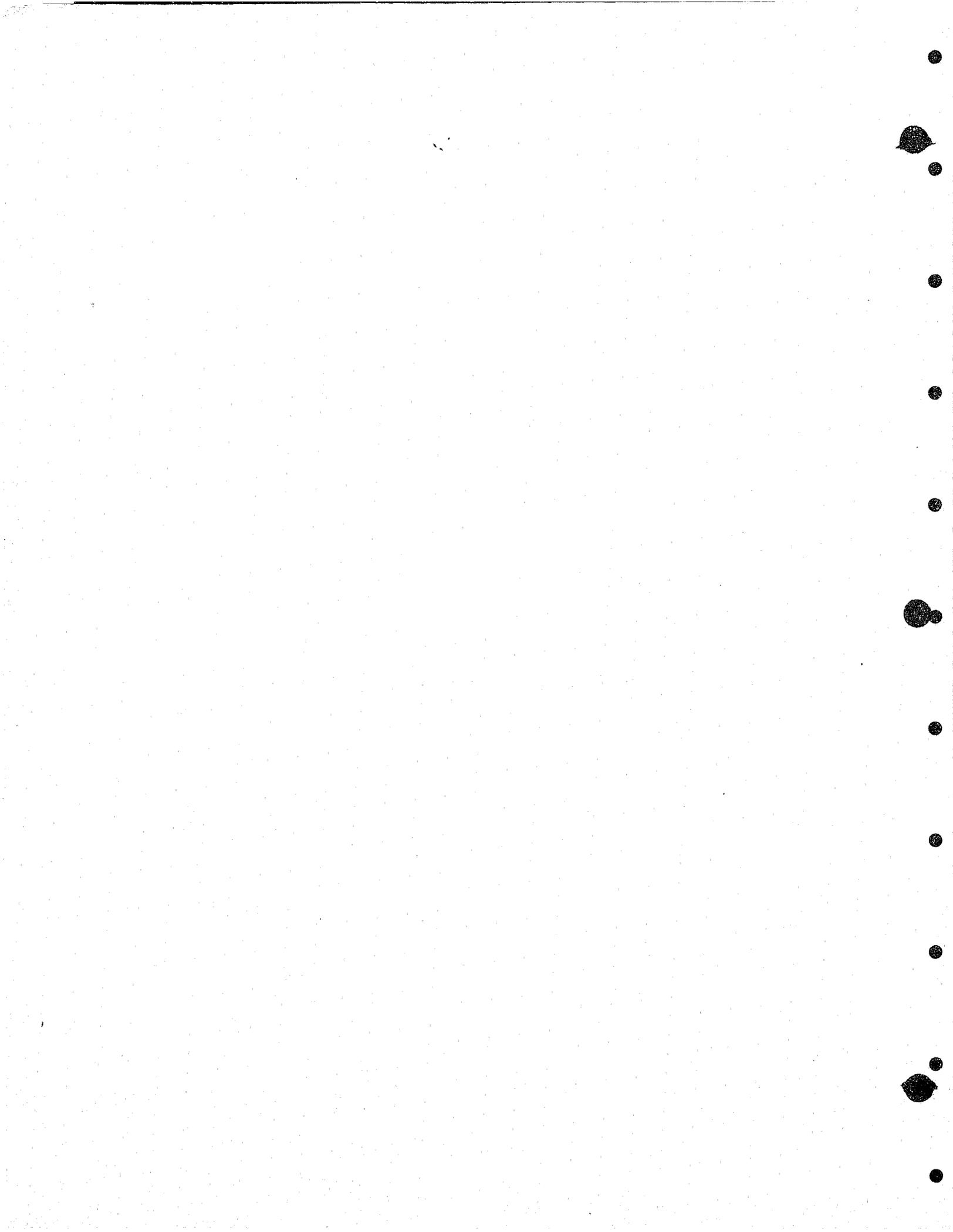
Very truly yours,

A handwritten signature in black ink, appearing to read "Bennett J. Cooper".

Bennett J. Cooper
Deputy Director

BJC/jb
CC: Jack Doran, Jonathan Katz,
Harry Bratt & Carol Kaplan

MICROFICHE



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The production staff at the Administration of Justice wishes to acknowledge the contributions of the following organizations and individual personnel to develop this initial plan.

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Members of the Ohio Criminal Justice Steering Committee are listed in the Appendix.

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J.R. Wogaman

Candace C. Peters

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INTRODUCTION

The Governor of Ohio assigned the task of developing and writing Ohio's Security and Privacy Plan to the Administration of Justice. This plan is the response to that task and provides a complete explanation of Ohio's policies and procedures for safeguarding the security and privacy of criminal history record information.

House Bill 1030 is a product of the CJIS Steering Committee. It was completed in early 1975 to be introduced into the 111th General Assembly of the Ohio Legislature. The bill was fashioned in a good faith effort according to the SEARCH Technical Memo and other inputs. The limited dissemination section of the bill, in view of recent interpretations of public record law, is now obsolete.

The learning experience of pulling together this bill and then observing the response to the DOJ Rules and Regulations dated May 20, 1975 made quite an impression. Brief statements and impressions of the response to HB 1030 are listed below:

- The local agency can live better with a public record law than a policy of limited dissemination.
- Even with legislation or law, a state records system's first priority is to function properly for the local users. If the record system does not work to help the local users, there will be only token reporting or arrests and dispositions.
- Very few centralized approaches to record keeping or information systems are guided by policy created by the ultimate users.
- Few legislative act writers create laws that can be implemented as easily or as equitably as the historic local operational policies concerning criminal justice information.
- As long as there is a source of funds even an expensive automated record system can be designed, developed, implemented, and operational without legislation.

(A copy of HB 1030 may be found in Appendix E)

The organization of this plan is as follows: Section I explains the criminal justice system in Ohio and how it impacts on the Ohio Criminal Justice Information System (CJIS). Section II outlines Ohio's policies and procedures for ensuring the security and privacy of criminal history record information. Section III contains the certification statements from all Ohio criminal justice agencies who have received federal funding for criminal history record systems since 1973. Section IV shows the major milestones for the development and implementation of the CJIS system.

Appendix A contains a systems flow chart depicting an offender's flow through the criminal justice system in Ohio.

Appendix B contains the enabling legislation (from the Ohio Revised Code) for all law enforcement and investigative agencies in the State of Ohio.

Appendix C is a supplement to Part B of Section II. Since public record law in Ohio appears to be very complex, we have included the laws and cases pertaining to the definition of a public record in Ohio in Appendix C. Also included in this appendix are terminal applications and agreements that are completed by agencies participating in the CJIS system.

Finally, Appendix D contains an explanation of various security precautions and a checklist for user agencies to determine the adequacy of their security systems.

I. OBJECTIVES OF THE SECURITY AND PRIVACY PLAN

Security, Privacy and confidentiality could be the prime mover that leads the state, county and the municipality to become conscious of records management. On March 19, 1976 the Department of Justice published, in the Federal Register (41FR11714), the amendments to the Rules and Regulations governing data contained in criminal justice information systems. These regulations were developed in response to Section 524 (b) of the Crime Control Act of 1973 which states:

(b) All criminal history information collected, stored, or disseminated through support under this title shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Administration shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an individual who believes that criminal history information concerning him contained in an automated system is inaccurate, incomplete, or maintained in violation of this title, shall, upon satisfactory verification of his identity, be entitled to review such information and to obtain a copy of it for the purpose of challenge or correction.

These regulations require that each state prepare a "security and privacy" plan that sets forth the procedures which will be used to comply with the LEAA guidelines. To comply with the federal regulations the state must show how they plan to ensure: (1) the completeness and accuracy of criminal history record information; (2) the limitation of dissemination of non-conviction information contained in the criminal history record; (3) the auditing and quality control which monitors compliance with the restrictions in the law; (4) the security of the information system; and (5) that the individual's right of access and review is guaranteed.

The objective of this plan is to indicate where the system is already in compliance with these regulations and what policies (procedures) have been developed which will implement the other requirements. In order to better understand our application of the rules and regulations to the Ohio system, it is necessary to review the state and local record facilities, as well as the organizational relationships between these levels which affect the use of these facilities.

ORGANIZATION OF OHIO CRIMINAL JUSTICE AGENCIES

Law Enforcement

The first contact an offender has with the criminal justice system and the origin of criminal history record information is through law enforcement agencies. (See CJS Flow Diagrams, Appendix A). In the state of Ohio there are presently twenty-two different law enforcement and investigative agencies encompassing three levels of government: state, county, and municipal. Each agency has its own jurisdiction but in many cases their jurisdictions and functions overlap.

A. State Level

At the state level there are three separate major police-type agencies. The State Highway Patrol (OSHP)(ORC, Chapter 5503) is responsible for enforcing all laws on state highways and roads, and on all state-owned property and institutions. The Bureau of Criminal Identification and Investigation (BCI&I)(ORC, Section 109.54) is a branch of the Attorney General's Office. Upon request from local or federal law enforcement authorities, BCI&I may aid in the investigation of criminal activity which is of a statewide or multi-county concern. BCI&I can also provide trained investigative personnel or specialized equipment when requested by any sheriff, chief of police, or other law officer. BCI&I historically has assisted the enforcement agencies of the small counties and municipalities. Finally, University Police (ORC, Section 3345.04) are responsible for enforcing all laws and regulations on public and private university or college campuses.

There are several specialized state enforcement agencies. The state fire marshall or his assistant can arrest an individual for arson or a similar crime (ORC, Section 3737.10). The state fire marshall also has an arson bureau responsible for the investigation and prosecution of arsonists (ORC, Section 3737.02). Private Investigators (ORC, Chapter 4749) have investigative powers but cannot be considered law enforcement officers according to the law. The Division of Parks and Recreation employs park officers (ORC, Section 1541.10) who have the same powers as peace officers of counties, townships, or municipal corporations. These powers may be exercised in any state park or natural preserve, and on watercourses abutting the park or preserve. The Division of Forests and Preserves employs forest officers who have the authority of constables to enforce laws and regulations in forests, nature preserves, recreational trails and streams abutting these areas (ORC, Section 1503.29). The Chief of the Division of Wildlife and his game protectors have the authority of law enforcement officers to enforce criminal laws on any property owned, controlled, maintained or administered by the Division of Wildlife (ORC, Section 1531.13). The Commissioners of Taxation and his agents have the authority to enforce all tax laws and investigate tax records (ORC, Section 5703.17). The Enforcement Division of the

Department of Liquor Control has statewide authority and responsibility for enforcing state laws and regulations applying to liquor. Under the controlled substance act the State Board of Pharmacy is empowered to enforce all state and federal laws pertaining to controlled substances (ORC, Section 3719.18). They also have the power to enforce all rules, regulations, and laws pertaining to drugs (ORC, Section 4729.25). In accordance with the Pure Food and Drug Laws, the Pharmacy Board and the Director of Agriculture share the responsibility of enforcing the food and drug laws (ORC, Section 3715.70).

b. Local Level

The major law enforcement agent at the county level is the county sheriff (ORC, Chapter 311). The sheriff is responsible for enforcing all laws in the county. The sheriff also has the power to appoint deputy sheriffs (ORC, Section 311.04) to assist him. There are three major enforcement agencies at the municipal level: constables (ORC, Chapter 509), police (ORC, Section 737.11), and village marshals (ORC, Section 737.18). A constable is mainly a township or village enforcement agent, but he has all the powers and duties of a county sheriff within that township. Police have the responsibility of enforcing the laws in the municipal corporation in which they are employed. The village marshal has all the powers of the police in the village in which he is employed. In all of these cases, the sheriff of the county has concurrent jurisdiction with the police, constables, and marshals. The county coroner is considered the chief officer of the county but has no enforcement powers (ORC, Chapter 313).

There are also several smaller, specialized enforcement agencies as follows: A county judge can appoint special constables (ORC, Section 1907.201) who have the same powers as constables to protect state property and freeholders. The Director of Public Safety in a municipal corporation can appoint private police (ORC, Section 737.05) and the mayor of a municipal corporation may appoint emergency police (ORC, Section 737.10). The governor, upon receiving an application, may appoint and commission officers to protect banks, building and loan associations (or their property or assets), and railroads (ORC, Section 4973.17). While discharging the duties for which they were appointed, they have all the powers of municipal police. These security specialists are responsible for the bulk of credit card fraud and theft investigations and prosecutions. A county humane society may appoint agents to enforce all rules and regulations pertaining to the humane society (ORC, Section 1717.06). Cemetery police (ORC, Section 1721.14) have all the powers of police officers within and adjacent to cemetery grounds. Finally, Chautauqua Police (ORC, Section 3771.02) have the authority to preserve order on and about the grounds used for Chautauqua meetings.

As is readily apparent from this discussion, the Ohio law enforcement and investigative network is very complex. Many of the officers of one agency can also assist or have the same jurisdiction as other agencies.

Court System

The next stage in the criminal justice system is the courts. There are four courts of original jurisdiction and two appellate courts in Ohio (figure I-1). The court of common pleas is countywide and hears probate cases, domestic relations cases, juvenile cases, civil cases over \$500, and felony cases. The municipal court hears civil cases of not more than \$10,000, misdemeanor cases, preliminary hearings in felony cases, and traffic offenses. The county courts are for unincorporated areas not covered by municipal courts and hear civil cases of not more than \$500, misdemeanor cases, preliminary hearings in felony cases and traffic offenses (in forty-three counties). The court of appeals is the first level appellate court and may review all decisions of boards, commissions, officers and lower courts of record. They also have original jurisdiction in habeas corpus proceedings. The Ohio Supreme Court is the court of last resort on all state constitutional questions and questions of public or great general interest. It also has final review of decisions by the Board of Tax Appeals and the Public Utilities Commission of Ohio.

The Supreme Court has promulgated rules of superintendence for all Ohio courts. These rules presently provide that all common pleas courts, municipal courts, and county courts make monthly reports to the Supreme Court. An Ohio Constitutional amendment also provides that:

The Supreme Court shall prescribe rules governing practice and procedure in all courts of the state, which rules shall not abridge, enlarge, or modify any substantive right.

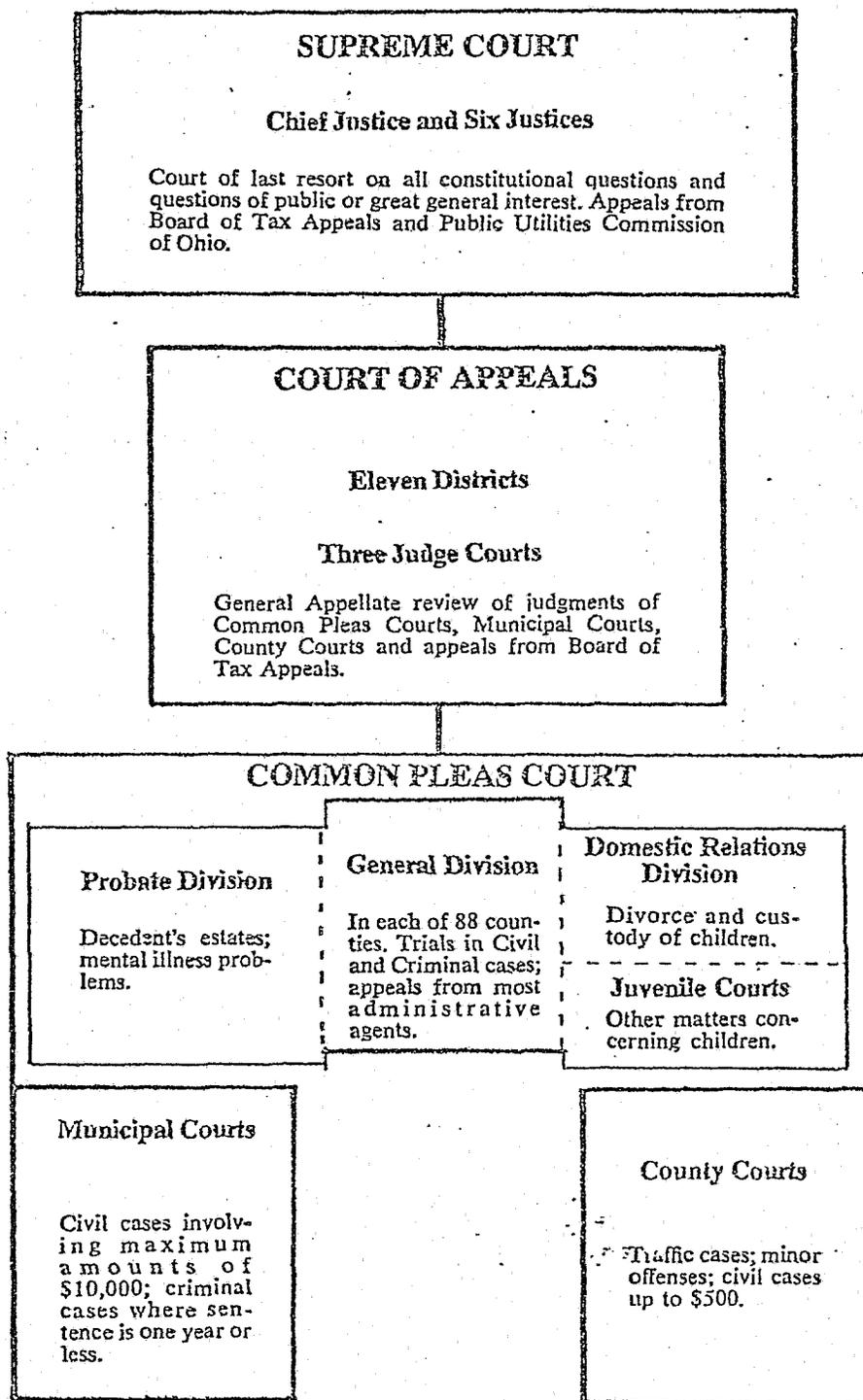
Pursuant to this amendment, the Supreme Court has developed rules of procedure and conduct for all state courts. This is the only jurisdiction which the Supreme Court has over lower court proceedings.

Correctional System

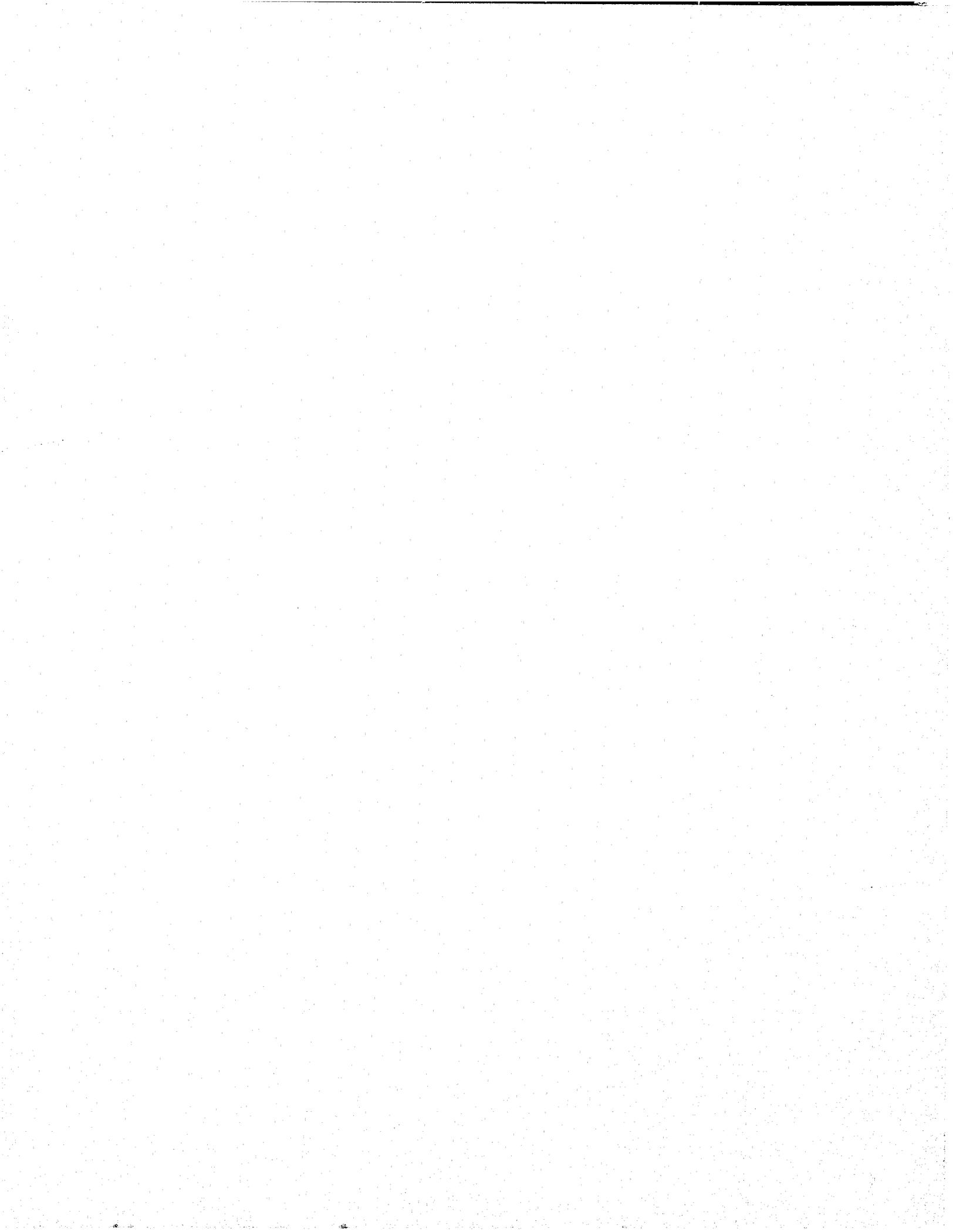
There is a three level correctional system. The county and municipal institutional system consists of 88 county jails, five city workhouses, and 67 city jails. At the state level the Department of Rehabilitation and Correction operates eight major adult institutions. Within the Department there are eight service divisions which are concerned with both institutional and community care of adult offenders (figure I-2). There are presently 21 halfway houses in the state. The Adult Parole Authority, a division of the Department, created the Halfway House and Community Service Development Program as a coordinating agency to work with halfway houses and community-based correctional programs. The probation system for adults is operated by the local courts. The Adult Parole Authority presently employs state probation officers who work for common pleas courts but are subject to the rules and regulations of the state. The only way the probation system directly feeds into the state institutional system is through shock probation, a program in which the individual is incarcerated for a short time and then released to the local probation department.

FIGURE I-1

Ohio Judicial Structure



Source: The Ohio Court System



DEPARTMENT OF REHABILITATION AND CORRECTION

TABLE OF ORGANIZATION (2/7/75)

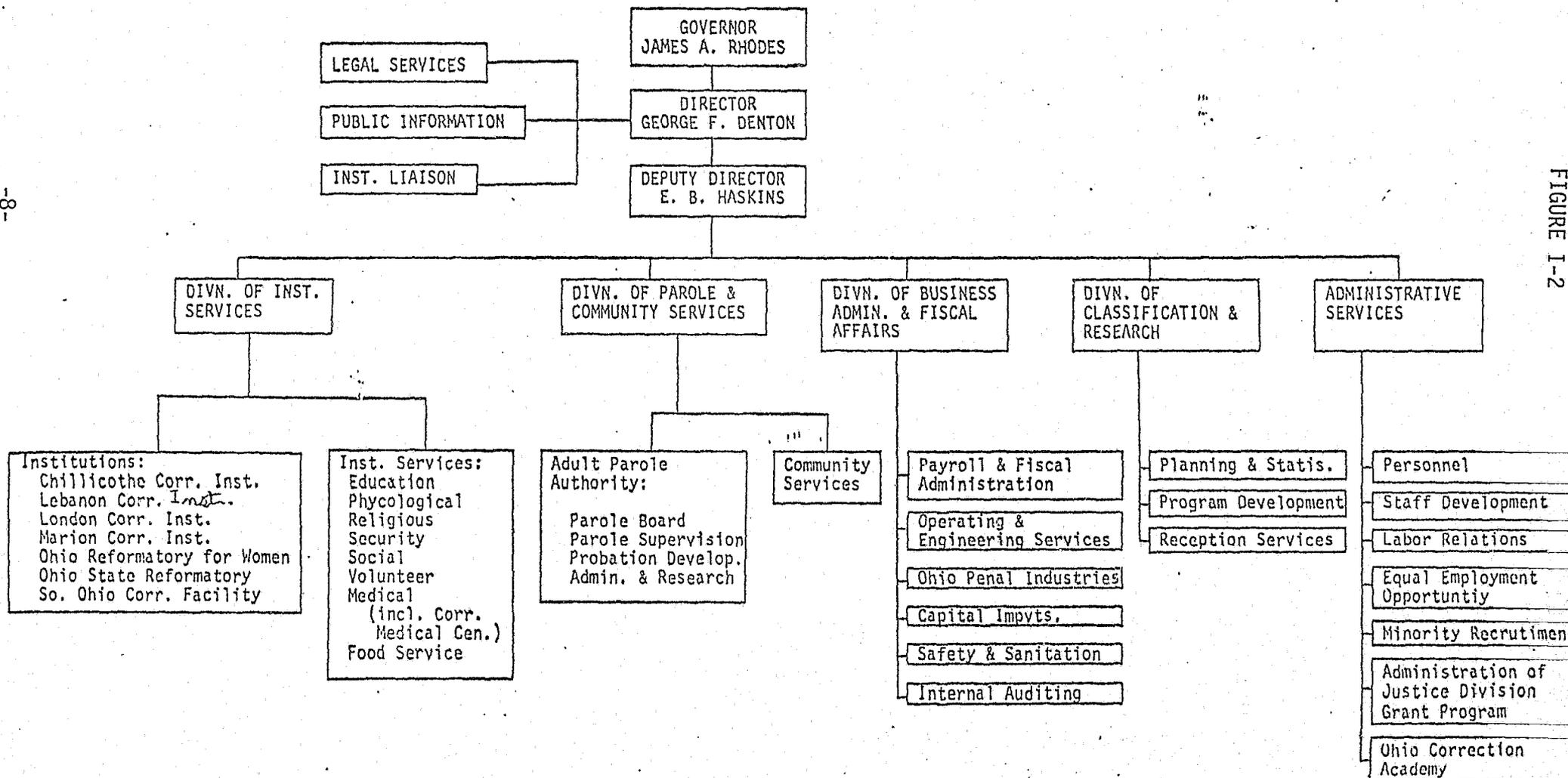


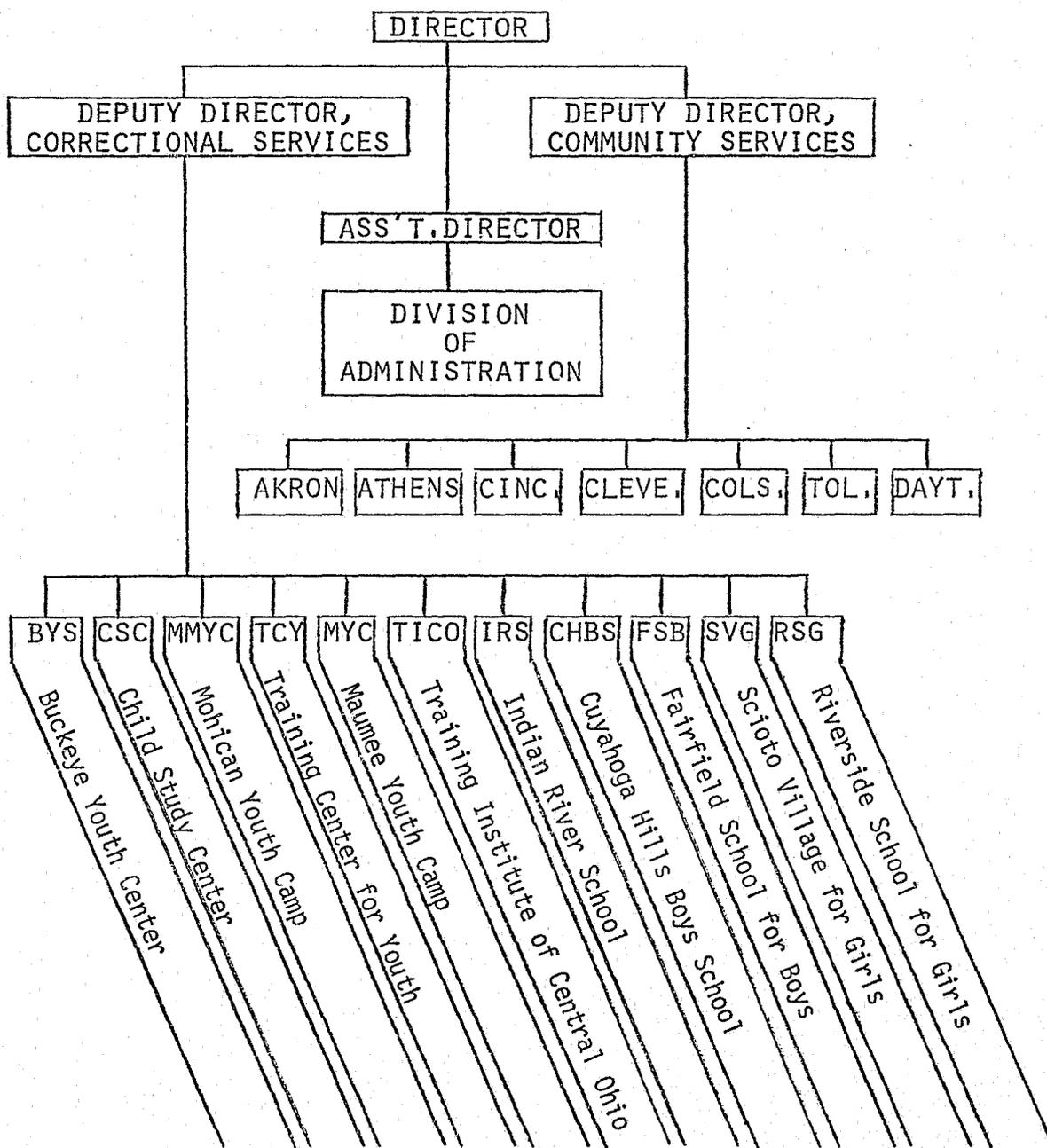
FIGURE I-2

The juvenile system in Ohio is similar. There are presently 24 local juvenile detention facilities. At the state level the Ohio Youth Commission (figure I-3) operates 11 juvenile institutions. The Commission is divided into three service divisions which work with the youthful offender who has been committed to the state. Once the juveniles leave the institution they may be placed in one of 38 group homes coordinated by OYC. The Commission also operates several subsidy programs to provide local courts with alternatives to state institutionalization. The OYC is presently developing a computerized information system which will house juvenile criminal history record data for those offenders moved to state institutions.

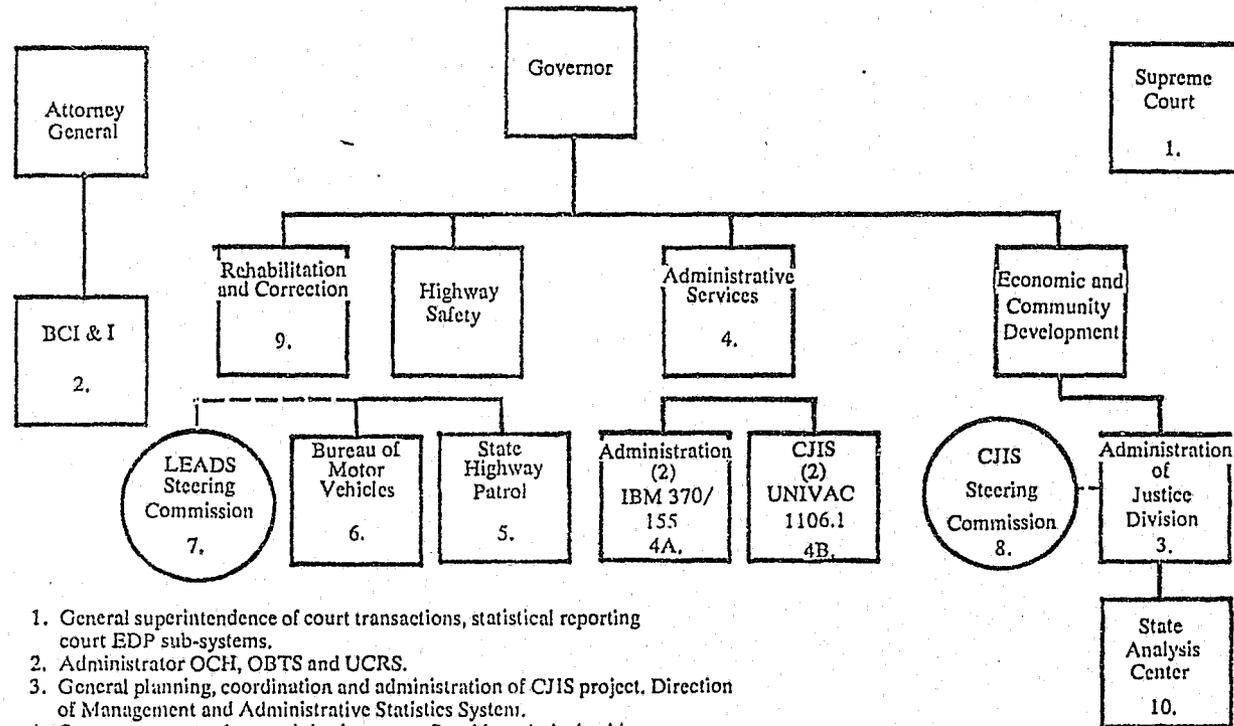
The preceding review of the criminal justice agencies at the various governmental levels should help the reader to understand that development and control of a workable and impartial records management program is probably a political and operational impossibility. Personal information or criminal history records are usually created whenever and wherever an individual comes in contact with a criminal justice agency in the normal business way. As there are very many situations when records will be created and stored, there are also very many criminal justice agencies which can have a legitimate need to know the contents of a criminal history record.

FIGURE I-3

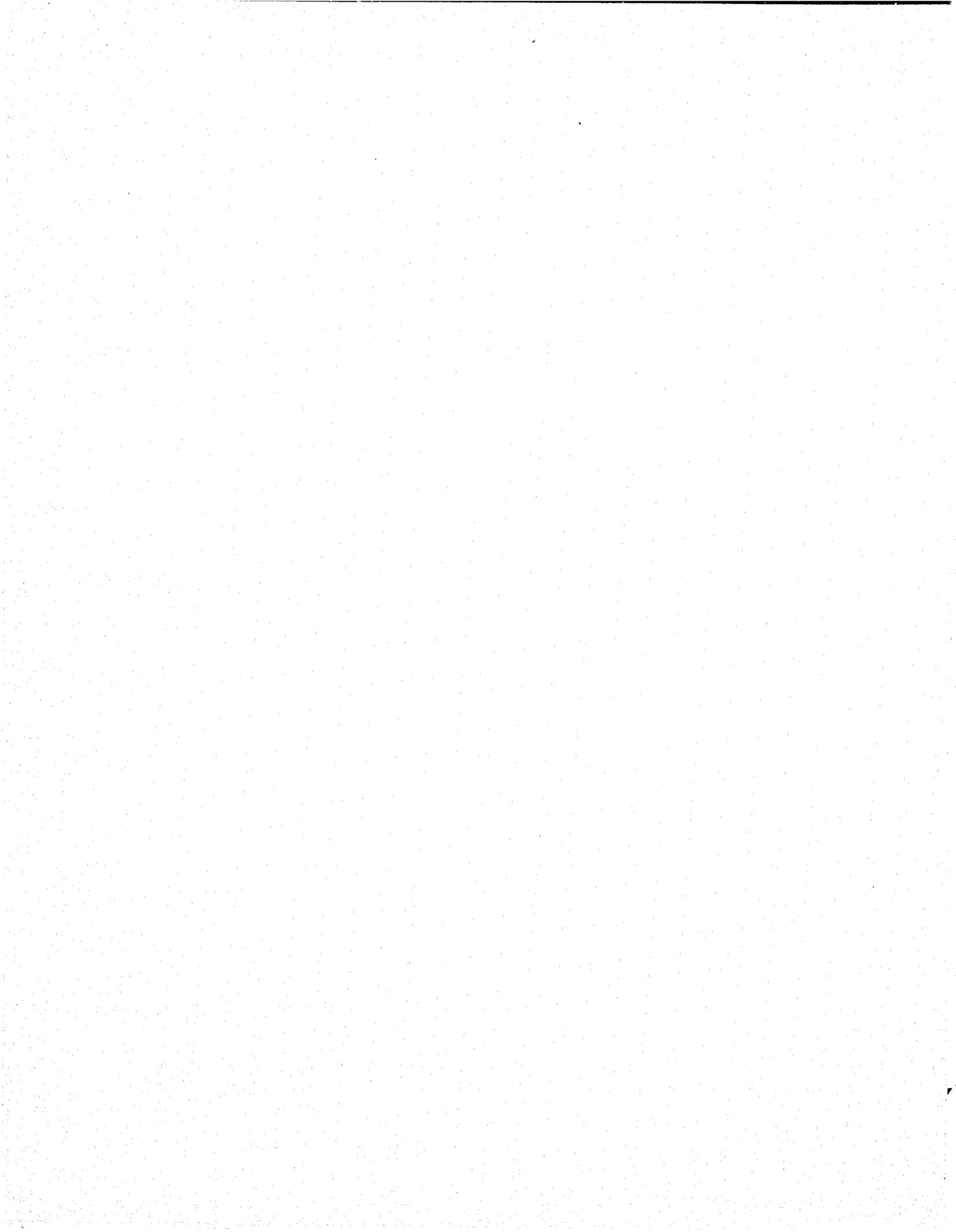
OHIO YOUTH COMMISSION....
ORGANIZATIONAL STRUCTURE



**STATE AGENCY RESPONSIBLE FOR
OHIO'S CRIMINAL JUSTICE INFORMATION SYSTEM
AND COMPREHENSIVE DATA SYSTEM**



1. General superintendence of court transactions, statistical reporting court EDP sub-systems.
2. Administrator OCH, OBTS and UCRS.
3. General planning, coordination and administration of CJIS project. Direction of Management and Administrative Statistics System.
4. Operate computer for state's basic system. Provide technical guidance.
 - A. Operate State Data Center Administrative Computers (2) IBM 370/155.
 - B. Operate dedicated (2) UNIVAC 1106-1 for CJIS.
5. Operate LEADS/CJIS telecommunication network, training function for CJIS.
6. Operate TRS.
7. General planning and coordination LEAD/CJIS network. System evaluation and statistical.
8. General review and policy guidance of functional/detail design of CJIS.
9. General supervision of correctional agency transactions, statistical reporting and EDP subsystems. Direct a major EDP subsystem.
10. Function as per LEAA and AJD guidelines.
 - *Resource agencies for Technical Assistance (T & A).



II. OHIO'S APPROACH TO ACHIEVING THE OBJECTIVES

This section of Ohio's Security and Privacy Plan provides a concise description of Ohio's policies and procedures for the completeness and accuracy, limits on dissemination, audits and quality control, security, and individual right of access and review of criminal history record information. The agencies principally responsible for developing these policies are the Administration of Justice and the Bureau of Criminal Identification and Investigation and the policy guidance of the Ohio Criminal Justice Information System (CJIS) Steering Committee.

The Bureau of Criminal Identification and Investigation is required by statute to maintain criminal history record information. Other state and local agencies are responsible for the prompt reporting of arrests and dispositions to BCI&I.

This section provides a complete outline of the policies and procedures designed to meet the federal rules and regulations regarding security and privacy of criminal history record information. At the beginning of each section is a summary of major policy points followed by a detailed discussion of the policy.

A. Completeness and Accuracy

The section of the plan will enumerate Ohio's existing and planned policies and procedures for ensuring that criminal history record information is current and accurate. A brief discussion is provided of the role played by the Criminal Justice Information Steering Committee, the Central State Repository, and the local record centers used by the enforcement, courts, correction and juvenile organizations.

1. Summary

The major plan parts may be summarized as follows:

- a. The CJIS Steering Committee, created by executive order, serves as the policy making and advisory board for CJIS.
- b. The Central State Repository Function (hard copy records) is located at the Ohio Bureau of Criminal Identification and Investigation. It was established under Section 109.57 of the Ohio Revised Code, which provides that the superintendent of BCI&I is responsible for collection, storage, and dissemination of criminal history record information. The computer based records are located at the State Data Center (Criminal Justice Computer System) in Columbus.
- c. The central repository is to be supported by an Offender Based Transaction System (OBTS) containing dispositions for every step as the offender passes through the system.
- d. The local agency responsible for the disposition will be reporting the felony and criterion dispositions to the central state repository.
- e. A system of remote on-line terminals has been established so that user agencies can report felony and criterion arrests and dispositions within a reasonably short time of their occurrence. Also, criminal history record information can be obtained in a few seconds.
- f. Each offender entered in the system is assigned a unique tracking number which will be used when reporting dispositions. In this manner a disposition can be accurately linked to a master identification and arrest record and any previous transactions concerning the offender.
- g. Comprehensive editing programs have been developed which will automatically allow the computer to scan records to see if the information is correct, timely and reasonable. If the record is incomplete, a reporting system will inform BCI&I and the entering agency that a disposition has not been posted to the files. Should an entry be incorrect, the validation (sight check)

procedure should detect and correct the error before the record is moved from the temporary file to the history file. There are two distinct physical locations for entered data: 1) a temporary file containing new unvalidated entries and 2) a "history" file containing the information from the temporary file after it has been validated.

Any display from the temporary file will contain a warning citing the information as unvalidated.

2. CJIS Steering Committee

The CJIS Steering Committee was established by Executive Order of the Governor. It is a policy making body which has advisory responsibility for CJIS system design and project implementation. In the future, it will serve as an accuracy, security and privacy review board. The present agency representation is:

- a. one member from the Attorney General's office.
- b. one member from the Buckeye State Sheriff's Association.
- c. one member from the Ohio Association of Chiefs of Police.
- d. one member from the Ohio Supreme Court.
- e. one member from the Ohio State Highway Patrol.
- f. one member from the Department of Rehabilitation and Correction
- g. one member from the Administration of Justice, Department of Economic and Community Development.
- h. one member from the Department of Administrative Services.
- i. one member from each of the regional planning units.

3. Agency Designated to be the Central Repository

As established under ORC Section 109.57, the criminal history record (hard copy) files maintained at BCI&I function as the Ohio Central State Repository. The Superintendent of BCI&I is responsible for the procurement of photographs, pictures, descriptions, fingerprints, measurements, and other material that is pertinent to establishing a record. The state correctional officials, the courts of record, and local and state law enforcement officials are responsible for furnishing the necessary arrest and disposition information to the superintendent of BCI&I to provide for criminal identification.

4. Information Contained in CJIS

The Ohio Criminal Justice Information System (CJIS) has the capacity to provide criminal identification and criminal history record information to all criminal justice agencies in the state. The system can only be accessed by CJIS terminal agencies and all data entries will be validated by BCI&I. Criminal history records will be collected for arrests pertaining to:

- 1) all felonies (including juveniles tried as adults on felony charges.)
- 2) all criterion offenses as defined by NCIC.

Criminal history records which are stored in CJIS will include a) personal identification information and a tracking number which will enable the offender transaction to be linked to all previous transactions for the same individual, and b) all data concerning each of the individual's major steps through the criminal justice process. (See transaction list on page 19). A reported (entered) criterion or felony arrest will establish a master I.D. criminal history record for an individual. Each following transaction will initiate a cycle in the record. The BCI&I, FBI, and transaction numbers will all help in posting the follow-up disposition to the master record.

Each arrest cycle in an individual's criminal history record will be based upon fingerprint identification. The criminal fingerprint card will be stored at BCI&I and one copy will be sent to the FBI Identification Division for each individual arrested and charged with a felony or a defined criterion offense.

Data entered into CJIS shall be limited to:

- 1) Records made by officers of criminal justice agencies or divisions thereof directly and principally concerned with crime prevention, apprehension, adjudication, or rehabilitation of offenders.
- 2) Records made in performance of official duty which are directly relevant to the responsibilities of criminal justice agencies.

Social history, intelligence and investigative data will not be contained in Ohio CJIS, nor will civil commitments, unless such commitments are part of the criminal justice process.

The criminal history for each subject will consist of one set of identification data and an additional set of data called a history cycle for each time the subject has been arrested and charges filed. The tracking of an individual offender within the Ohio criminal justice process is performed in order to obtain offender status information. The information can then be used to generate a complete criminal history tracking summary.

5. Disposition Reporting to CJIS

The majority of data in OBTS and Ohio Criminal History (OCH) will be entered through remote terminals distributed throughout the state. The matted screen (see figure A-1) will help guide the terminal operators to perform the data entry function. The edit programs function on input data and provide certain validation procedures; thus CJIS will minimize errors and increase the degree of accuracy of the data. Data should be input to CJIS for each criminal justice activity with which the offender becomes involved while in the criminal justice process.

See CJS process flow diagram (figure A-2) for points of creation of a record; points of creation of the following dispositions:

Law Enforcement

- *Arrest
- *Transfer to Another Agency
- *Booking
- Bail or Release on Recognizance
- *Detention
- Charge Reduction (Arrest)
- *Release (Custody Supervision Segment)

Corrections

- *Detention
- *Transfer Between Ohio
Detention Facilities
- Transfer to Another Agency
- Parole or Furlough
- Release

Courts

- Bail or Release on Recognizance
- Initial Appearance
- Preliminary Hearing
- Bill of Information or Grand Jury
Indictment
- Charge Reduction (Courts)
- Arraignment
- *Trial
- Sentencing
- Appeal
- Probation

*Activity results in a fingerprint record being taken.

Data entry triggers two basic switching functions:

- 1) BCI must be advised that a data segment has been created (at this point the segment will be flagged as unvalidated.)
- 2) After BCI validation of an arrest or court or corrections data segment (successful completion of the validation dialogue will remove the "unvalidated flag" from the segment, and move record to history), the segment will be examined for certain NCIC offense criteria. If it qualifies, the record will be routed to NCIC for entry in OCH.

DATA ENTRY - ARREST CHARGE

MKE/ _____

TRN/ _____ BCI/ _____ FBI/ _____ DOB/ _____ DOA/ _____

ACH/ _____ AON/ _____ GOC/ _____ DOO/ _____ ORI/ _____

CIT/ _____ ADN/ _____ ANA/ _____

AOL/ _____

ADD/ _____

LKA/ _____

PDN/ _____ PDD/ _____ PLN/ _____ VAL/ _____

NEXT MKE/ _____

-17-

FIGURE A-1. FORMATTED SCREEN FOR {ER2, MR2, XR2}

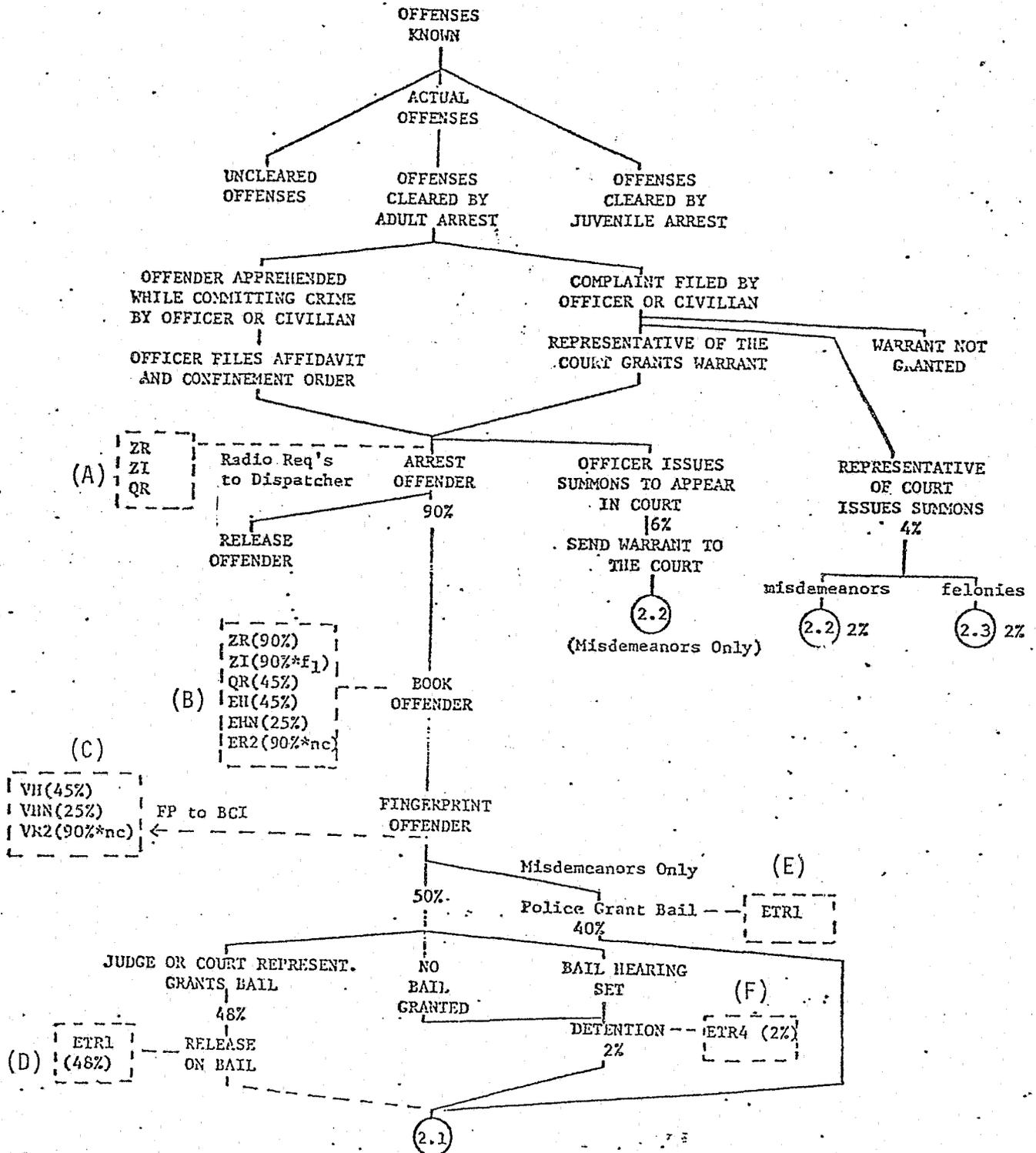
When an individual is entered into the system, the terminal operator provides personal identification information for the individual and the ORC charge number. The system will not accept initial identification data until the offense charged is entered. This prevents putting an individual in the files unless there is a formal arrest. A unique tracking number is assigned by the computer when an individual is entered and a new record is created. When an individual record is entered into the system and assigned a tracking number, that number will remain with the individual record as a temporary identification number until the record is validated and moved to history file. The arrest information is placed in a temporary file until the fingerprint card is received and validated by BCI&I. If the fingerprint card and other documents evidencing a formal arrest are not received at BCI&I within 90 days, the following steps are taken:

- 1) notification of the ORI or arresting agency of the missing documents;
- 2) notification of the ORI and arresting agency that unless the documents are received, the individual's record will be taken out of the temporary file;
- 3) after a reasonable period of time, the incomplete record will be removed from the temporary file; and
- 4) notification of the ORI and arresting agency that the record has been removed.

The rationale for this procedure is to place responsibility for the accuracy of records on the local level and the originating agency. In most centralized record operations, the central record facility has historically taken a position of not unilaterally removing or modifying any record without notifying the user first. Many legal practitioners have held that the arbitrary and unilateral control or modification of records stored in a central record facility implies "ownership" of the record, the responsibility for accuracy of the record and the possible liability for harm or damage caused by the dissemination of an inaccurate or incomplete record.

Figure A-2 shows the criminal justice system flow and at what points disposition should be reported to BCI&I. Each disposition should be reported by the agency involved in it. The computer cannot force user agencies to report dispositions accurately and in a timely manner, however, there are several steps that are being taken to ensure that data is entered completely and accurately:

1. Provision of comprehensive edit routines for data entry. Careful editing of each input field will insure that all data entered into the file falls within the appropriate range. Field edits



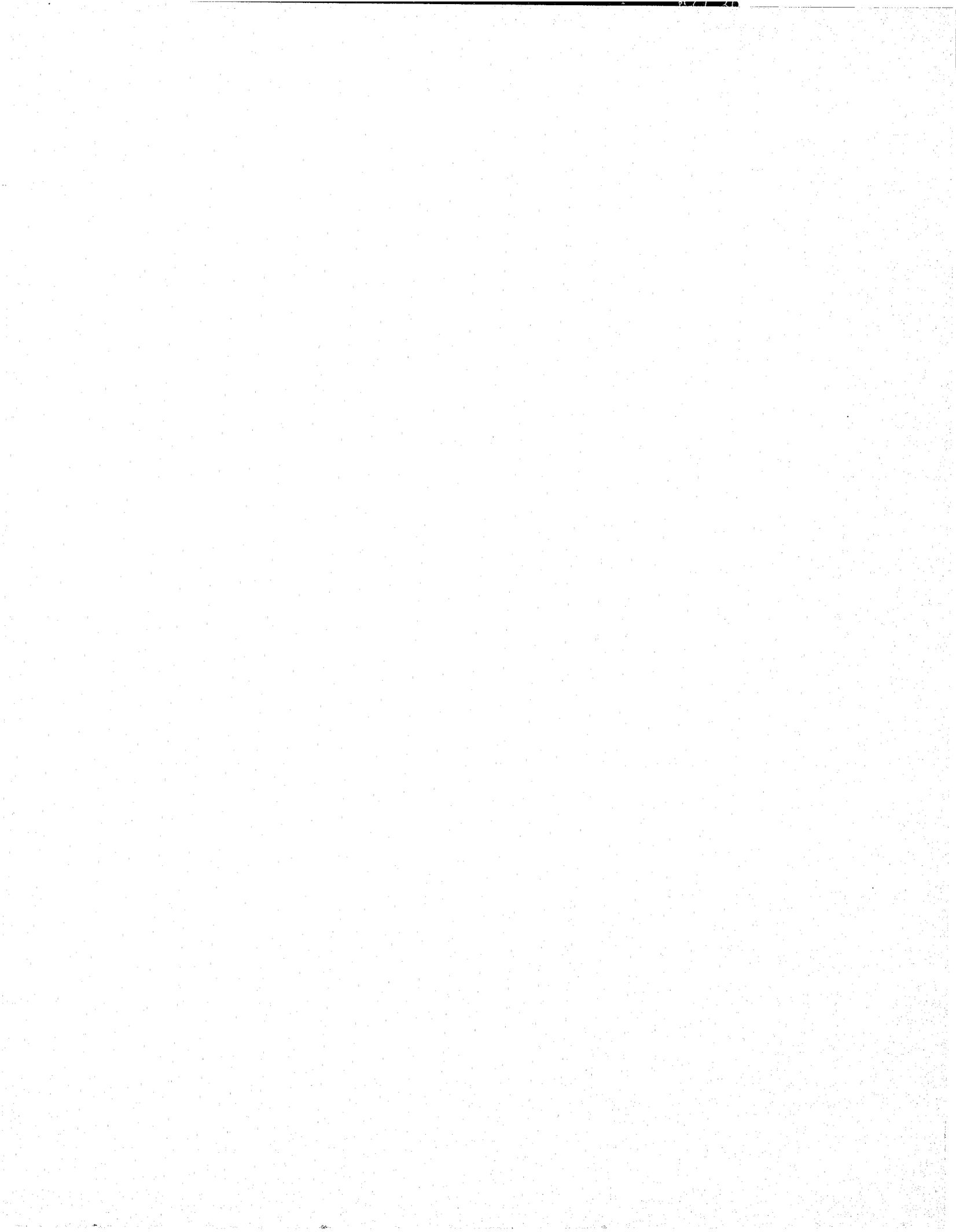
The lettered blocks (A through PP) are either points of data entry to or data retrieval from the automated system. All field entries will be "hooked" to the correct temporary file record by the "TRN" number.

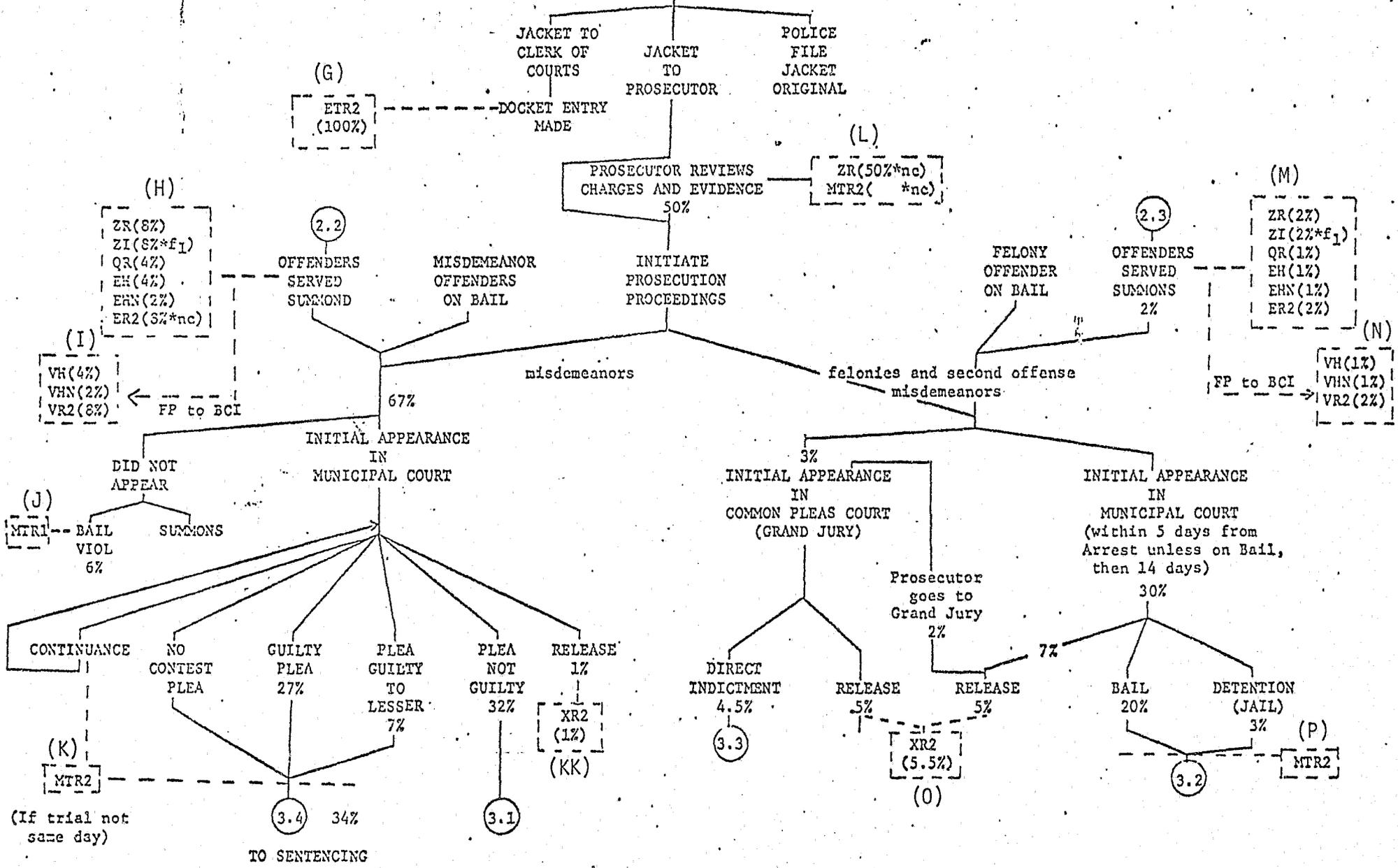
NOTES:

ER2, MRs, XR2, redefined for use in all Arrest data entry and update (tracking and (OCH)

ETR1, and MTR 1 redefined for use in Bail data entry and update

ETR4, MTR4, redefined for use in all Custody/Supervision data entry and update (both tracking and OCH)

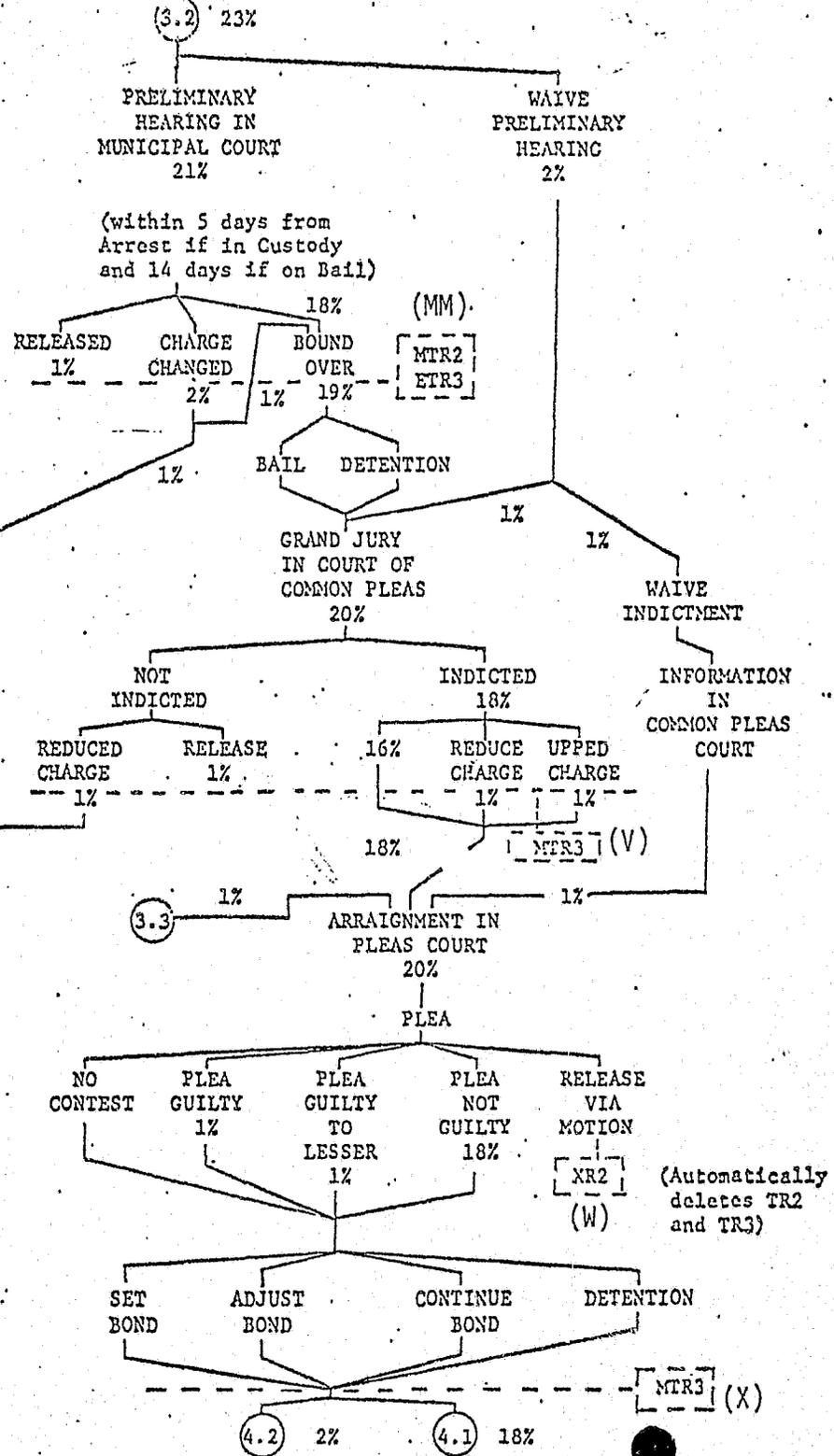
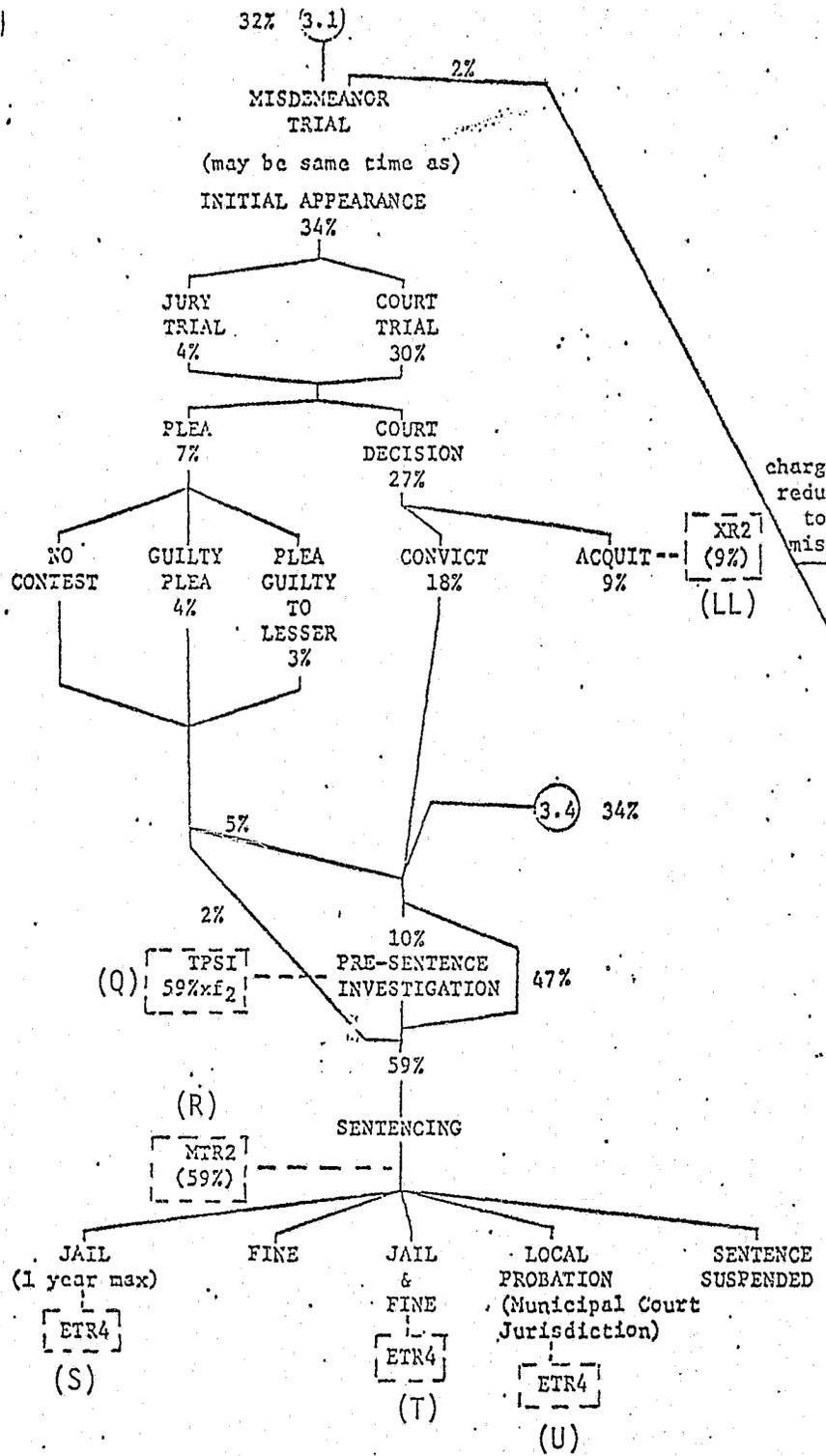


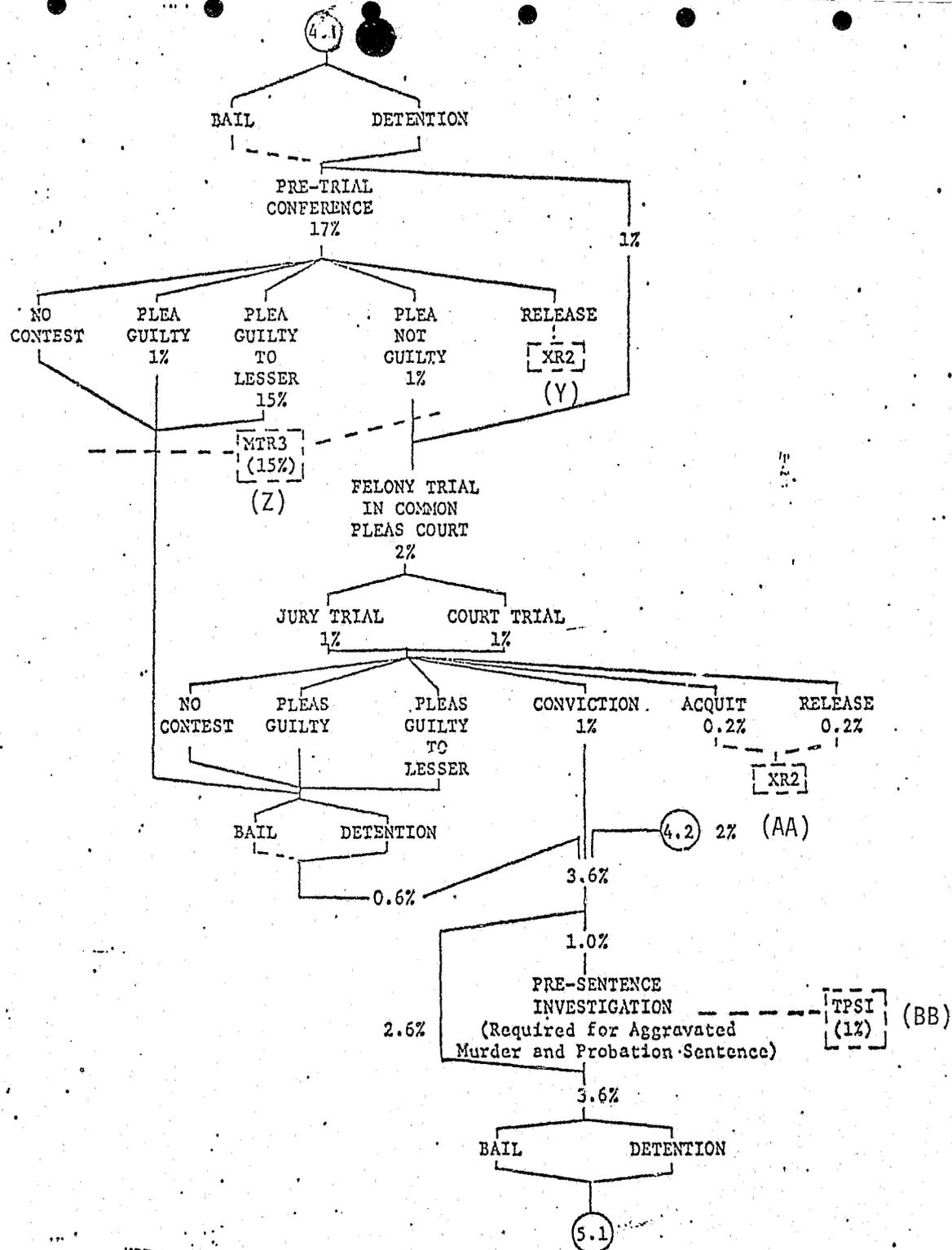


-20-

(If trial not same day)

TO SENTENCING





5.1

SENTENCING
3.6%

(EE)

MTR3
(3.6%)

(FF)

Generate
OCH
JUDICIAL
Record

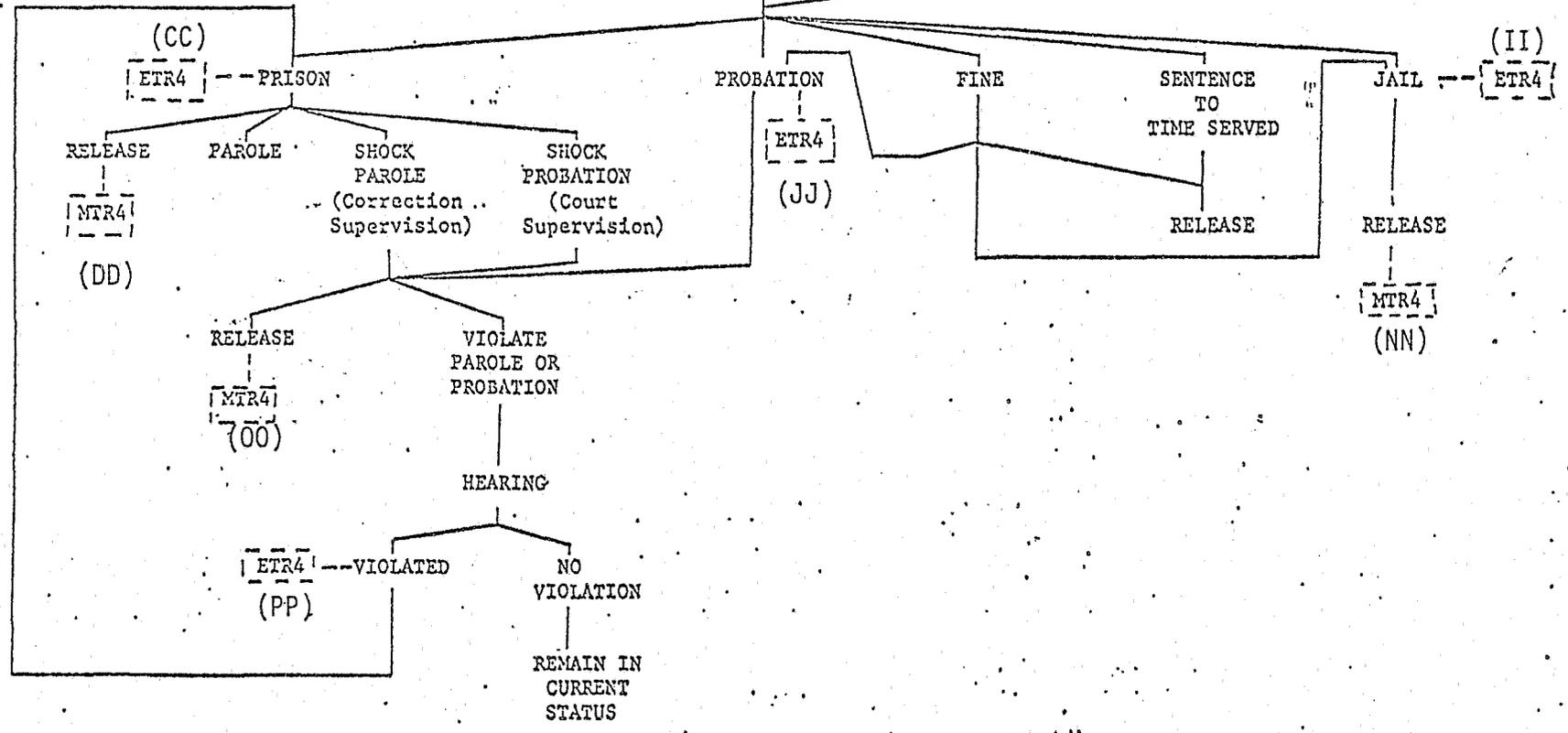
(HH)

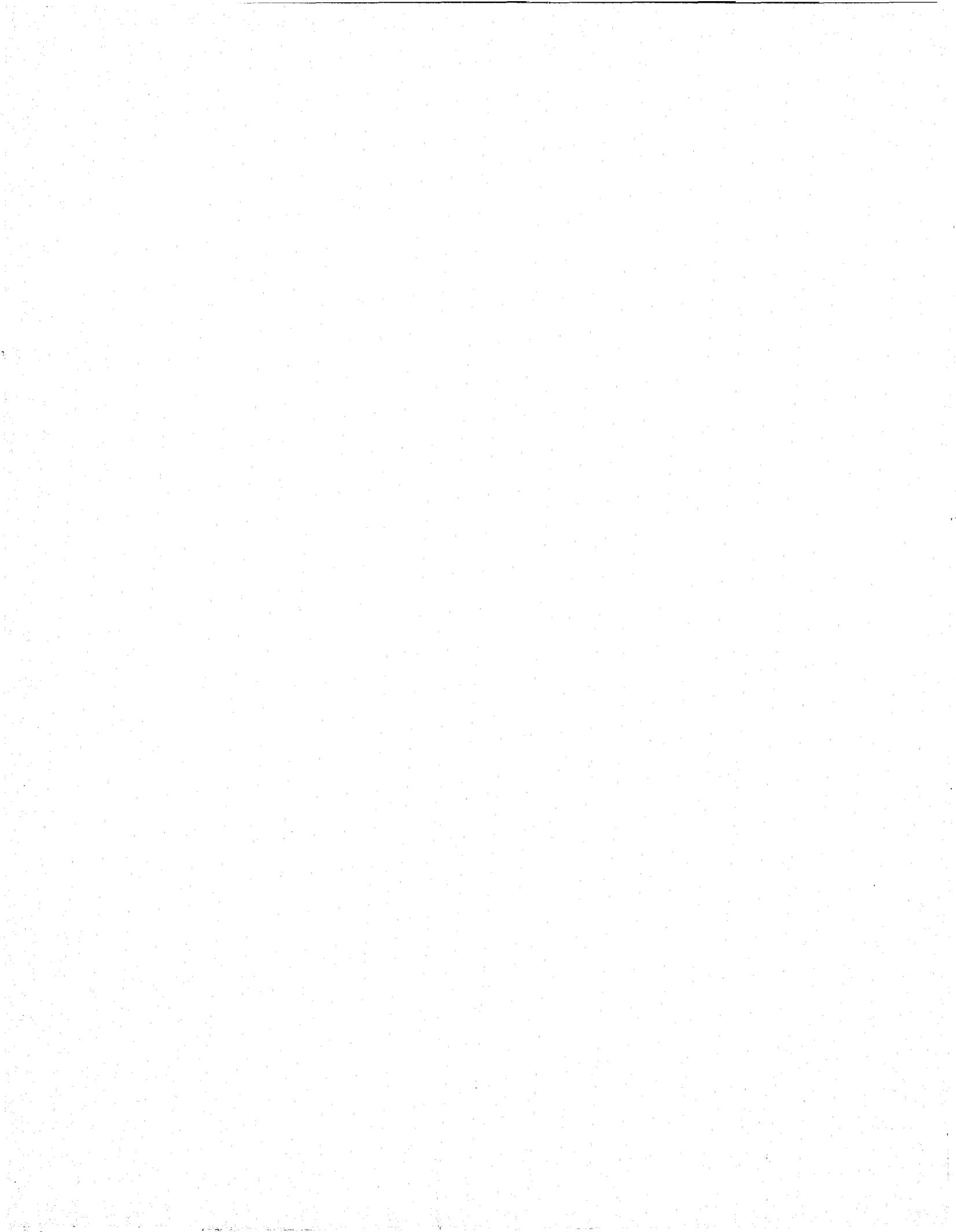
APPEAL
1.5%

ER3A
(GG)

Final Disposition
Form to BCI

VR3
(3.6)





do not relieve the terminal operator from the responsibility of sight validating all data entered. If, for example, an operator could enter a subject's weight as 120 pounds when the correct entry should have been 210 pounds; this type of error would not be caught by the edit because 120 pounds would, of necessity, be within valid weight ranges.

2. Edit input records for mandatory data elements. For some types of data entry or modification it is possible to specify data items which must be entered. The edit portion of each transaction module would reject any transaction which did not contain all mandatory data elements.
3. Conduct systematic audits to ensure user agency compliance with reporting requirements.

6. Promptness of Disposition Reporting

A machine audit procedure is being developed to ensure the prompt reporting of dispositions. In the initial phases of operation, a 60 day time frame has been established for reporting the next disposition. The rationale for this overlong time limit is that, while user agencies are becoming familiar with the system, they will need to adjust to the immediate reporting of dispositions. The time frame for reporting dispositions will be gradually shortened to the target of 30 days.

There are presently four automatic editing procedures established:

- 1) DRQ - Disposition Required will generate a report for BCI&I and the courts, which are the next agency in the criminal justice process. The report will be a notification that a disposition is required within an optional time limit. The batch program will scan the complete criminal history data base (the OBTS/OCH) and will search for those arrests without a following disposition. Legislation will require a final disposition, except for cases still pending, within 180 days of the date of arrest (DOA). The arresting agency will be responsible for entering the ORI to whom it sent the final disposition paperwork. This report will then warn the ORI of possible delinquent final dispositions.
- 2) RDR - Receipt of Disposition Report will notify the arresting ORI of the receipt of final disposition. If the arresting agency entered the final disposition, it will not receive that information on the report. Everytime the VR2 or VR3 MKE's are executed, data will be output to a temporary file (TBIF). Data for this report will then be extracted from the TBIF file. This report will inform the agency of arrest of the final court disposition for an offender.
- 3) VRR - Validation Record Report will analyze the data which is always entered into the OBTS/OCH Criminal History File using a TRM number. At validation a BCI number will be assigned to an offender once the fingerprints have been verified. This report

will aid entering ORI's to determine the BCI number assigned to the offender information they entered. The information necessary for the report will be contained in the TBIF file.

4) UVR - Unvalidated Record Report is a report which will be generated for BCI&I and the ORI's who have entered data into the Temporary/Tracking areas of OBTS/OCH, but have not sent a fingerprint card or final disposition to BCI&I. An option will be provided to allow a variable number of days to pass before an item will be included on the report. A date of entry (DOE) data element will have to be included for each Arrest, Judicial, or Custody-Supervision Segment entered into the Temporary Area. This data element, DOE, will be included in the Tracking-Header record. The report will notify agencies that they have entered data into OBTS/OCH, but the required paperwork has not been received at BCI&I.

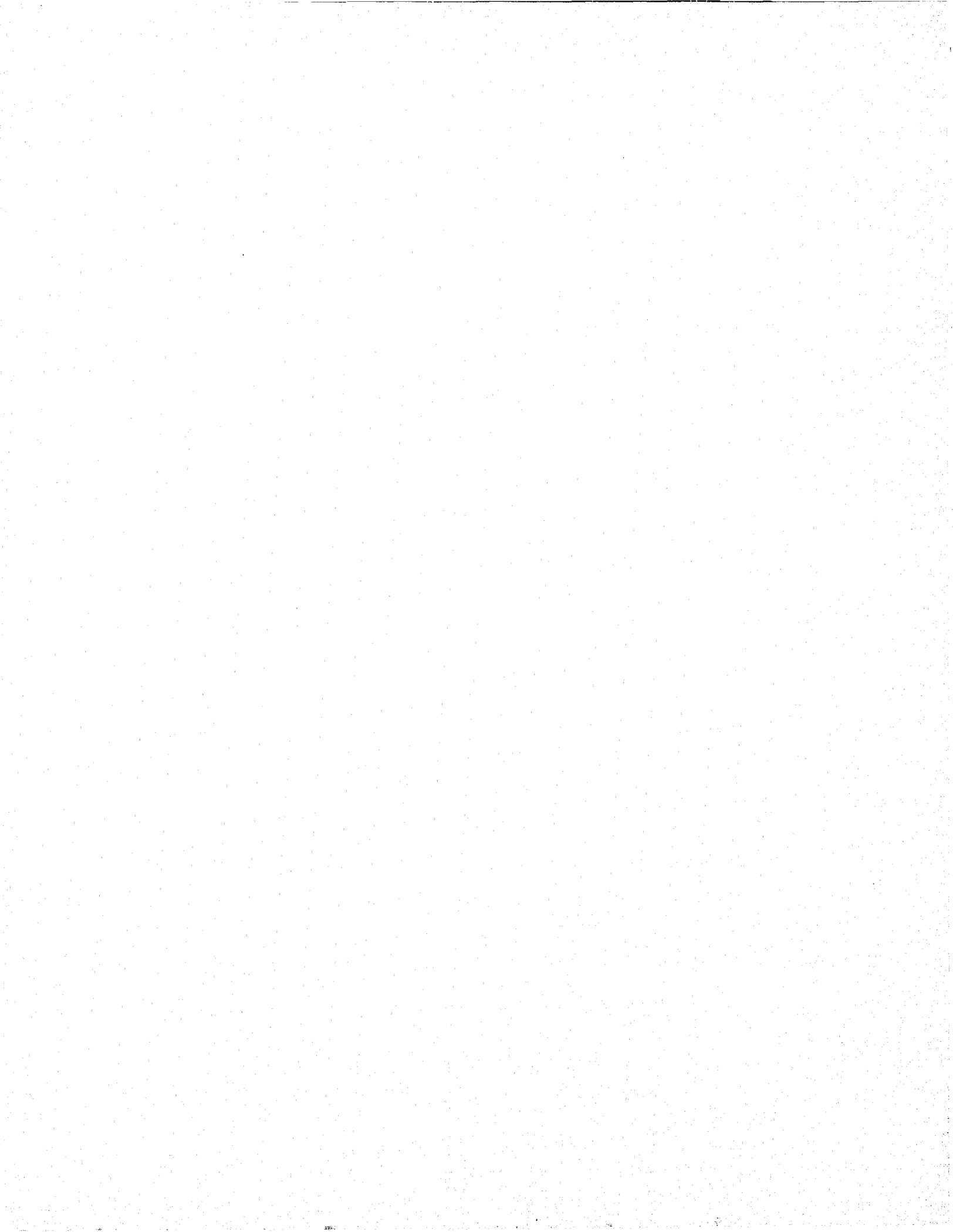
Figure A-3 shows the receiving agencies for the system generated disposition reports and the frequency that the reports will be received. The computer will automatically scan the files at pre-determined periods. Reports are then prepared and sent to the negligent agency and BCI&I.

Under ORC Section 2945.71 time frames are set within which a hearing or trial must be held. If the time periods are not met, the accused is released without prejudice. In felony cases, a preliminary hearing must be held within 5 to 15 days, and the trial must be held within 90 to 270 days (the shorter time period is for an accused person confined in lieu of bail). When the computer is performing the systematic audits, it checks to see if either hearing or trial dates have been entered and if there is a disposition following these dates. If not, the entering agency is notified. If after repeated scans the information is not entered within the time limits, the computer removes the arrest record from the temporary and history file and notifies the entering agency that the record has been removed.

7. Other Criminal History Record Systems

a. Law Enforcement

Local enforcement organizations in Ohio have historically used "jackets" or "wallets" to house record series in their individual record files. The "jackets" or "wallets" may contain adult information from first arrest through law disposition. Usually the fingerprint card (for a felony arrest), mug photograph, personal physical description document and arrest forms are housed together. In some record series jackets there are investigative reports and known associates information. Usually the investigative type information is housed in the separate part of the jacket or wallet.



RECEIVING AGENCIES REPORT TYPES	COURTS	BCI & I	ARRESTING OR I	ENTERING
DRQ	ON DEMAND BY BCI&I	ON DEMAND BY BCI&I		
RDR		WEEKLY	WEEKLY	
VRR		WEEKLY		WEEKLY
UVR		BIMONTHLY		BIMONTHLY

FIGURE A-3. BDBI Report Types Receiving Agencies and Frequencies

FIGURE A-3

b. Prosecutors

Historically, the enforcement function developed the material that the prosecution used to take the offender to court. The larger budgeted prosecutor may have special investigators who help develop prosecution material. Generally the prosecutor's file will begin with nearly the same data that is stored in the enforcement files, except prosecutors use a prosecutor control number. Operationally the prosecutor may "check out" or remove a record series from the enforcement records center but still enact a separate control number.

c. Courts

The municipal court record is usually very short. It would contain case number, docket number, offender name, date of birth, charge(s), appearance date, hearing date, bail/jail decision, and disposition. These can be used for an audit trail to trace an individual's flow through the system. The suspected felon heard in municipal court will be referred to the county or common pleas court. According to Rule 55 of the Ohio Rules for Criminal Procedure, the major process transactions are recorded by hand in journals (books of original entry.) Every transaction affecting the individual as he is in contact with the court, comes from a court (judge's) decision. Usually these decisions are certified, validated, or made official by the initial or signature of the deciding judge. All these records are public records.

d. Grand Jury

Grand juries use the records provided by law enforcement agencies and prosecutors.

e. Jail Records

Jail records or record centers established by county sheriffs are similar to the enforcement records. Since every county sheriff in Ohio performs criminal enforcement functions, it is logical that a part of the records will be (functionally) the same type of records kept by the police. The specific jail record will usually contain the following data in a record series: Name, date of birth, charge(s), physical descriptions, fingerprints, date of arrest, and date of confinement. Since the sheriff has physical custody of an individual, it is quite possible that the individuals "jacket" or "wallet" may contain important related information, such as the attorney of record, names of family, a visitors list, medical needs, special treatment or custody conditions, next hearing date, or release date. All of these records, except medical treatment, and psychological evaluation, are public records.

B. Limits on Dissemination

This section of the plan discusses the limits of dissemination of criminal history record information. A recent Ohio Supreme Court ruling broadened the definition of the public record in Ohio. This ruling extends coverage to non-conviction information.

1. Summary

The following is a summary of the major points of Ohio's limitation on dissemination policy:

a. All criminal history record information will be made available to those criminal justice agencies which administer criminal justice programs.

b. Ohio's public record law (ORC, Section 149.93) has recently been interpreted in an Ohio Supreme Court case [Dayton Newspapers v. Dayton (1976, 45 Ohio St. 22107)] to include "any record which, but for its keeping, the governmental unit could not carry out its duties and responsibilities." Exemptions are enumerated in the law, but it appears that the only records which are exempt from this ruling are state corrections, criminal history record information, and local criminal history record information data received and housed at BCI&I and in NCIC files. These are exempt under the enabling legislation for BCI&I.

c. Research, statistical and evaluation units may receive criminal history record information as long as they establish proper safeguards to keep the subject's identity confidential.

d. Each agency wishing to access the CJIS system must have been approved by the Ohio CJIS Steering Committee through the CJIS Terminal Agency Agreement. Access by terminal agencies will only be permitted if it is reasonably connected with their criminal justice responsibilities or the criminal justice responsibilities of the other agencies sharing the terminal.

e. Other than juvenile arrest information and court dockets, no juvenile criminal history record information may be disseminated.

2. Rights of Access by Criminal Justice Agencies

Criminal history data from the Ohio CJIS shall be made available to criminal justice agencies for criminal justice purposes. Criminal justice purposes can be defined as the administration of criminal justice programs and criminal justice agency employment. Thus, information contained in the files at BCI&I will be given to any criminal justice agency which needs the information in order to perform its day to day operations.

3. Rights of Access by Non-Criminal Justice Agencies or Individuals

a. Public Records

According to Section 20.21 (b) (2) of the federal regulation, non-conviction data can be disseminated to individuals and agencies authorized by a statute or a court ruling to receive such information. In order to gain a better understanding of how this regulation impacts on criminal history record information dissemination in Ohio and on the Ohio CJIS, we have reviewed current legislation and court rulings and the operational history of many criminal justice agencies as they apply to individuals and non-criminal justice agencies' ability to receive criminal history record information. This involves what has been interpreted to be public records or public information in Ohio. Section 149.43 of the Ohio Revised Code defines a public record as follows:

As used in this section, "public record" means any record required to be kept by any governmental unit including, but not limited to, state, county, city, village, township, and school district units, except records pertaining to physical or psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law.

All public records shall be open at all reasonable times for inspection. Upon request, a person responsible for public records shall make copies available at cost, within a reasonable period of time.

This in itself does not entail that criminal history records in Ohio are public records and therefore dissemination cannot be restricted. The law specifically states what documents are exempt from being labeled public records: "records pertaining to physical or psychiatric examination, ... probation and parole proceedings, and records the release of which is prohibited by state or federal law." In order to determine whether information contained in criminal history records is public we must examine the level and point of creation of the criminal history record information as described in case law or attorney general opinion.

When Ohio Attorney General William J. Brown in 1974 was asked to interpret the law with respect to court records he said, in Opinion 74-097:

Under the maxim, expressio unis est exclusio alterius, the enumeration of specific exceptions to a statutory requirement indicates a legislative intent to include with the scope of the requirement all situations not expressly excepted. State, ex rel. Boda v. Brown, 157 Ohio St 368 (1952); Akron Transportation Co. v. Glander, 155 Ohio St 471 (1951); Opinion No. 74-010, Opinions of the Attorney General for 1974.

..., it is my opinion, and you are so advised, that with the exception of physical and psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law, O.R.C. 149.43 requires all court records to be kept open for inspection at all reasonable

times. The public's right to inspect court records pursuant to O.R.C. 149.43 may not be restricted by a court because of the intended purpose of such inspection.

The definition of what is considered to be a public record in terms of criminal history record information was further broadened under a recent Ohio Supreme Court decision: Dayton Newspapers v. Dayton (1976), 45 Ohio St. 2d 107 (text in the appendix). The court was asked to determine whether the Dayton City Jail's "Jail Register" was a public record within the meaning of O.R.C. 149.43. Justice William B. Brown, speaking for a unanimous court, stated:

... [the] appellant would have the statutory phrase describe any record which but for its keeping the governmental unit could not carry out its duties and responsibilities; that the *raison d'etre* of such record is to assure the proper functioning of the unit. We accept the interpretation suggested by the appellant, and in so doing, we reject the holdings of the courts below that the Dayton jail log is not a "public record" subject to disclosure.

Under this ruling all record held by governmental units, except those specifically exempted by law, are public records and therefore subject to public inspection.

It now becomes relevant to examine what criminal history data is exempted by law from being considered a public record. The state law (O.R.C. Section 109.57) concerning information contained in the Bureau of Criminal Identification and Investigation's files is specific:

(c) The superintendent of the bureau of criminal identification and investigation may operate a center for electronic, automated, or other data processing for the storage and retrieval of information, data, and statistics pertaining to criminals, criminal activity, crime prevention, law enforcement, and criminal justice, and may establish and operate a statewide communications network to gather and disseminate information, data and statistics for the use of law enforcement agencies.

(d) The information and materials furnished to the superintendent pursuant to division (A) of this section are not public records under section 149.53 of the Revised Code.

That is, the information contained in these files can only be disseminated to law enforcement agencies.

Recent legislation concerning criminal history record information about an individual committed to a drug program is lieu of incarceration mandates that commitment and treatment information remain confidential. There are exceptions to this: a) when it is needed for supervising an individual's parole, probation or order of rehabilitation; b) for research purposes if the individual's identity is not disclosed in the report; c) when the patient permits disclosure; or d) upon the request of a prosecuting attorney or court (O.R.C. Section 5122.53).

In order for the criminal justice agencies of Ohio to operate in an effective manner and serve the public, administrators of criminal justice agencies must apply a common sense approach to the interpretation of Federal regulations and Ohio law. For example, it is doubtful if BCI&I would exclude courts from obtaining criminal history record information from the BCI&I files. Even though the enabling legislation states that the data and statistics contained in criminal history records are for the use of law enforcement agencies (ORC, Section 109.57C), it does not mention prosecution, courts or corrections. Such an exclusive policy severely jeopardizes the courts ability to obtain dispositions. (Also see the part on individual access and review procedure established by the administration of BCI&I that enables an individual to obtain access to his own record. This procedure was implemented after the issuance of the May 20, 1975 DOJ Rules and Regulations.)

We will try to describe briefly the creation, need, process, control, use, storage, reporting and dissemination of criminal history record information in Ohio:

1. The flow diagram in Appendix A shows that nearly all the operational criminal justice process is at the local level. Enforcement (police, sheriff, constables, etc.) arrest, print, photograph and take physical descriptions. These all create criminal history records. These records are public by definition because they describe and document a public activity.
2. The prosecutor has the responsibility for ensuring progress of a case through the courts. Hence, he will have the major responsibility for updating the current status of the accused in the system. Prosecutors work in conjunction with police in originating the action, and with the courts in prosecuting a case. Under Ohio law, some offenses are misdemeanors on first offense and felonies on the second offense, so prosecutors need criminal history record information for proper charging.
3. The municipal and common pleas courts have the major need for this type of information. Historical information will aid the court in making sentencing decisions as to whether an individual should be incarcerated or released to a community program. The system would also provide information to one court regarding the scheduling of another court. The records created by the courts also aid in determining the time it takes for an individual to progress through the system. The courts will also have major responsibility in entering data concerning the accused's status in court.
4. Local correctional systems (jails) also generate information which is useful to other criminal justice agencies. They provide much of the management information needed by the courts and prosecution. By reporting statistics on offenders released on bond or held while awaiting trial, court scheduling is facilitated. This also relieves some of the burden on the local department which is scheduling cases for the court, placing this burden on the court system.

All of the above records have been open to the public in Ohio. "The public" is defined as citizens, media, non-criminal justice governmental agencies, employers, such as banks, hospitals, private security firms, CPA firms, license boards, non-criminal justice agencies, and the like. Most of the enforcement agencies require waivers or disclaimers prior to the release of information. Most agencies release only transaction data, for example, a charge number, a "literal", a guilty plea, etc. There is no record of release of subjective notations from investigative or intelligence information in a criminal history record.

Most of these local agencies were not aware until recently that the information which was gathered by them and transmitted to BCI&I could not be treated in the same manner as it was treated in their own local agency.

Thus, we have a single record which, when it is at the local level is public, when it goes to BCI&I it becomes non-public, and when it returns to the local level from BCI&I, the FBI or NCIC, it again becomes a public record.

Any records management policy which imposes costly or unworkable rules on a local criminal justice agency for insufficient reasons should not be permitted.

Under federal law, access to information contained in NCIC files is limited to criminal justice agencies in the discharge of their official mandated responsibilities.

The final case is that of expungement of juvenile and adult records. Under Section 2953.32 of the Revised Code (text in appendix) a first offender may apply to the State of Ohio or the court of common pleas for expungement of the record of his conviction and sealing of all official records pertaining to the case. Section 2151.358 of the Revised Code (text in appendix) allows for the expungement and sealing of juvenile records. If the court grants the application for the expungement of a juvenile record, access to those records is limited to the person who is the subject of the record and those persons named in his application to view the record. After an adult record has been expunged, access to that record is limited to law enforcement officers, prosecuting attorneys, city solicitors, or their assistants for the purposes of determining whether a prior conviction will affect the nature and character of an offense a person is to be charged with, or the subject of the record or persons named in his application.

An interesting problem presents itself at this point. It is clear from the above discussion that some records, for example, records at BCI&I, are exempt from dissemination as public records. But consider the case of a local law enforcement agency requesting a record for a particular individual. That agency might request the record to aid in an investigation. If BCI&I sends the record, a hard copy is then in the possession of the law enforcement agency and the record then becomes necessary for the agency to carry out its duties. Under the Dayton Newspapers v. Dayton case (supra) this record would thus be considered a public record. It is not clear from the statute pertaining to BCI&I that the record is, in fact, confidential information once it leaves

the physical facilities of BCI&I. The same may be true of hard copy obtained from NCIC or of a copy of his own record obtained by an individual. Therefore, unless the non-conviction data is contained in BCI&I or NCIC files, it might be considered a public record available for public inspection.

b. For the Express Purpose of Research, Evaluative or Statistical Activities

CJIS policy is that research, evaluation, and statistical units may receive data from criminal history records off-line. The user agency must acknowledge a fundamental commitment to respect the individual privacy interests; the identification of subjects must be divorced as fully as possible from the data. Proposed programs must be reviewed by Ohio CJIS to assure their propriety and to determine that proper security is being provided. Ohio CJIS shall monitor all approved research projects and terminate same if any violation of the above principles is detected.

c. Pursuant to an Agreement to Provide Services for the Administration of Justice

Each agency not having a LEADS terminal and wishing to have access the Ohio CJIS must apply to LEADS and the CJIS Steering Committee for a terminal. In that application, an applicant must show: the need for such a terminal, the organization of the agency, the physical layout of the facility, the agency interface with the system, and any other criminal justice agencies which may be using the information. To access the system a terminal agreement must be signed. The agreement must show the type of access desired.

Access to criminal history data will be permitted only for criminal justice agencies in the discharge of their official, mandated responsibilities which have been approved by the Ohio CJIS through the CJIS Terminal Agency Agreement. (See Appendix C). Agencies that will be considered for access to Ohio CJIS/criminal history data are:

1. Law Enforcement Agencies of this State and its subdivisions which are responsible for enforcement of general criminal laws.
2. Prosecutive agencies of this State and its subdivisions.
3. Courts of record of this State with criminal jurisdiction.
4. The Ohio Department of Rehabilitation and Correction, including the correctional institutions, probation departments, and parole commissions of this State and its subdivisions.
5. The Ohio Bureau of Criminal Identification and Investigation (BCI).

6. Satellite (Regional/local) computers under the management control of one or more of the above agencies which can demonstrate security measures which meet the DOJ Rules and Regulations of March 19, 1976.

Access by terminal agencies includes only requests reasonably connected with their criminal justice responsibilities. Access to NCIC will be accomplished by OBTS/CCH application programs through the State Control Terminal.

4. Rights of Access to Juvenile Records

The use or procurement of information in juvenile criminal history records is very limited. Under O.R.C. Section 109.57, "fingerprints, photographs or other description information of a child under eighteen years of age shall not be procured by the superintendent (of BCI&I) or furnished by any person in charge of any state correctional institution except as may be authorized in Section 2151.313 of the Ohio Revised Code." Section 2151.313 provides that fingerprints may only be taken if the offense committed by a juvenile would be a felony if the offender were an adult or if the investigator of an offense has probably cause to believe that the juvenile was involved in felonious activity. These records and all copies must be given to the juvenile court who will hold them unless a complaint is not filed or the complaint has been dismissed. In these cases, the files are removed and then destroyed. According to the juvenile record expungement law (O.R.C. Section 2151.358) once a record is expunged, "all index references shall be deleted and the person and the court may properly reply that no record exists with respect to such person upon any inquiry in this matter."

The only Ohio law pertaining to the actual dissemination of juvenile criminal history record information concerns the juvenile court dockets. The parents of any affected children or their next of kin may view the court docket, (O.R.C. Section 2151.18). Once each year the juvenile court prepares an annual report of all the cases that have been before it and that report may be disseminated.

Other than this, there is no specific law pertaining to the dissemination of juvenile records. Since the law pertaining to dissemination of records at BCI&I provides for the general dissemination of records and not specifically juvenile records, and these are exempted from the public record law, then according to Section 20.21 (d) juvenile records cannot be disseminated.

C. Audit and Quality Control

This section of the Security & Privacy Plan for Ohio contains the proposed procedures for audit and quality control. The objective of the CJIS Audit Policy is to set forth general guidelines relating to audits of agencies participating in the Ohio CJIS. Audits shall be conducted according to specified procedures whereby adherence to all applicable Department of Justice Rules and Regulations, the Ohio CJIS Terminal Agency Agreement, and other applicable federal and state laws can be determined.

1. Summary

The major parts of the audit and quality control policy can be summarized as follows:

- a. The audit policy will apply to all agencies participating in the Ohio CJIS system. There will be systematic, annual and self-audits. Ten percent of all agencies in the Ohio CJIS will be audited annually.
- b. The audit team will investigate each agency to ascertain if Ohio CJIS policies and procedures are being followed.
- c. The audit team for each agency will be chosen by the audit task force.
- d. Within fourteen days of the audit, the team will prepare a report on its findings. The report will be submitted to the Ohio CJIS Steering Committee and to the agency audited.
- e. Each agency audited will be expected to submit a plan outlining the major steps for correcting any discrepancies found by the audit team. Failure to correct any discrepancies will result in the discontinuance of participation in CJIS.

2. Scope of Audit System

The Ohio CJIS Audit Policy shall apply to all agencies participating in the Ohio CJIS. Agencies include those participating in both the automated and the manual systems. Each agency's records shall be sufficiently adequate to support the audit being conducted. These records shall contain the names of agencies and/or persons to whom all disseminations have been made along with the dates and purposes of all disseminations. There shall be three types of audits, systematic, annual, and self audits. The systematic audit will provide for data quality control and also provide an audit trail to allow criminal history data elements to be traced through the system. The systematic audit will provide the means to control the completeness, accuracy and timeliness of the criminal history records. The annual audit shall determine the extent to which selected agencies are complying with the regulations listed in this section, and identify areas

needing corrections. The self audit is a survey checklist procedure to be completed by every participating agency and is to occur on an annual basis. The self audit is to be used to assist an agency in the planning and controlling of the processing of criminal history data, and will help to insure passage of the annual audit.

3. Determination of Agencies to be Audited

Ten percent of all agencies in the Ohio CJIS will be audited annually. These agencies will be made up of two groups: five percent representing agencies participating in the manual system and five percent representing agencies participating in the automated/manual system. In addition to the agencies selected at random for audit, the Ohio Bureau of Criminal Identification and Investigation (BCI) and the Ohio State Highway Patrol (OSHP) will each be audited annually.

4. General Determination of the Audit

In addition to the specific points addressed below, each audit shall be attentive to general observations, and those observations and evaluations reported by the audit team. The specific points that must be audited are outlined below.

- a. Signed security agreement on file.
- b. Adequacy of site security.
- c. Records being maintained accurately, completely, and currently.
- d. Dissemination records being maintained.
- e. Dissemination limitations being adhered to.
- f. Adequate records to support audit being maintained.
- g. Authority to select, supervise, and terminate personnel having access to criminal history information.
- h. Adherence to the Ohio CJIS policy manual.
- i. Adherence to procedure for the review, challenge, and appeal of criminal history information.
- j. Adherence to applicable federal rules and regulations.
- k. Adherence to the Ohio CJIS Terminal Agency Agreement.
- l. Adequacy of procedures to capture and enter necessary data.

5. Audit Team Composition

An Audit Task Force shall be composed of one member from each of the following organizations:

Bureau of Criminal Identification and Investigation (BCI&I)

State Highway Patrol (SHP)

Ohio Supreme Court (OSC)

Department of Rehabilitation and Correction (DRC)

Buckeye State Sheriff's Association (BSSA)

Ohio Association of Chief's of Police (OACP)

The Audit Task Force shall be chaired by BCI and shall report to the Security & User Interface Subcommittee. An audit team shall be selected by the Audit Task Force for each agency audited. The audit team shall consist of three members, one from each of three agencies represented on the Audit Task Force. The number of audit teams necessary will be determined by the number of agencies to be audited concurrently. The audit of the Ohio Bureau of Criminal Identification and Investigation will be conducted by three members not from BCI. The audit of the Ohio State Highway Patrol will be conducted by three members not from OSHP.

6. Report of Findings

Fourteen days after an agency has been audited, the audit team will report to the Security & User Interface Subcommittee of the Ohio CJIS Steering Committee, and to the agency being audited, the results of the audit. Each report shall include findings as to the specific items specified in this policy, as well as any general observations and evaluations made by the audit team. The results of the audit shall be reported by the Security & User Interface Subcommittee to the Ohio CJIS Steering Committee at the meeting thirty days after the findings of the audit team have been reported to the Subcommittee.

7. Correction of Discrepancies

Each agency being audited shall be furnished with a copy of the audit team's findings within fourteen days after the agency has been audited. Within thirty days of such reporting, the agency being audited will submit to the Security & User Interface Subcommittee of the Ohio CJIS Steering Committee a written report outlining the necessary steps taken to correct any discrepancies indicated in the audit report. Any agency not reporting such corrective action to the Subcommittee, or those agencies whose corrective action has been deemed unsatisfactory by the CJIS Steering Committee, will be contacted by representatives of the Security & User Interface Subcommittee to determine when correction of the

discrepancies will be made. Non-compliance with correction of discrepancies will be considered just reason for disallowing that agency's participation in the Ohio CJIS.

8. Anticipated Results and Benefits of Audit Policy

Performing audits according to this policy will ensure a data base of high intensity for the Ohio CJIS. Such procedures will ensure the accuracy, completeness, and timeliness of data entered into the system. As a result of audit procedures, the criminal justice agency being audited can more effectively enter information into and retrieve information from the Ohio CJIS.

In addition to these benefits, adherence to federal rules and regulations, federal and state laws, the Ohio CJIS Policy Manual, and the Ohio CJIS Terminal Agency Agreement will be facilitated.

9. CJIS Dissemination Log

Department of Justice Rules and Regulations state that criminal justice agencies, "upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information." To satisfy this requirement, the CJIS system must maintain a dissemination log which contains the following information:

- ORI - to whom the information was released
- Date of release (access)
- Individual to whom the information relates (the offender)
- Items of information released (message key type)

The above requirement can be implemented in CJIS by adding a Dissemination Record to the OBTS/OCH data base. This record would be linked to the Master Identification record and contain multiple occurrences of the ORI/Date/Message Key Triplet.

For each criminal history inquiry/retrieval (QR message key), the triplet would be stored in the on-line Dissemination Record. On some periodic basis, perhaps weekly, these records would be dumped to tape.

The Dissemination Log Tape would contain one record per valid BCI number. Whenever a criminal history is determined to have inaccurate data and is updated, the tape record would be dumped and a copy of the updated criminal history would be printed (in batch mode) and mailed to the receiving ORI. This will be implemented in Phase II of the OBTS/OCH Subsystem development effort (by December 1977).

10. Audit Trails

Section 7 of Part A describes in brief the method of record creation and record keeping at the local level. To establish an audit trail through the local level functions, we must first list the data elements that could help substantiate the trail. Since the criminal justice process is not systematized it is necessary to have several data elements to use as points of reference as we define a potential audit trail. In most localities, it is impossible to find a single process control number that can "track" an individual and his records. The data elements listed below under each local organizational function are in general the best links for "tracking" or "trailing" an individual's record from function to function in a manual system.

Lines 1, 2, 3, 4, 9, 11, 15 and 18 of Figure C-1 contain the data element names that would be used to set up an "audit trail" on a manual system. The horizontal arrows (---->) indicate the need for an "auditor" to use the record name or data elements of the numbered line listed above in each organization

file. The vertical (↓) lines indicate that this listing of record names or data elements for each function in each column is incomplete. This display is not meant to be an accurate discription of record names or data elements. It is only meant to show the difficulty of creating an "audit trail: in a manual record operation.

The preceding paragraph is not a criticism of manual record operations. The specialized functions and the creation growth and development over many years of each function in the criminal justice system are the main factors responsible for the early separation between the file and record operations. In recent years this organizational separation has been fostered by administrative inertia, distrust of non-criminal justice employees, fear of displacement, individual and organizational empire building and the complete misunderstanding of the economy of maintaining large scale record systems.

FIGURE C-1

FUNCTIONS

	Enforcement Police/Sheriff	Prosecution	Municipal Court	Common Pleas	Custody and Supervision
1.	Arrest Date ----->				
2.	Suspect Name ----->				
3.	Date of Birth ----->				
4.	Physical Description ----->				
5.	Charge/s ----->				
6.	Arresting Officer ----->				
7.	Form No. ----->				
8.	Booking No. ----->				
9.		Prosecutor No.	Case No. (New)	Case No. (New)	
10.		Charge/s	1st Appearance Date	Date/s of Indictment	Date Assign-ment
11.			Judge's Name	Arraignment	
12.			New Charges	1st Hearing	
13.			Decisions	Judge's Name	
14.				Attorney of Record	
15.				Charges (New)	
16.					
17.	↓				↓
18.	Fingerprint				Fingerprint
19.					
20.					
22.					
23.			↓		
24.	↓	↓		↓	↓

D. Security

This part of Ohio's Security and Privacy Plan outlines the measures taken to make the central CJIS computer, computer documents, terminals, and the data base secure.

1. Summary

The major policies regarding security may be summarized as follows:

- a. All employees of the state data center are required to undergo a complete background investigation prior to employment. Once they are employed, they will be issued a photo identification card that must be worn at all times when working in the State Data Center.
- b. Access to the data center is limited to those persons who have a "need" to be there. The premises are protected twenty-four hours per day by a uniformed security officer who checks all persons entering or leaving the area.
- c. The data center is protected by smoke detectors and fire alarms. There are fire extinguishers distributed throughout the data center.
- d. Agencies that are authorized by the CJIS Steering Committee will have access to the CJIS system and NCIC criminal history files if they meet minimum security requirements for personnel and site security. All remote terminals must be maintained in secure locations.
- e. A security monitoring system has been established to validate each transaction. Each user agency has a unique terminal identifier, agency code, user code, and message key, the combination of which allows them to access the system. A user control file will be maintained to determine the types of transactions a user agency is allowed to make.
- f. The CJIS message log will maintain a record of all messages entering and leaving the system. This log will be utilized for the dissemination log and audit trails.
- g. The CJIS system generates Security Violation Reports which list unauthorized attempts to access the system or other security violations.
- h. Security checklists to determine the security of criminal history record systems may be found in Appendix D.

2. Central State Repository Security

a. Personnel Security Policy

All employees who are being considered for employment in the State Data Center must be fingerprinted and checked against the fingerprint files at the Bureau of Criminal Identification and Investigation. If an individual has an arrest and conviction record, a full background investigation will be conducted. All employees working directly with the CJIS system are required to undergo a full background investigation. This investigation will be conducted by the Ohio State Highway Patrol and will be the standard background investigation of the State Highway Patrol. All employees will be informed of this requirement by letter (see figure D-1).

At the time of employment, each employee must sign the "Code of Responsibility" (see figure D-2). He must then fill out an "Application for Permanent Security Access Permit and Photo Identification Badge" (figure D-3). The State Data Center Security Officer will then issue the employee a photo badge which will allow access to the State Data Center.

b. Access to the Central Repository

Access to the State Data Center is limited to those persons who can show a legitimate reason for entering the center. All persons who access the center must be wearing a photo identification badge or be accompanied by someone who is. Access to the computer room is limited to those persons with photo badge.

At the present time, there is a uniformed security officer at the entrance to the data center at all times. In addition, there is a State Highway Patrolman stationed at the entrance. All exits are monitored by television cameras which are connected to a console at the main entrance. From 6:00 p.m. to 6:00 a.m. all persons wishing to enter the data center must have an OBA card stating they are allowed to access that floor. The security guard has the right to inspect all briefcases, purses, boxes, etc. of persons entering or leaving the data center. The security system for access is in the process of being remodeled to allow no direct access by elevator to the data center.

c. Physical Disaster and Fire Protection

The State Data Center is equipped with fire extinguishers and smoke detectors. It is also connected with the State Office Tower fire alarm system and there are fire detectors in both the ceilings and the floors.

The air conditioners are designed so that if there is a failure or fire, all vents are automatically closed off. There are also established emergency procedures for power failures, bomb threats, and fires.



Ohio Department of Administrative Services

DIVISION OF
COMPUTER SERVICES

JAMES A. RHODES, Governor

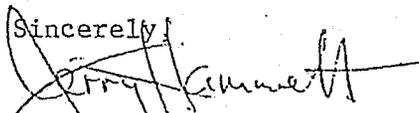
30 EAST BROAD STREET
COLUMBUS, OHIO 43215

October 21, 1975

Because of the security requirements on the LEADS System, the State Highway Patrol and the State Data Center have agreed that all persons requesting permanent passes to the 7th floor will be asked to undergo a full background check for a security clearance.

The State Highway Patrol has been given the right to deny access to the 7th floor, if as a result of the background check, they could not obtain a security clearance.

If you have any questions on this matter, please contact Gene Potter at 466-6920.

Sincerely,

Jerry Hammett
Deputy Director
Administrative Services

I acknowledge that I have been informed of the pending background investigation.

Signed _____

Date _____

JH/lb

S.S.# _____

D.O.B. _____



Ohio Department of Administrative Services

DIVISION OF COMPUTER SERVICES

JAMES A. RHODES, Governor

30 EAST BROAD STREET COLUMBUS, OHIO 43215

MEMORANDUM TO: State Data Center Employees and All Others Authorized Access to the State Data Center
FROM: Jerry Hammett, Deputy Director
SUBJECT: CODE OF RESPONSIBILITY FOR SECURITY AND CONFIDENTIALITY OF DATA FILES

Security and confidentiality is a matter for concern of all employees of the State Data Center and of all other persons who have access to the State Data Center whether they be the employees of vendors, employees of user agencies or others. The State Data Center is a repository of information in computerized data files for the agencies of the State of Ohio. Each person working at the State Data Center holds a position of trust relative to this information and recognizes the responsibilities entrusted to him and to the State Data Center in preserving the security and confidentiality of this information. His conduct either on or off the job may threaten the security and confidentiality of this information. Therefore, an employee of the State Data Center or a person authorized access to the State Data Center:

is not to make or permit unauthorized use of any information in files maintained by the State Data Center,

is not to seek to benefit personally or permit others to benefit personally by any confidential information which has come to him by virtue of his work assignment,

is not to exhibit or divulge the contents of any record to any person except in the conduct of his work assignment or in accordance with the policies of the State Data Center,

is not to knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry,

is not to remove or cause to be removed copies of any official record or report from any file from the office where it is kept except in the performance of his duties,

is not to operate or request others to operate any State Data Center equipment for purely personal business,

is to report any violation of this code by anyone to his supervisor immediately,

is not to aid, abet, or act in conspiracy with another to violate any part of this code,

if he is a State employee, is to adhere to the rules, policies and procedures of the State of Ohio Civil Service.

For State employees VIOLATION OF THIS CODE WILL RESULT IN DISCIPLINARY ACTION such as reprimand, suspension or dismissal, consistent with civil service rules and regulations.

For non-State employees, violation of this code will result in denial of access to the State Data Center.

I have read and understand the State Data Center Code of Responsibility for Security and Confidentiality of Data Files.

Signed _____ Date _____

Signed _____ Date _____ (Supervisor's Signature)

d. Handling of Confidential Data

All tapes that are taken from the library must be signed in and signed out. All persons wishing to take tapes out of the data center must check with the Librarian. The Librarian will then take the tapes out to the guard station where they can be picked up. The guard is responsible for verifying the transmittal form as to who is picking the tapes up and what tapes are picked up.

The State Data Center backs up to tape, every day, disk packs containing systems data sets and user source and load module libraries. These are then stored outside the data center. All disk packs will be backed up every two weeks.

3. Terminal Security

a. Satellite Computers

Access to Ohio CJIS and NCIC Computerized Criminal History files via a satellite computer will be authorized to those agencies which can meet the following requirements:

1. A criminal justice agency with a satellite computer must have adequate physical security to protect against any unauthorized personnel gaining access to the computer equipment or to any of the stored data.
2. Since personnel at these agencies can access data stored in the system, they must be screened thoroughly under the authority and supervision of the Ohio CJIS. This screening will also apply to maintenance or technical personnel who do not work for criminal justice agencies.
3. All visitors to facilities with satellite computers must be accompanied by staff personnel at all times.
4. Satellite computers having access to the Ohio CJIS must have the proper computer instructions written and other built-in controls to prevent criminal history data from being accessible to any terminals other than authorized terminals.
5. Satellite computers having access to the Ohio CJIS must maintain a log of all transactions against the criminal history file in the same manner as the Ohio CJIS computer logs all transactions. The Ohio CJIS identifies each specific agency entering or receiving information and maintains a log of those transactions. This transaction log must be monitored and reviewed on a regular basis to detect any possible misuse of criminal history data.

b. Physical Terminal Security

All agencies having terminals on the Ohio CJIS system shall physically place these terminals in secure locations within the authorized agencies. Those agencies whose terminals have access to criminal history files shall have trained terminal operators, and restrict access to the terminal to a minimum number of authorized employees. Terminal operators shall use individualized passwords to ensure authorized use. Copies of criminal history data obtained from terminal devices must be afforded security to prevent any unauthorized access to, or use of, that data. All agencies shall use internal audit procedures approved by CJIS which show the disposition of all hard copies of criminal history data.

Every agency participating in CJIS must sign an agreement with LEADS; the terminal agency must agree to supply the necessary security for their terminals. A copy of the agreement may be found in the Appendix C. Since joining Ohio LEADS or CJIS is voluntary, the steering committee "suggests" a wide range of security procedures but the local agency must select the procedure that best suits their budget and operation.

c. Communications Lines

Lines which are being used to transmit criminal history data will be dedicated solely to criminal justice use. Physical security of the lines shall be protected with the normal security procedures for vendor (Western Union) data lines to guard against clandestine devices being utilized to intercept or inject spurious telecommunications messages.

4. Data Base Security

a. Security Monitor

The vehicle for protecting the data base is the security monitor segment of the system environment routines. In developing the security monitor specifications it must be recognized that there are three distinct groups of CJIS users:

1. single agency - single operator
2. single agency - multiple operators
3. multiple agency

Each of these user classes requires different levels of security control.

Several criteria are utilized to validate transactions entering the CJIS system:

- Terminal Identifier (PID)
- Agency Code
- User (operator) Code
- Message Key

The terminal identifier is the hardware address of the remote terminal; it cannot be altered by the terminal user or the central site operator. Thus, the terminal identifier provides an absolutely unique identifier for each CJIS terminal. The terminal identifier will then validate by the CMS/TIP communications package at system initialization; any terminal which is not properly identified in the "terminal table" will be retained by the security monitor for validation of other identifiers. The terminal identifier validation process is the same for all user classes. Regional computers have their own security monitors.

The agency code is an unique alpha-numeric identifier assigned to each authorized user agency. The initial step in validating agency code involves checking the code entered by the operator against a table of valid agency codes; if there is no match, the transaction is rejected and the error is logged. If the agency code is valid, it is next checked against the terminal identifier to determine if the terminal-agency consideration is valid. If the agency code is not valid for the terminal, the error is logged and the transaction is terminated. If the agency code is valid, the security monitor proceeds to check the user code. It should be noted that agency code is checked only once for a single agency terminal and on each transaction for a multiple agency terminal.

User code is another unique alpha-numeric identifier assigned to each operator functioning in either a single agency - multiple operators or multiple agency - multiple operators environment. User code validation is by agency; a series of tables will be maintained listing user codes which are valid for each agency. The user code will be validated by checking the user code against the appropriate portion of the agency table. If the user code is not valid, the error will be logged and the transaction terminated.

The final validation phase involves validating the message key. Message key validation involves the same basic steps which are used in user code validation. The message key is first checked to determine if it is a valid command. If the message key is in a valid range, it is next checked against the agency table to determine if it is valid for that agency. If the transaction passes this validation step, it is passed to the appropriate applications module.

Figure D-4 depicts the general flow of a transaction through the security monitor; note that some validation steps are skipped after the first entry for single agency - single user and single agency - multiple user participants.

b. User Control Files

User control files will be disc files containing detailed data for each authorized user of CJIS including his authorization level, passwords available

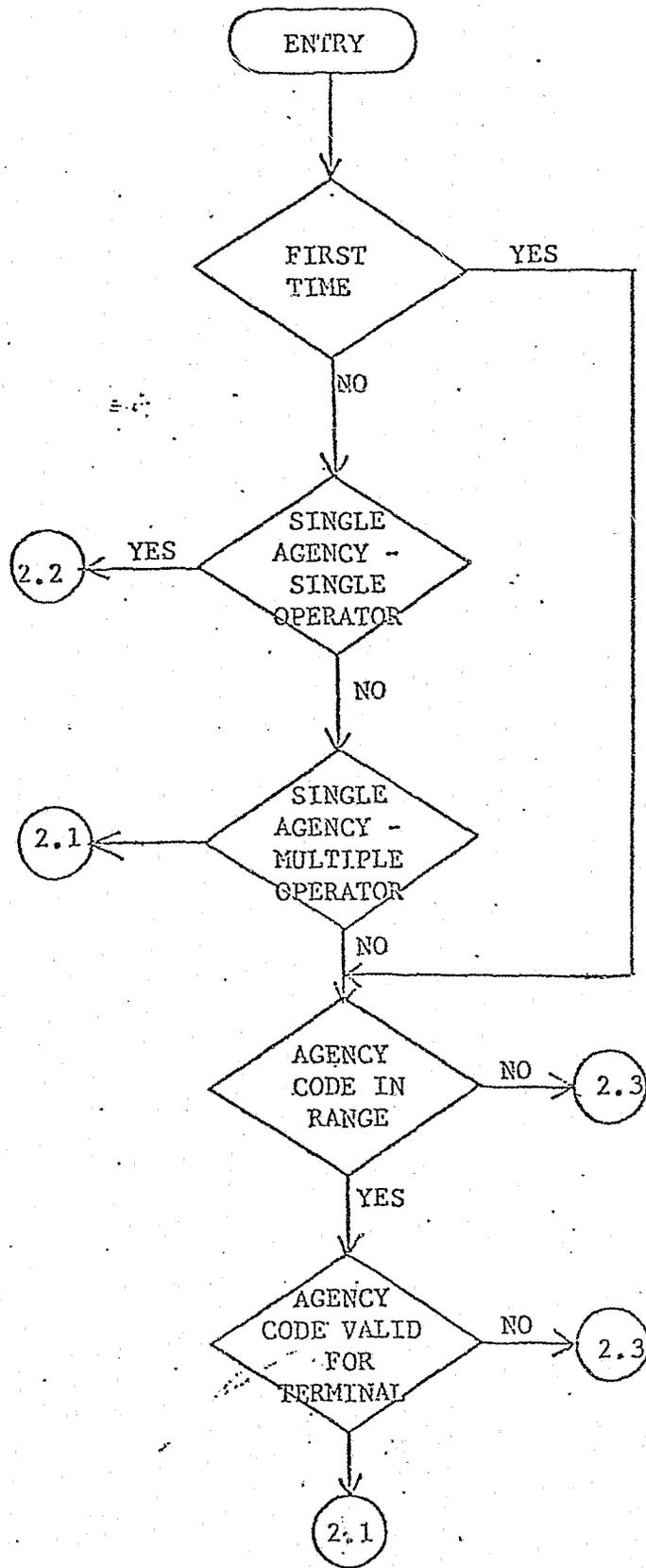
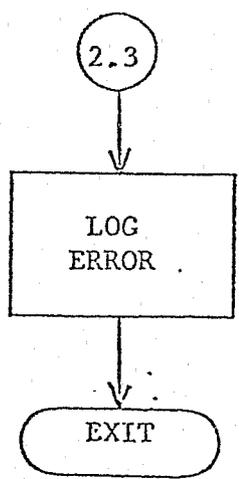
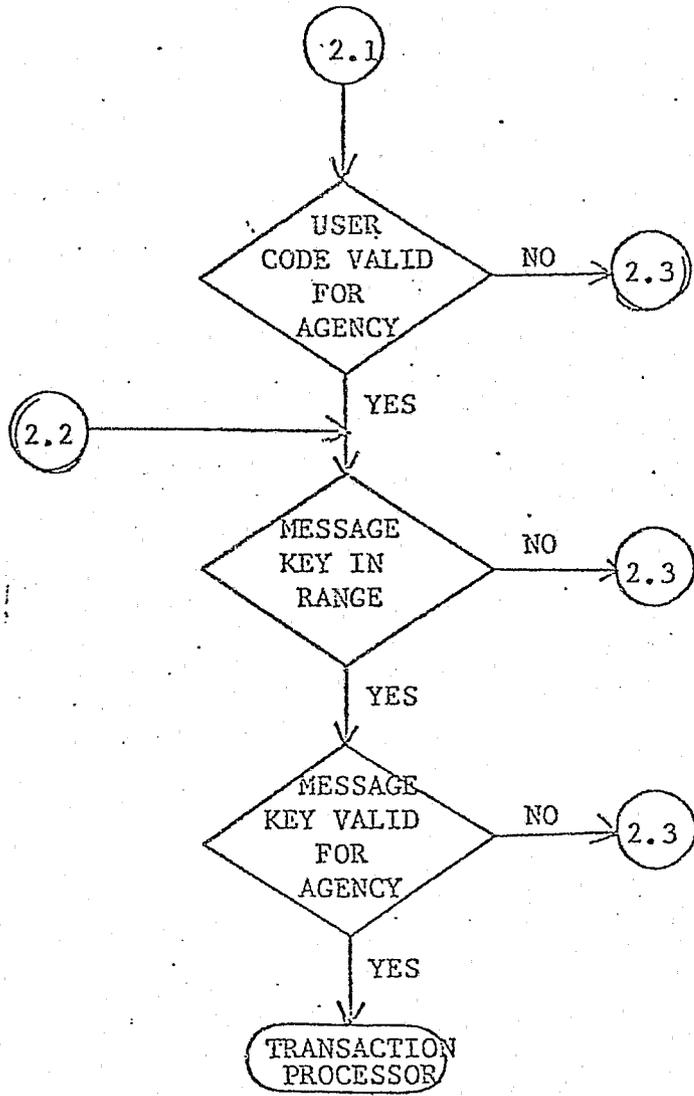


FIGURE D-4 - GENERAL FLOW THROUGH SECURITY MONITOR

FIGURE D-4 (continued)



to the user, and transactions he may execute. The control file will also include descriptive data about the user which will not be accessed for validation. This descriptive data would include items such as name, function, address, and phone number. This descriptive data could be accessed by batch routines to print mailing lists, or by the system administrator to contact the user in the event of system problems.

c. CJIS Message Log

The CJIS message log file will be a sequential data set containing a record of every message entering or leaving the system. This log file will provide the basic information analyzed for report production in the SOS subsystem. The basic elements to be written to the log file for each input or transaction are:

1. An image of each input transaction with a system generated date stamp (indicating the date and time the transaction was received by the MCP).
2. A date stamp "transaction completed" entry indicating that the transaction has been processed and all output returned to the user. This entry created as the output message (or final message segment) is queued for CMS.

Each of these two basic log entries will include several elements which serve to further define the user and transaction type:

Origination/destination information, to include user and terminal ID

- Transmission line used
- Message key
- Message length

The message log will be utilized by the SOS subsystem to generate reports on terminal/line transaction volumes and loading, unauthorized access attempts, and any other activities which could impact operation efficiency and integrity.

d. CJIS Warning Messages

CJIS warning messages will be elicited on a sentinel printer at the central computer site. These messages will be printed for the benefit of the security officer and will be elicited by the system only when some exceptional condition exists such as an unauthorized attempt to access CJIS or an out-of-service communication line.

e. Security Violation Reports

Security Violation Reports would provide the agency responsible for systems security with an audit trail of attempted violations and the identification of the user and terminal from which the attempt was made. Such a

report could be used to identify users and terminal locations not using proper security controls. The source of data for this report would be the "unauthorized system access attempts data elements" of the CJIS Message Log File. A security violation is defined as a system-detectable attempt to access CJIS or to invoke a transaction message without the proper security keys.

E. Individual Right of Access and Review

An integral part of the Ohio CJIS is to: (1) make reasonable and convenient the right for an individual to review his Ohio criminal history data and (2) create reasonable restrictions to assure the privacy of criminal history data. This procedure establishes a uniform method to be followed to obtain individual criminal history records, and a uniform method to be followed when challenging criminal history records for the purpose of obtaining any correction of such criminal history.

1. Summary

This procedure applies to any individual who believes he/she is the subject of a criminal history record at BCI&I. Requests to review and challenge a record must be made at the originating agency for the record and then forwarded to BCI&I. The major steps in this procedure are:

a. An individual may make application to review criminal history data pertaining to him, to any law enforcement or criminal justice agency participating in the Ohio CJIS. For purposes of this disclosure, the individual's identity shall be verified by fingerprints and, if needed, additional identifying information may be requested of the individual. If application is made to a law enforcement or criminal justice agency, the application and the individual's fingerprints shall be sent to BCI&I for verification. BCI&I shall verify identity and then return to the agency a copy of the criminal history data. The agency shall then give the copy to the individual. The individual will, at that time, be informed of his right to challenge and that the challenge should be made to the originating agency.

b. If an individual has reason to believe that criminal history data which pertains to him is inaccurate or incomplete, he may submit a written challenge immediately; the originating agency will forward the challenge to the BCI&I within five days. BCI&I shall enter the challenge into the criminal history record and any further dissemination of the record, while the investigation is pending, shall indicate those parts of the criminal history which are challenged. The originating agency shall investigate the challenge and forward the results of the investigation to the individual and to BCI&I within thirty days of the challenge. If the investigation reveals that the data should be deleted, corrected, or modified, the originating agency shall so inform BCI&I, who will then delete, correct, or modify the record as appropriate to the findings of the investigation.

c. Should the individual continue to dispute the data after the investigation has been completed he may seek remedy through the appropriate court. The originating agency shall forward to BCI&I, within five days after the case is filed, a statement regarding the status of the individual's criminal history data. BCI&I shall enter the dispute into the criminal history record and any further dissemination of the record while the

court proceedings are pending shall indicate those parts of the criminal history which are disputed, unless otherwise ordered by the court. The originating agency shall advise BCI&I every thirty days of the status of the litigation. After the litigation has been resolved by the court, the originating agency shall, within five days, forward the court disposition to BCI&I. If the court disposition requires that the data be deleted, corrected, or modified, BCI&I shall take the action appropriate to the findings of the court.

2. Procedure for Individual Access and Review

Each request for a criminal history record must be accompanied by a fee of \$10, \$5 of which shall be remitted to the agency handling the original request, and \$5 to be forwarded in a money order or certified check to the Ohio BCI. This fee is established pursuant to the provisions of the Ohio Revised Code. Any request for waiver of fee shall accompany the original request for the criminal history record and shall include a claim and proof of indigency. Consideration will be given to waiving the fee in such cases.

"Criminal History Information" is defined as data, records, identification information, and information (including offender based transactions system/computerized criminal history data) compiled by criminal justice agencies for purposes of identifying criminal offenders and alleged offenders maintaining a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, rehabilitation and release of each offender that is recorded in the Criminal Justice Information System as the result of initiation of criminal proceedings or of any subsequent related proceedings. It shall not include intelligence, and investigative reports and files, nor statistical records and reports in which individuals are not identified.

Since the Ohio BCI is not the source of the data appearing in criminal history records, and obtains all data therein from fingerprint cards or related identification forms submitted to the BCI by local, state, and federal agencies, the responsibility for authentication and correction of such data rests upon the contributing agencies. Requests to review criminal history information may be made to any criminal justice agency capable of taking fingerprints. Any changes, corrections, or updating of such criminal history information shall require that the subject of a criminal history record make application to the original contributing agency in order to correct information.

3. Procedure for an Individual to Obtain a Copy of his Criminal History

Any individual who believes he or she is the subject of a criminal history record in the State of Ohio, may make application to receive a copy of said criminal history to any criminal justice agency capable of taking fingerprints. The criminal justice agency through which the individual is making application will see that the individual completes BCI form "Request to Review Criminal History Information." (See figure E-1).

FIGURE E-1

REQUEST TO REVIEW/OHIO CRIMINAL HISTORY DATA

Each individual shall have the right to review criminal history data which refers to him that is stored by the State of Ohio. Application for review may be made at any law enforcement or criminal justice agency participating in the Ohio Criminal Justice Information System. In order to verify identity, fingerprinting is required. Review requests are processed by the Bureau of Criminal Identification and Investigation and two weeks should be permitted for the full criminal history to be returned to the agency at which the request to review is made. The individual has the right to review and then challenge any information deemed to be inaccurate. Challenge procedures will be provided by the local agency. A fee is to be charged for this service in accordance with the Ohio Revised Code.

PERSONAL IDENTIFICATION INFORMATION		
Name _____	BCI# (If known) _____	
Address _____	Height _____	Weight _____
City _____	Eyes _____	Hair _____
Place of Birth _____	Sex _____	Race _____
Date of Birth _____	SSN (Optional) _____	
I hereby wish to review my criminal history data stored by the State of Ohio, and agree to pay a fee of \$10.00 as prescribed by statute.		
Date _____	Signature _____	

Agency Name _____	Agency ID (ORI#) _____
Date _____	Witnessing Agent _____

Action	Date	Signature
Sent to BCI&I	_____	_____
Received at BCI&I	_____	_____
Serviced at BCI&I	_____	_____
Sent to Agency	_____	_____
Received at Agency	_____	_____

This certifies that I have:		
<input type="checkbox"/> Reviewed my Criminal History, <input type="checkbox"/> Received a copy of my Criminal History, <input type="checkbox"/> Received "Procedures to Challenge/Appeal Criminal History Data".		
Signature _____	Date _____	Witnessing Agent _____

REQUEST TO REVIEW CRIMINAL HISTORY

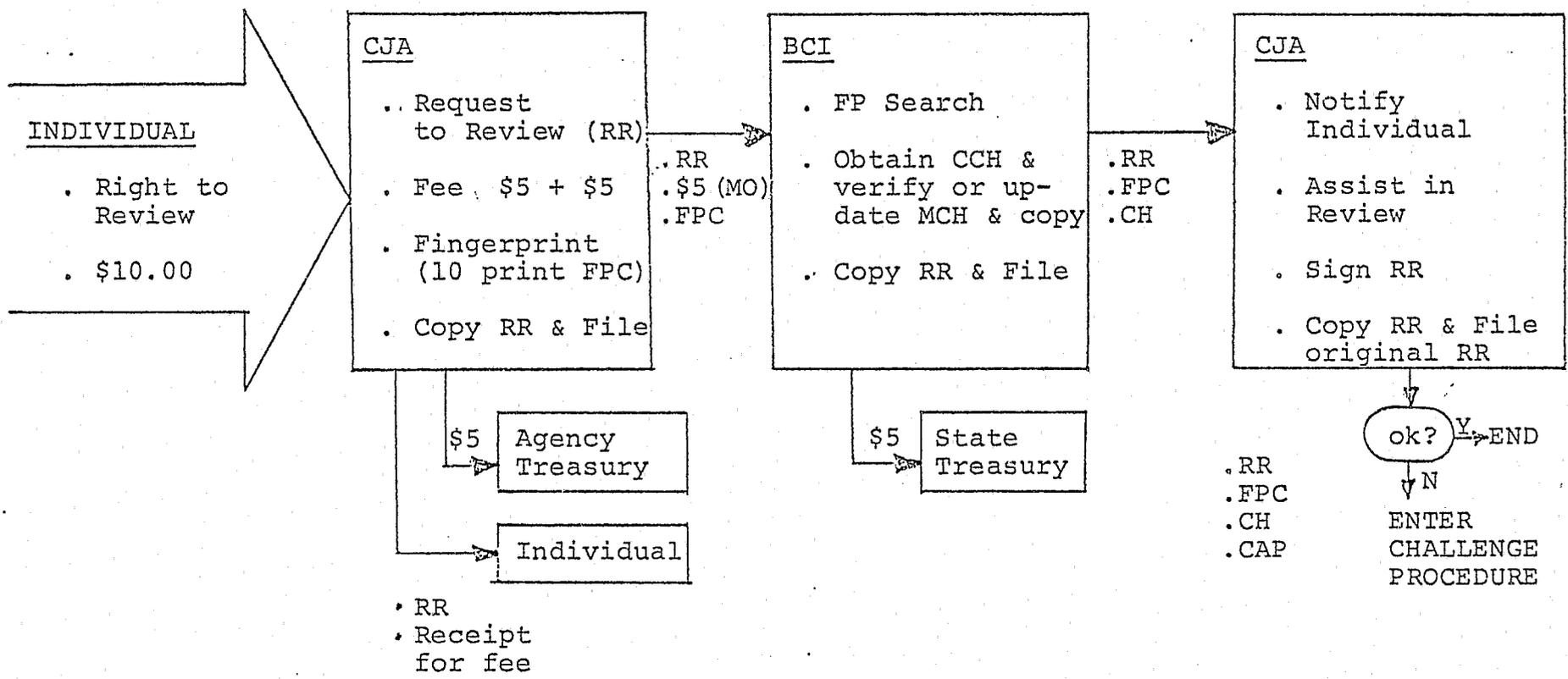


FIGURE E-2

The criminal justice agency will cause the individual's fingerprints to be taken. This fingerprinting is to be a full ten-print fingerprint card. The request and fingerprint card, along with a money order or certified check in the amount of \$5 will be forwarded to the Superintendent of BCI. An additional \$5 fee will be submitted to the criminal justice agency handling the request. The agency will give the individual a receipt. The receipt shall be used as additional identification when claiming copy of criminal history.

The BCI shall verify that the fingerprints accompanying the request match a set of fingerprints in the master fingerprint file at BCI. Upon such verification, a copy of the criminal history record associated with the matching fingerprints will be sent to the agency handling the request.

The agency handling the request will turn over the copy of the individual's criminal history record to the individual in person. The individual shall sign the Criminal History Receipt/Review block of the Request to Review form.

If after reviewing the criminal history, the subject believes that it is incorrect or incomplete in any respect and wishes corrections, the individual should be informed that he must make application directly to the contributor of the questioned information.

4. Procedure to Challenge Criminal History Record

The subject of the criminal history record in question may make application for any correction to the originating agency of the questioned information in person or in writing. The individual will ask the appropriate originating agency to change the criminal history record in whatever manner or fashion the individual deems necessary. If the originating agency agrees that the information should be changed, the originating agency will forward, within 7 days of the date the agreement was reached, an official communication directly to the Ohio BCI where the changes will be made. The Data Systems Division will code and enter all changes for a computerized criminal history. The Identification Division will change manual criminal history. (Figure E-3 shows agencies that may correct what parts of a record.)

If the originating agency does not agree that the record should be changed, the individual may file a formal challenge to that information.

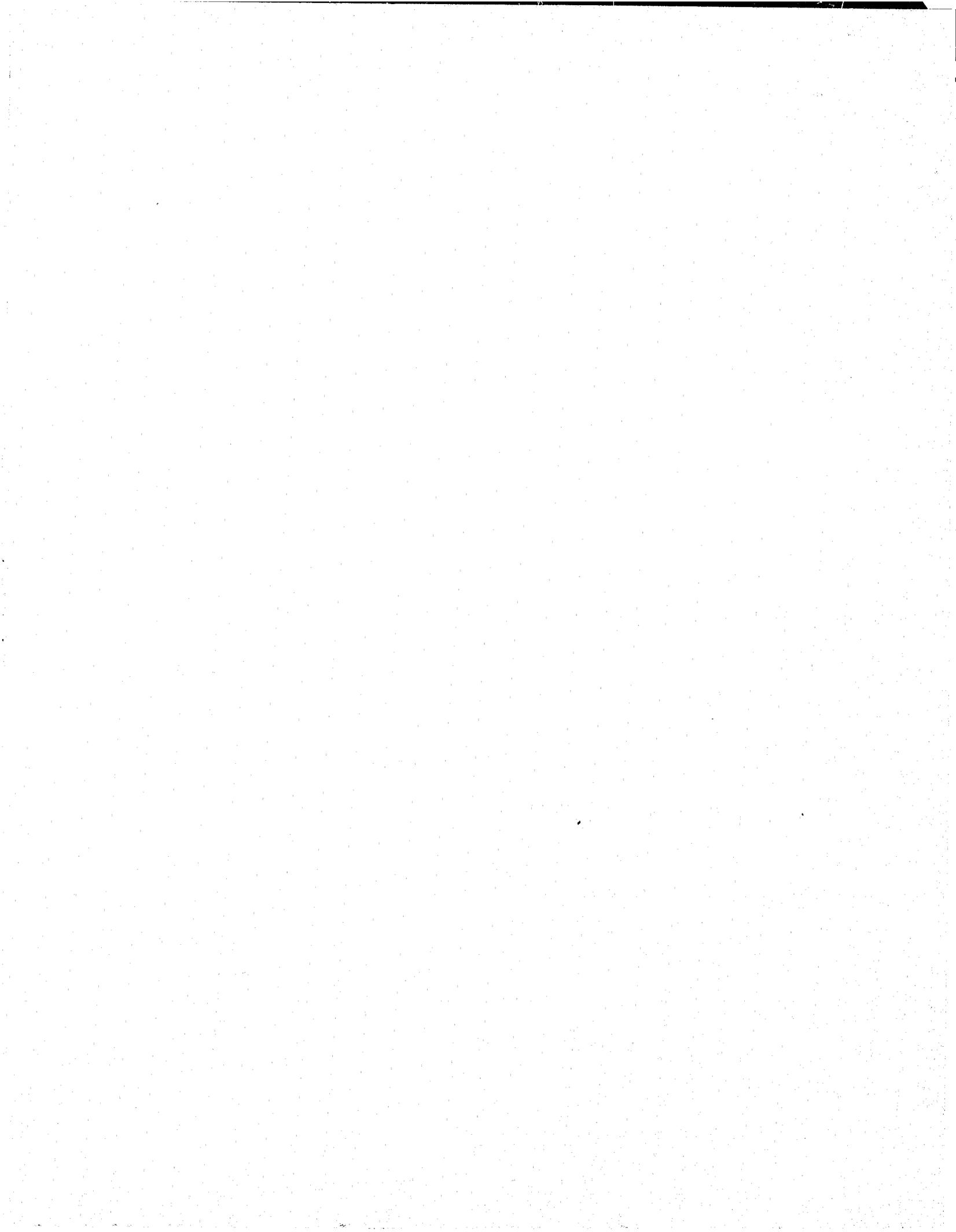
In the event an individual wishes to challenge any information on the criminal history record, the originating agency will ensure that BCI form "Ohio Criminal History Challenge Statement" is prepared. The originating agency will provide the individual with two (2) copies of the challenge statement, with the suggestion that the individual send one (1) copy to BCI by certified mail. The originating agency will forward a copy, within 24 hours of date of the completed challenge form, to BCI with a copy of the Request to Review.

BCI&I will mark the challenged criminal history record in the automated system and/or manually note in the manual criminal history record. The fact of challenge will be included on all record dissemination

USER TYPES - MESSAGE KEYS	LAW ENFORCEMENT	PROSECUTORS	COURTS	CORRECTIONS	ADULT PROBATION AND PAROLE AUTHORITIES	DCISI	NCIC	AJD	SDC
------------------------------	-----------------	-------------	--------	-------------	---	-------	------	-----	-----

ENTRY/UPDATE

MASTER ID RECORD									
- EH	I		I	I	I	I	I		
- MH	I								
- DD									
- DH									
- XH									
APPENDED ID RECORD									
- EHN	I					I	I		
- XHN						I			
HISTORY CYCLE RECORD									
- DC						I			
- XC						I			
ARREST CHARGE RECORD									
- ER2	I								
- MR2	I								
- XR2	I								
- DR2						I			
- SR2	I					I			
JUDICIAL COUNT RECORD									
- ER3		I	I						
- MR3		I	I						
- XR3		I	I						
- DR3						I			
- SR3		I	I			I			
SUPPLEMENTAL COUNT RECORD									
- ER3A		I	I						
- MR3A		I	I						
- XR3A		I	I						
- DR3A									
- SR3A		I	I			I			
CUSTODY SUPERVISION RECORD									
- ER4				I	I				
- MR4				I	I				
- XR4				I	I				
- DR4									
- SR4									
OBIT RECORD									
- ETRL	I								
- MTRL	I								
- XTRL	I								
- DTRL	I								
- ETR2		I	I						
- MTR2		I	I						
- XTR2		I	I						
- DTR2		I	I						
- ETR3		I	I						
- MTR3		I	I						
- XTR3		I	I						
- DTR3		I	I						
- ETR4				I	I				
- MTR4				I	I				
- XTR4				I	I				
- DTR4				I	I				
PRIVILEGE									
- MIP	(E)	(E)	(E)	(E)	(E)				
- MCP	(E)	(E)	(E)	(E)	(E)				
- VH									
- VR2									
- VR3									
- VR3A									
- VR4									
- IH									
- IR2									
- IR3									
- IR3A									
- IR4									
- SCH									
- MMED									
- LCI									
- OGT									
- ACI									
- OESS									(E) (E)



CHALLENGE CRIMINAL HISTORY

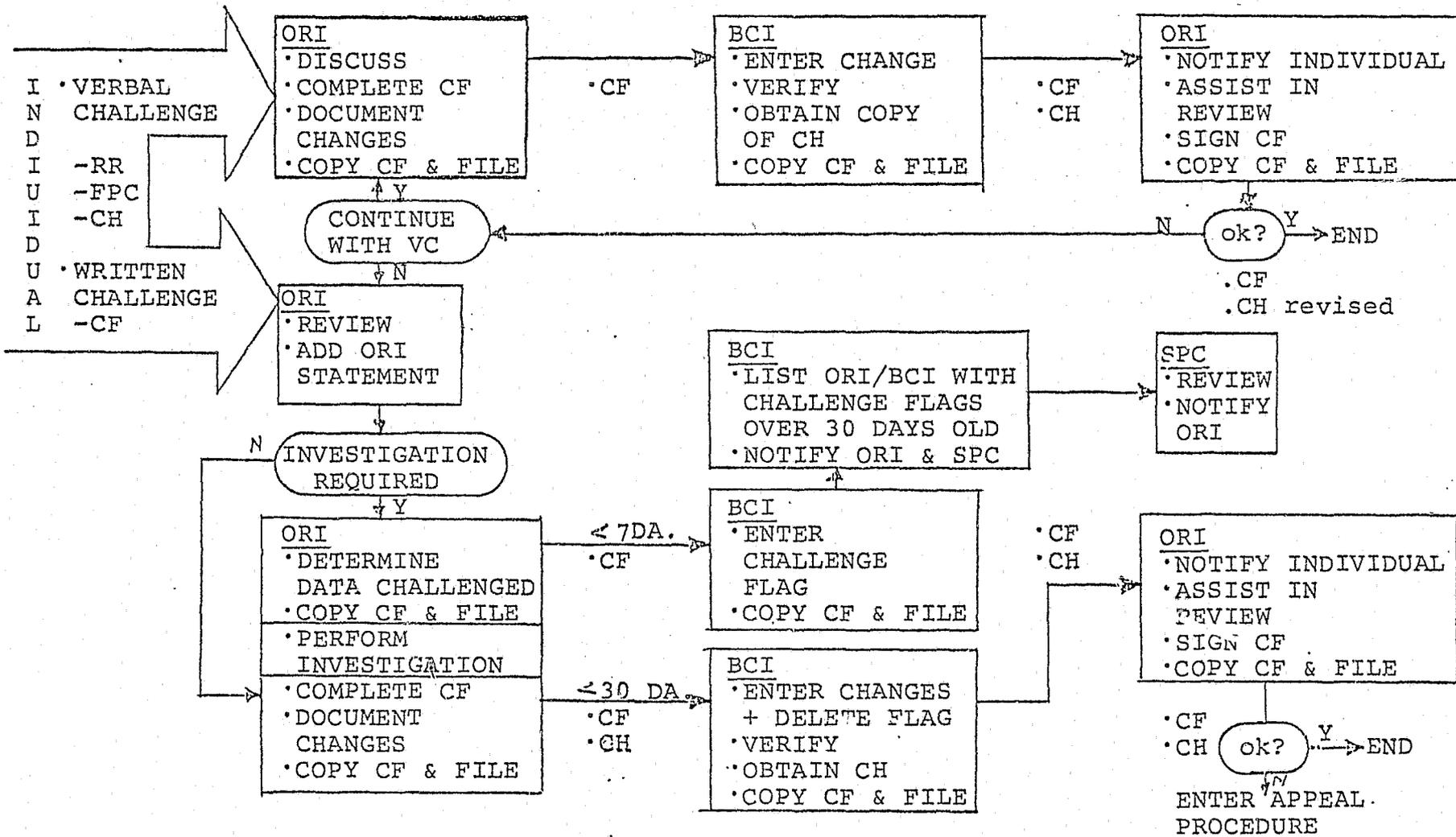


FIGURE E-4

until the challenge is resolved. BCI will also notify NCIC of the challenge if the criminal history has been forwarded to NCIC. The challenge form, with the copy of the request to review attached, will be sent to the Ohio Criminal Justice Information System Security & Privacy Committee if not resolved in thirty days.

5. Procedure to Appeal

If within thirty days, the challenge is not resolved in a manner agreeable to both the originating agency and the subject individual, the individual may appeal to the Security & Privacy Committee of the CJIS Board to have the dispute resolved.

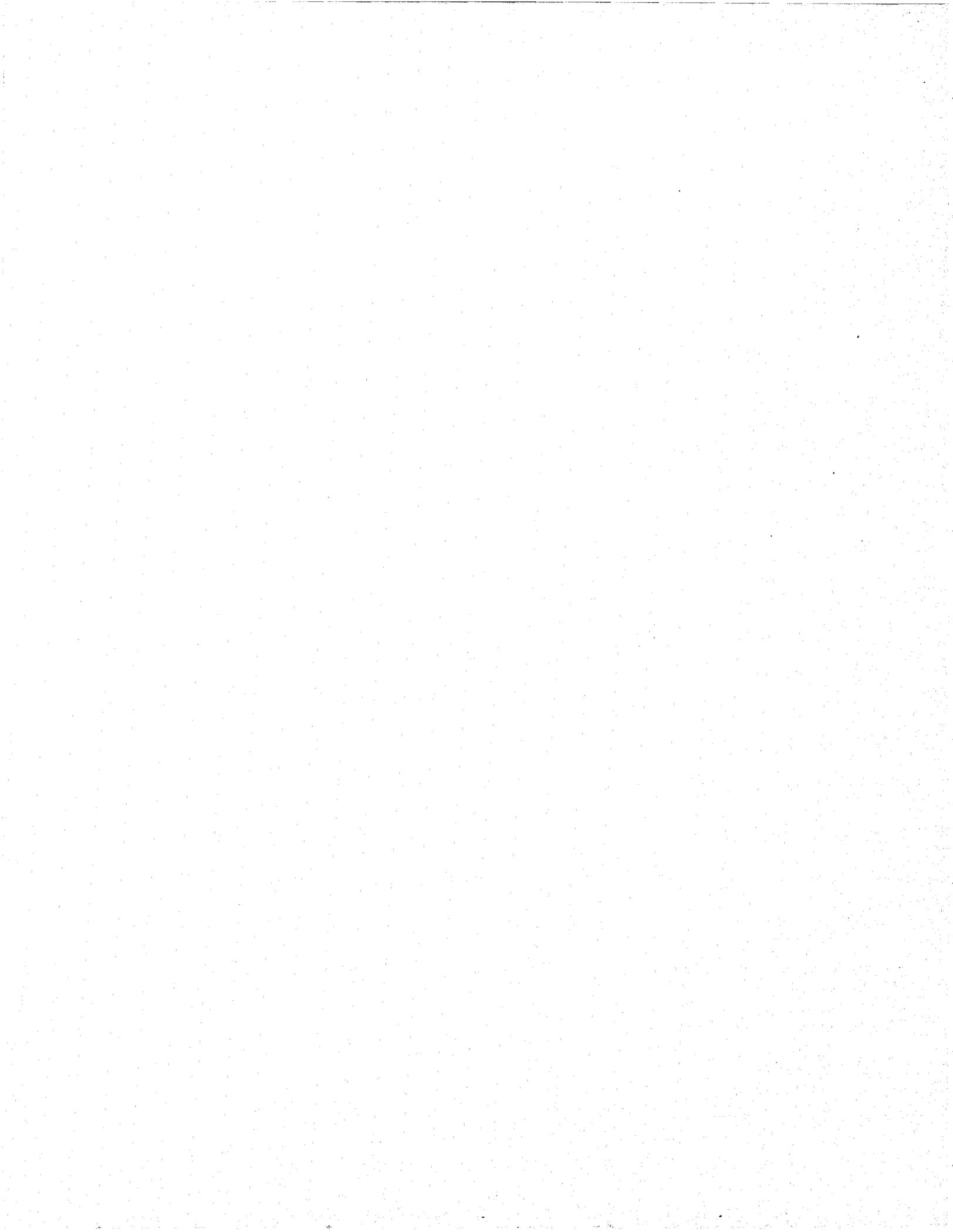
BCI shall provide the Security & Privacy Committee a listing of all challenges more than thirty days old. BCI shall contact the responsible agency, advising said agency that a notice of resolution is due immediately.

Upon receipt of challenge/appeal information, the Security & Privacy Committee shall follow the Administrative Procedures in Chapter 119 of the Ohio Revised Code in order to render a decision.

When the committee decision is rendered, the committee shall send a copy of the decision to BCI. The originating agency shall immediately notify BCI of any changes to be made and to remove the challenge. BCI shall supply the originating agency a copy of the revised criminal history as applicable.

The originating agency will give to the subject individual the revised criminal history, having the individual sign the Criminal History Receipt/Review block of the Request to Review form.

If either party is not satisfied with the decision of the Security & Privacy Committee, either may appeal to the Court of Common Pleas in the county having jurisdiction.



APPEAL CHALLENGE RESULTS

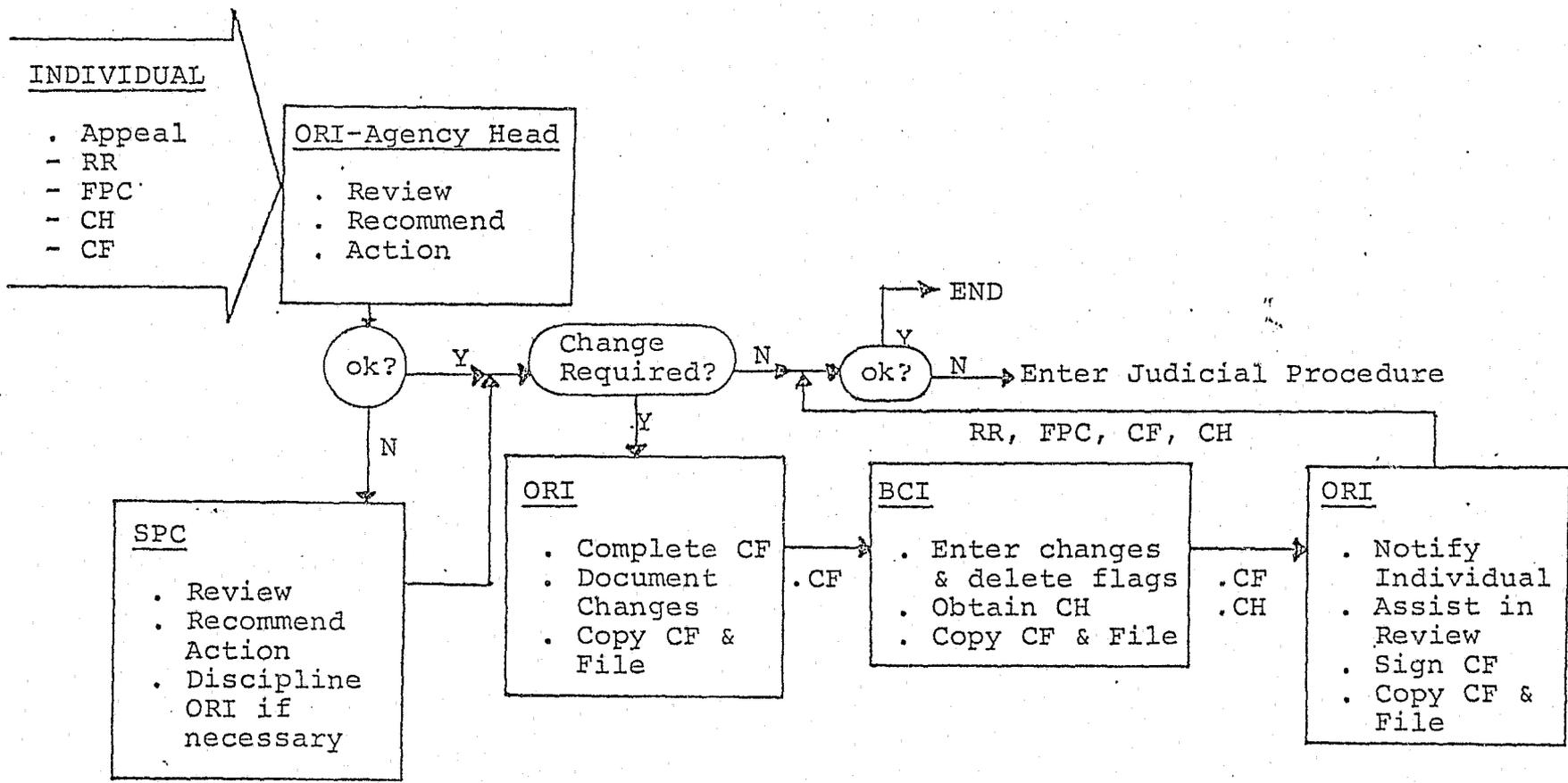


FIGURE E-5

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE DATA CENTER

APPLICATION FOR PERMANENT SECURITY ACCESS PERMIT AND PHOTO IDENTIFICATION BADGE

(please print or type)

NAME _____
STATE EMPLOYEE _____ NON-STATE EMPLOYEE _____

AGENCY (DEPT.) _____ FIRM _____

DIVISION _____ ADDRESS _____

REASON FOR ACCESS: _____

SECURITY ACCESS AGREEMENT:

I understand that this constitutes a request to enter into a security agreement with the Ohio Department of Administrative Services' State Data Center. I hereby agree to comply with the spirit and intent of State Data Center security regulations by displaying the badge whenever in or approaching a security area, preventing the use of the badge by another person, reporting any misuse or loss of the badge immediately and in writing to State Data Center management or security officer, and by returning the badge upon termination of employment in the department (or firm) specified above. I affirm that I have read and signed the State Data Center "Code of Responsibility for Security and Confidentiality of Data Files." I understand that violation of this agreement will result in denial of access to the State Data Center. I understand that a red card permits access to all areas of the State Data Center, a blue card permits access to all areas except the 7th floor and that a yellow card is a general State Data Center identification card that does not permit access to either the 7th floor or 8th floor computer room.

SIGNED _____ DATE _____

APPROVED BY: _____ DATE _____
(Agency Manager or Firm Official)

Upon approval, forward to State Data Center Security Officer.

For SDC Use Only

SECURITY ACCESS PERMIT

Badge background color: () RED () BLUE () YELLOW

APPROVED BY (SDC Security Officer) _____ DATE _____

Badge Number _____ Date Issued _____

PERMIT TERMINATION

Date Badge Returned _____ Received by _____

III. CERTIFICATION STATEMENTS

This section contains the certification forms (SP 1 - 10/75) required to fulfill the certification requirement for Ohio's Security and Privacy Plan. The forms were developed from the May 20, 1975 federal regulations published in the Federal Register (40FR22115) and were completed in the fall of 1975. The forms are based on the former regulations and do not fully comply with the present Ohio law concerning public records. They were submitted by criminal justice agencies in Ohio which had received, in whole or in part, federal funds from the Law Enforcement Assistance Administration for criminal history record systems after July, 1973. These same agencies will complete final certification forms (designed to comply with the new regulations) and submit them prior to December, 1977.

CERTIFICATION FOR STATE AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
	Central State Repository:					
	Statutory/Executive Authority	1 <u>yes</u>	---	---	---	---
	Facilities and Staff	2 <u>yes</u>	---	---	---	---
(a)	Complete Disposition Reporting in 90 days from:					
	Police	3 <u>yes</u>	---	---	---	---
	Prosecutor	4 <u>N/A</u>	---	---	---	---
	Trial Courts	5 <u>yes</u>	---	---	---	---
	Appellate Courts	6 <u>yes</u>	---	---	---	---
	Probation	7 <u>yes</u>	---	---	---	---
	Correctional Institutions	8 <u>yes</u>	---	---	---	---
	Parole	9 <u>yes</u>	---	---	---	---
(1)	Query Before Dissemination: - C					
	Notices/Agreements--Criminal Justice	10 <u>yes</u>	---	---	---	---
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	11 <u>no</u>	---	X	---	6/77
	Accuracy Verification	12 <u>yes</u>	---	---	---	---
	Notice of Errors	13 <u>yes</u>	---	---	---	---
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	* 14 <u>yes</u>	---	---	---	---
(2)	Non-Criminal Justice Agencies Granted	"				
	Access by Law or Executive Order	* 15 <u>yes</u>	---	---	---	---
(3)	Service Agencies Under Contract	16 <u>yes</u>	---	---	---	---
(4)	Research Organizations	17 <u>yes</u>	---	---	---	---
	Validating Agency Right of Access	18 <u>yes</u>	---	---	---	---
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	19 <u>yes</u>	---	---	---	---
20.21 (c) (3)	Confirmation of Record Existence	20 <u>yes</u>	---	---	---	---
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	21 <u>yes</u>	---	---	---	---
(c) (1)	Dissemination Without Disposition	22 <u>no</u>	X	X	X	4/77
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	23 <u>yes</u>	---	---	---	---
	Primary Dissemination Logs	24 <u>yes</u>	---	---	---	---
	Secondary Dissemination Logs	25 <u>no</u>	---	---	X	4/77
(c)	Annual Audit	26 <u>no</u>	X	X	X	6/77

AGENCY Bureau of Criminal Identification & Investigation

TYPE OF FILES Criminal History

LOCATION OF FILES

ADDRESS (STREET) P.O. Box 365

Manual - BCI/16
Computerized - SDC

Location: Madison 43140

CERTIFICATION FOR STATE AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	27 <u>yes</u>	—	—	—	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	28 <u>no</u>	—	X	—	10/76
	Software Design	29 <u>no</u>	—	X	—	10/76
(2)	Dedicated Hardware: - H					
	Terminals	30 <u>yes</u>	—	—	—	—
	Communications Control	31 <u>no</u>	—	X	—	10/76
	Processor	32 <u>no</u>	—	X	—	10/76
	Storage Devices	33 <u>no</u>	—	X	—	10/76
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	34 <u>no</u>	—	X	—	10/76
(4)	Access to Work Areas	35 <u>no</u>	—	X	—	10/76
(5)	Selection and Supervision of Personnel	36 <u>no</u>	—	X	—	10/76
(6)	Assignment of Administration Responsibility:					
(6)	Physical Security	* 37 <u>yes</u>	—	—	—	—
(9)	Unauthorized Access	* 38 <u>yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	* 39 <u>yes</u>	—	—	—	—
	Theft, Sabotage	* 40 <u>yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	* 41 <u>yes</u>	—	—	—	—
(8)	Employee Training Program	* 42 <u>yes</u>	—	—	—	—
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	43 <u>yes</u>	—	—	—	—
	Point of Review and Mechanism	44 <u>yes</u>	—	—	—	—
(1)	Challenge by Individual	* 45 <u>yes</u>	—	—	—	—
(2)	Administrative Review	46 <u>yes</u>	—	—	—	—
(3)	Administrative Appeal	47 <u>yes</u>	—	—	—	—
	Correction/Notification of Error	48 <u>yes</u>	—	—	—	—

AGENCY Ohio Bureau of Criminal Identification & Investigation

TYPE OF FILES Criminal History

ADDRESS (STREET) P.O. Box 365

CITY, COUNTY, ZIP London, Madison 43140

TELEPHONE (614) 852-2556 AREA CODE 614

LOCATION OF FILES Manual at BCI; Computerized at State Data Center Columbus

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Ohio Bureau of Criminal Identification & Investigation

Address (street) P.O. Box 365

City, County, Zip London, Madison 43140

Telephone Number 852-2556 Area Code 614

Location of Files Manual at BCI; Computerized at State Data Center, Cols.

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Superintendent</u>	<u>Jack E. McCormick</u>	<u>(614) 852-2556 Ext. 51</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Date:

Jack E. McCormick

3-24-76

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

NOTES:

(1) Ohio Revised Code provides for an Ohio Central State Repository of Criminal History records at BCI which meets all Department of Justice Rules and Regulations except 11, 22, 25, 26, 28 through 36. Executive order (expected 4/76) will authorize CJIS Board to act according to H.B. 1030 until it becomes law (expected 4/77). Development and implementation of Ohio CJIS will provide improved technical capabilities according to a phased implementation plan. Passage of H.B. 1030 will provide all authority required to comply with the Department of Justice Rules and Regulations.

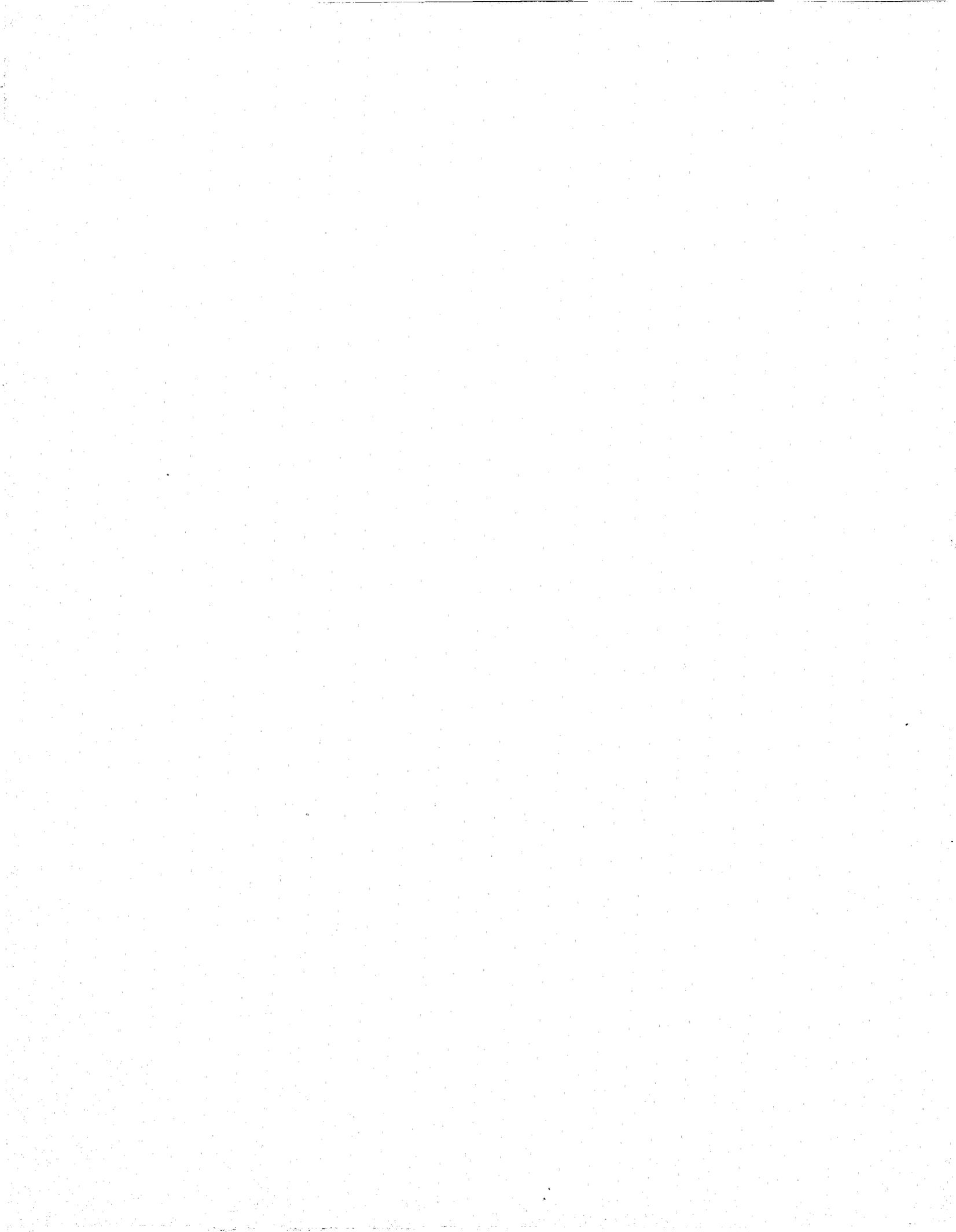
(14 & 15)

Contractual agreements not required since dissemination is mandated by law and notice is given concerning limits on dissemination.

(37 - 41)

BCI conforms to the basic requirements for these items, however, does not fully conform. Current capability has existed for 56 years with no problems.

(45) CJIS development will provide improved capability to handle individuals' challenge to his criminal history record.



CONTINUED

1 OF 3

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implement Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A	---	---	---	---
	Prosecutor	2 N/A	---	---	---	---
	Trial Courts	3 N/A	---	---	---	---
	Appellate Courts	4 N/A	---	---	---	---
	Probation	5 Yes	---	---	---	---
	Correctional Institutions	6 Yes	---	---	---	---
	Parole	7 Yes	---	---	---	---
(1)	Query Before Dissemination: - C	8 Yes	---	---	---	---
(J)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 No	Yes	---	---	---
	Accuracy Verification	10 Yes	---	---	---	---
20.21	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(2)	Criminal Justice Agencies	11 Yes	---	---	---	---
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 Yes	---	---	---	---
(3)	Service Agencies Under Contract	13 N/A	---	---	---	---
(4)	Research Organizations	14 Yes	---	---	---	---
	Validating Agency Right of Access	15 No	Yes	---	---	---
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 N/A	---	---	---	---
20.21	<u>Confirmation of Record Existence</u>	17 Yes	---	---	---	---
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 No	Yes	---	---	---
(c) (1)	Dissemination Without Disposition	19 N/A	---	---	---	---
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 No	Yes	---	---	---
	Primary Dissemination Logs	21 No	Yes	Yes	---	---
	Secondary Dissemination Logs	22 No	Yes	Yes	---	---

AGENCY Ohio Dept. of Rehabilitation and Correction

TYPE OF FILES Computerized commitment, arrest sentence release parole files

ADDRESS (STREET) 1050 Freeway Drive North

CITY, COUNTY, ZIP Columbus Franklin 43229

TELEPHONE (614) 466-6190 AREA CODE 614

LOCATION OF FILES State Data Center 30 E. Broad St. Columbus, Ohio

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>Yes</u>	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
	Software Design	25 <u>No</u>	<u>Yes</u>	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>No</u>	<u>Yes</u>	---	---	---
	Communications Control	27 <u>No</u>	<u>Yes</u>	---	---	---
	Processor	28 <u>No</u>	<u>Yes</u>	---	---	---
	Storage Devices	29 <u>No</u>	<u>Yes</u>	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
(4)	Access to Work Areas	31 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
(5)	Selection and Supervision of Personnel	32 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
(9)	Unauthorized Access	34 <u>No</u>	<u>Yes</u>	---	<u>Yes</u>	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	---	---	---	---
	Theft, Sabotage	36 <u>Yes</u>	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>	---	---	---	---
(8)	Employee Training Program	38 <u>N/A</u>	---	---	---	---
20.21 (g)	<u>Individual Right of Access</u> , - K					
	Rules for Access	39 <u>Yes</u>	---	---	---	---
	Point of Review and Mechanism	40 <u>Yes</u>	---	---	---	---
(1)	Challenge by Individual	41 <u>Yes</u>	---	---	---	---
(2)	Administrative Review	42 <u>Yes</u>	---	---	---	---
(3)	Administrative Appeal	43 <u>Yes</u>	---	---	---	---
	Correction/Notification of Error	44 <u>Yes</u>	---	---	---	---

AGENCY Ohio Dept. of Rehabilitation and Correction

TYPE OF FILES Computerized commitment, arrest, sentence, release, parole files

ADDRESS (STREET) 1050 Freeway Drive north

CITY, COUNTY, ZIP Columbus Franklin Ohio 43229

TELEPHONE 466-6190 AREA CODE 614

10 E. Broad Street Columbus, Ohio

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Ohio Department of Rehabilitation and Correction

Address (street) 1050 Freeway Drive, North

City, County, Zip Columbus Franklin 43229

Telephone Number 466-6190 Area Code 614

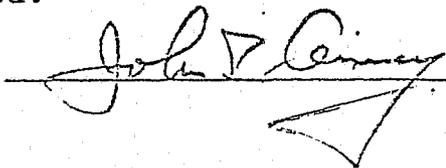
Location of Files State Data Center 30 E. Broad Street Columbus, Ohio

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Chief, Division of Classification and Research</u>	<u>John P. Canney</u>	<u>(614) 466-8962</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:



Date:

DEC - 9 1975

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

Draft

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>YES</u>				
	Prosecutor	2 <u>YES</u>				
	Trial Courts	3 <u>YES</u>				
	Appellate Courts	4 <u>YES</u>				
	Probation	5 <u>YES</u>				
	Correctional Institutions	6 <u>YES</u>				
	Parole	7 <u>YES</u>				
(1)	Query Before Dissemination: - C	8 <u>YES</u>				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>YES</u>				
	Accuracy Verification	10 <u>YES</u>				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>YES</u>				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>NO</u>			YES	
(3)	Service Agencies Under Contract	13 <u>NO</u>		YES	YES	1976
(4)	Research Organizations	14 <u>NO</u>		YES		1977
	Validating Agency Right of Access Restrictions On:	15 <u>NO</u>				
(4) (d)	Juvenile Record Dissemination	16 <u>YES</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>YES</u>				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>NO</u>				
(c) (1)	Dissemination Without Disposition	19 <u>YES</u>				
20.21	<u>Audits and Quality Control - D</u>					
	Audit trail:					
(a) (7)	Recreating Data Entry	20 <u>YES</u>				
	Primary Dissemination Logs	21 <u>YES</u>				
	Secondary Dissemination Logs	22 <u>NO</u>				

AGENCY Northwest Ohio Regional Information System

TYPE OF FILES Warrant, Arrest through Disposition

ADDRESS (STREET) 316 N. Michigan St.

CITY, COUNTY, ZIP Toledo, Lucas 43624

TELEPHONE 244-1714 AREA CODE 419

LOCATION OF FILES 25875 Dixie Highway Perrysburg, Ohio 43551

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 YES	---	---	---	---
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 NO	YES	---	---	---
	Software Design	25 YES	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 YES	---	---	---	---
	Communications Control	27 NO	YES	---	---	---
	Processor	28 NO	YES	---	---	---
	Storage Devices	29 YES	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 NO	YES	---	---	---
(4)	Access to Work Areas	31 NO	YES	---	---	---
(5)	Selective and Supervision of Personnel	32 NO	YES	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 YES	---	---	---	---
(9)	Unauthorized Access	34 YES	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 YES	---	---	---	---
	Theft, Sabotage	36 YES	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 YES	---	---	---	---
(8)	Employee Training Program	38 YES	---	---	---	---
20.21 (B)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 YES	---	---	---	---
	Point of Review and Mechanism	40 YES	---	---	---	---
(1)	Challenge by Individual	41 YES	---	---	---	---
(2)	Administrative Review	42 YES	---	---	---	---
(3)	Administrative Appeal	43 YES	---	---	---	---
	Correction/Notification of Error	44 YES	---	---	---	---

AGENCY Northwest Ohio Regional Information System

TYPE OF FILES Warrant, Arrest through Disposition

ADDRESS (STREET) 316 N. Michigan St.

CITY, COUNTY, ZIP Toledo, Lucas 43624

TELEPHONE 244-1714 AREA CODE 419

LOCATION OF FILES 2587 Dixie Highway Perrysburg, Ohio 43551

CERTIFICATION FOR LOCAL AGENCY RECORD SYSTEMS

Note: The "now implemented" column is answered according to planned features to be implemented about March 1976.

Item 13 - The regional operation lacks the authority to pass laws or make executive orders. Legislation by the state is expected in 1976.

Item 14 - Service agencies do not comply due to technical consideration, but compliance by 1977 is expected.

Item 24, 27, 28, 30, 31 and 32 - cannot be immediately implemented due to costs. It is estimated that to comply with all of the above would require a start up cost of \$150,000 and an additional annual operating cost of \$300,000. Contractual agreements and excellent security facilities and procedures at the computer site gives good data protection.

B₁

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Northwest Ohio Regional Information System

Address (street) 316 N. Michigan St.

City, County, Zip Toledo, Lucas, 43624

Telephone Number 244-1714 Area Code 419

Location of Files J. Preston Levis Regional Computer Center
25875 Dixie Highway, Perrysburg, Ohio 43551

Senior Executive Authority:

POSITION

NAME

TELEPHONE

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Alfred J. Swenson

Date:

12/24/75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by A/D Field Staff)

(date)

CERTIFICATION FOR LOCAL AGENCY RECORDS SYSTEMS

SUPPLEMENTARY EXPLANATION FOR NORIS ANSWERS

This write up is an explanation to the answers (yes, no) supplied to items 1 thru 44 in the attached certification for Local Agency Record Systems, columns 3,4, and 5.

Note: "Now Implemented" is answered according to planned features that are to be implemented about March 1976.

Completeness and Accuracy

Complete disposition reporting in 90 days:

Items 1 through 7 - As a regional repository NORIS will offer the capability to enter dispositions within 90 days. NORIS will enforce entering of dispositions by agreements with each agency and each 30 days will produce a report to participating agencies indicating all cases inactive for 60 or more days.

Query before dissemination:

Item 8 - The capability to query before dissemination is available from the regional repository and the Ohio State Central Repository. The regional agency agreement will require query before dissemination.

Systematic Audit:

Item 9 - Delinquent disposition monitoring will be based on monthly reports of all cases which do not have a disposition and have been inactive for 60 or more days. An audit sub-committee of the NORIS committee will check source documents against the computerized records especially noting the manual procedure for entering dispositions.

Item 10 - Accuracy verification will be handled by the computer program designed to edit all entered fields and to check that all required fields are entered. The NORIS audit sub-committee will check source documents against computer records, thus checking both program logic and manual procedures.

Limits on Dissemination

Contractual Agreements/Notices and Sanctions in Effect for:

Item 11 - Criminal Justice Agencies - All agencies will be required to comply with a local agreement that conforms to the state agreement.

Item 12 - Non-Criminal Justice Agencies Granted - Non-criminal justice agencies will not have access to the regional data files.

Item 13 - Access by Law or Execution order - The regional system lacks the authority to implement, but expects the State of Ohio to pass appropriate legislation in 1976.

Item 14 - Service Agencies under Contract - Service agencies currently have many limits, however technical problems will delay complete compliance until 1977.

Item 15 - Research Organizations - Research will be limited to user agencies.

Validating Agencies Right of Access Restrictions on:

Item 16 - Juvenile Record Dissemination - Records of juveniles are not included unless certified as adults.

Item 17 - Confirmation of Record Existence - Records are available to local criminal justice agencies which by the agreement must restrict confirmation of record existence.

Item 18 - Non-criminal Justice Agencies - Records from NORIS are not available to non-criminal justice agencies.

Item 19 - Dissemination without Disposition - Computerized records without a disposition or some case activity will not be kept beyond 90 days.

Audits and Quality Control

Audit Trail:

Item 20 - Recreating Data Entry - Computerized logging procedures will contain all transactions entered, thus allowing recreation of data entered.

Item 21 - Primary Dissemination Logs - Computerized logging procedure will record all dissemination and receiving agency.

Item 22 - Secondary Dissemination Logs - Controlled by each agency under the user agreement.

Security

Item 23 - Executive/Stationary Designation of Responsible Criminal Justice Agency - Access to the regional repository will be available only to criminal justice agencies.

Prevention of Unauthorized Access:

Item 24 - Hardware Design - Hardware is not dedicated due to cost consideration. The added cost for a dedicated hardware will be approximately \$150,000 for start up and \$300,000 for annual operations.

Item 25 - Software Design - Software design, implementation and maintenance are under the control of NORIS.

Dedicated Hardware:

Item 26 - Terminals - Terminals are assigned to and dedicated to criminal justice agencies.

Item 27 - Communication Control - The communication controller is shared by other computer users. Software controls almost completely restricts access by other users. See item 24 for estimated additional costs. Cost consideration is the reason for current system arrangement.

Item 28 - Processor - The processor is shared with other users. Software restricts use of NORIS data by other users. Cost consideration is the reason for the existing arrangement. See item 24 for estimated additional costs.

Item 29 - Storage Devices - Storage devices are dedicated to criminal justice data. This is a restriction imposed by vendor software.

Criminal Justice Agency Authority:

Item 30 - Computer Operation Policy - A contractual agreement with the supplier of computer service and their policies cover many of the requirements. The agreement allows employee security review, bonding of employees and priority of computer use. Management of personnel and operations are through the agreement. Costs limits implementation as estimated in item 24.

Item 31 - Access to work areas - The contractual agreement with the computer service center covers access to work areas, but there is no direct control of work areas. Security by the computer service center is very good. Costs consideration is the reason for current arrangement. See item 24.

Item 32 - Selection and Supervision of personnel - The contractual agreement with the computer service center allows review of personnel. NORIS will select and supervise all personnel authorized to have direct access to criminal justice information at the regional repository. Costs consideration is the reason for current arrangement, see item 24.

Assignment of Administration Responsibility:

Item 33 - Physical Security - Each user agency with a terminal is held responsible for physical security of the terminal and information received by the user agency agreement.

Item 34 - Unauthorized Access - Each user agency is held responsible for individual access to information by the user agency agreement.

Physical Protection Against:

Item 35 - Access to equipment - The physical protection against access to central computer equipment is excellent. The computer is located in a building dedicated to data processing in an industrial park. Access to the computer room is limited by badge keys. Local T.V. checks the only after hour entrance which must be opened from the inside.

Item 36 - Theft and Sabotage - The controlled access to the building and computer room limits opportunity for theft and sabotage. The building has a strengthened tape storage vault and extra strength windows. Local T.V. checks all after hours access to the building.

Item 37 - Fire, Flood, Other Natural Disasters - The computer room is equipped with a Halon fire control system. Electrical supplies are checked and controlled within limits. The location should limit other disasters.

Employee Training Program

Item 38 - Employees at the central site are required to have a working knowledge of the regulations to perform their tasks. Employees of the user agencies will be required to attend training sessions as required in the user agency agreement.

Individual Right Of Access

Item 39 - Rules of Access - The policies of the State of Ohio will be followed concerning the right to access and review of records.

Item 40 - Point of Review and Mechanism - An individual after applying to the State of Ohio and the reply is returned may also receive a copy of his record in the regional system.

Item 41 - Challenge by an Individual - Following the State policies, an individual may challenge his record to the originating agency for correction.

Item 42 - Administration Review - Following the State policies, the originating agency will review a challenged record and make a decision concerning correction.

Item 43 - Administration Appeal - Following the State policy, if the individual is not satisfied with the decision of the originating agency, the individual may appeal to the appropriate Regional and State committees for review.

Item 44 - Correction/Notification of Error - Non-criminal justice agencies are not allowed access to data base, thus the names of non-criminal justice agencies to whom the data has been given is not necessary. The log tapes contains those agencies receiving a given record, thus providing a list of the agencies receiving the incorrect record for notification.

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>N/A</u>				
	Prosecutor	2 <u>No</u>	✓			
	Trial Courts	3 <u>Yes</u>				
	Appellate Courts	4 <u>N/A</u>				
	Probation	5 <u>Yes</u>				
	Correctional Institutions	6 <u>Yes</u>				
	Parole	7 <u>Yes</u>				
(1)	Query Before Dissemination: - C	8 <u>Yes</u>				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>No</u>	✓			
	Accuracy Verification	10 <u>Yes</u>				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>No</u>		✓		
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>No</u>	✓	✓	✓	
(3)	Service Agencies Under Contract	13 <u>N/A</u>				
(4)	Research Organizations	14 <u>N/A</u>				
	Validating Agency Right of Access	15 <u>Yes</u>				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>Yes</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>No</u>	✓	✓		
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 <u>N/A</u>				
(c) (1)	Dissemination Without Disposition	19 <u>Yes</u>				
20.21	<u>Audits and Quality Control - D</u>					
	Audit trail:					
(a) (2)	Recreating Data Entry	20 <u>No</u>	✓	✓		
	Primary Dissemination Logs	21 <u>N/A</u>				
	Secondary Dissemination Logs	22 <u>N/A</u>				

AGENCY Stark County Sheriff's Office - George Papadopoulos, Sheriff
 TYPE OF FILES Word processing - Arrest Data, Investigation, Jail records, Court Disposition etc
 ADDRESS (STREET) Stark Co. Safety Building, 4500 Atlantic Blvd. N.E.
 CITY, COUNTY, ZIP Canton, Ohio 44705 (Stark Co.)
 TELEPHONE 453-8101 ARF: 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a, - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimat Implement Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 <u>Yes</u>	—	—	—	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>	—	—	—	—
	Software Design	25 <u>No</u>	<u>✓</u>	<u>✓</u>	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>N/A</u>	—	—	—	—
	Communications Control	27 <u>N/A</u>	—	—	—	—
	Processor	28 <u>Yes</u>	—	—	—	—
	Storage Devices	29 <u>Yes</u>	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>N/A</u>	—	—	—	—
(4)	Access to Work Areas	31 <u>Yes</u>	—	—	—	—
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>Yes</u>	—	—	—	—
(9)	Unauthorized Access	34 <u>Yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>Yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>	—	—	—	—
(8)	Employee Training Program	38 <u>No</u>	<u>✓</u>	—	—	<u>Unsure</u>
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 <u>Yes</u>	—	—	—	—
	Point of Review and Mechanism	40 <u>No</u>	—	—	—	—
(1)	Challenge by Individual	41 <u>Yes</u>	—	—	—	—
(2)	Administrative Review	42 <u>No</u>	—	—	—	—
(3)	Administrative Appeal	43 <u>N/A</u>	—	—	—	—
	Correction/Notification of Error	44 <u>No</u>	—	—	—	—

AGENCY Stark Co. Sheriff's Office

TYPE OF FILES Word processing

ADDRESS (STREET) Stark Co. Safety Bldg., 4500 Atlantic Blvd. N.E.

CITY, COUNTY, ZIP Canton Stark 44705

TELEPHONE 453-8101 AREA CODE 216

LOCATION : Stark Safety Bldg.

E

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

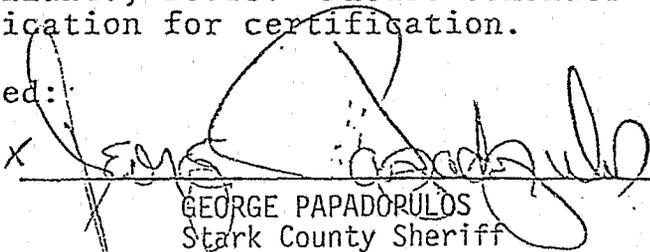
PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency STARK COUNTY SHERIFF'S OFFICE
Address (street) 4500 Atlantic Blvd. N. E.
City, County, Zip Canton, Stark, Ohio 44705
Telephone Number 453-8101 Area Code 216
Location of Files Stark County Safety Administration Building

Senior Executive Authority:

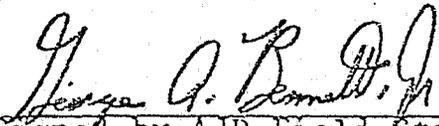
POSITION	NAME	TELEPHONE
<u>SHERIFF</u>	<u>GEORGE PAPADOPULOS</u>	<u>216/453-8101</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:  Date: October 24, 1975
GEORGE PAPADOPULOS
Stark County Sheriff

FOR STATE USE ONLY:

RPU # _____
APD # II


(Signed by AJD Field Staff)
10/23/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Not Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implemental Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 No	✓		✓	
	Prosecutor	2 N/A				
	Trial Courts	3 N/A				
	Appellate Courts	4 N/A				
	Probation	5 N/A				
	Correctional Institutions	6 N/A				
	Parole	7 N/A				
(1)	Query Before Dissemination: - C	8 Yes				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 N/A				
	Accuracy Verification	10 No Yes				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 Yes				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access	15 Yes				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 N/A				
20.21 (c) (3)	Confirmation of Record Existence	17 N/A				
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 N/A				
	Secondary Dissemination Logs	22 N/A				

AGENCY Medina County Law Enforcement Authority, Cheryl Brubaker, Acting Director
 TYPE OF FILES Computer - Complaints only - no individuals are currently identified.
 ADDRESS (STREET) 120 W. Washington Street, Suite B-2
 CITY, COUNTY, ZIP Medina, Ohio 44256
 TELEPHONE 723 - 3308 AREA CODE 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 <u>N/A</u>	—	—	—	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>	—	—	—	—
	Software Design	25 <u>Yes</u>	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>No</u>	✓	—	✓	—
	Communications Control	27 <u>N/A</u>	—	—	—	—
	Processor	28 <u>N/A</u>	—	—	—	—
	Storage Devices	29 <u>Yes</u>	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>No</u>	—	—	✓	—
(4)	Access to Work Areas	31 <u>No</u>	✓	✓	✓	—
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>No</u>	✓	—	✓	—
(9)	Unauthorized Access	34 <u>No</u>	✓	✓	✓	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>Yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>No</u>	✓	✓	✓	—
(8)	Employee Training Program	38 <u>No</u>	—	—	✓	<u>Unsure</u>
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>N/A</u>				
	Point of Review and Mechanism	40 <u>N/A</u>				
(1)	Challenge by Individual	41 <u>N/A</u>				
(2)	Administrative Review	42 <u>N/A</u>				
(3)	Administrative Appeal	43 <u>N/A</u>				
	Correction/Notification of Error	44 <u>N/A</u>				

System currently does not receive information from Police Dept. re: to the identity of Criminal Offenders.

AGENCY MEDINA COUNTY LAW ENFORCEMENT AUTHORITY

TYPE OF FILES COMPUTER-COMPLAINTS ONLY, NO CRIMINAL

ADDRESS (STREET) 170 W. WASHINGTON B-2 HISTORIES

CITY, COUNTY, ZIP MEDINA, OHIO 44256

TELEPHONE 723-3308 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency MEDINA COUNTY LAW ENFORCEMENT AUTHORITY

Address (street) 120 WEST WASHINGTON, B-2

City, County, Zip MEDINA, OHIO 44256

Telephone Number 723-3308 Area Code 216

Location of Files MEDINA COUNTY JOINT VOCATIONAL SCHOOL COMPUTER ROOM

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>ACTING DIRECTOR</u>	<u>CHERYL A. BRUBAKER</u>	<u>723-3308</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Date:

Cheryl A. Brubaker

Oct. 24, 1975

FOR STATE USE ONLY:

RPU # _____

APD # II

George A. Bennett
(Signed by AFD Field Staff)

10/23/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>N/A</u>				
	Prosecutor	2 <u>No</u>	✓			
	Trial Courts	3 <u>Yes</u>				
	Appellate Courts	4 <u>N/A</u>				
	Probation	5 <u>Yes</u>				
	Correctional Institutions	6 <u>Yes</u>				
	Parole	7 <u>Yes</u>				
(1)	Query Before Dissemination: - C	8 <u>Yes</u>				
(3)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>No</u>	✓			
	Accuracy Verification	10 <u>Yes</u>				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>No</u>		✓		
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>No</u>	✓	✓	✓	
(3)	Service Agencies Under Contract	13 <u>N/A</u>				
(4)	Research Organizations	14 <u>N/A</u>				
	Validating Agency Right of Access	15 <u>Yes</u>				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>Yes</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>No</u>	✓	✓		
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>N/A</u>				
(c) (1)	Dissemination Without Disposition	19 <u>Yes</u>				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>No</u>	✓	✓		
	Primary Dissemination Logs	21 <u>N/A</u>				
	Secondary Dissemination Logs	22 <u>N/A</u>				

AGENCY Stark County Sheriff's Office -

TYPE OF FILES Microfilm - Arrest Data, Investigation,

ADDRESS (STREET) Stark Co. Sheriff's Building 4500 Atlantic Blvd. N.E.

CITY, COUNTY, ZIP Canton, Ohio 44705 (Stark Co.)

TELEPHONE 453-8101 AREA CODE 216

A

**CERTIFICATION FOR LOCAL AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)**

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security:</u>					
(f)	Executive/Statutory Designation of	23 <u>Yes</u>	---	---	---	
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>	---	---	---	
	Software Design	25 <u>No</u>	<u>✓</u>	<u>✓</u>	---	
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>N/A</u>	---	---	---	
	Communications Control	27 <u>N/A</u>	---	---	---	
	Processor	28 <u>Yes</u>	---	---	---	
	Storage Devices	29 <u>Yes</u>	---	---	---	
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>N/A</u>	---	---	---	
(4)	Access to Work Areas	31 <u>Yes</u>	---	---	---	
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>	---	---	---	
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>Yes</u>	---	---	---	
(9)	Unauthorized Access	34 <u>Yes</u>	---	---	---	
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	---	---	---	
	Theft, Sabotage	36 <u>Yes</u>	---	---	---	
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>	---	---	---	
(8)	Employee Training Program	38 <u>No</u>	<u>✓</u>	---	---	<u>Unsure</u>
20.21 (c)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>Yes</u>	---	---	---	
	Point of Review and Mechanism	40 <u>No</u>	---	---	---	
(1)	Challenge by Individual	41 <u>Yes</u>	---	---	---	
(2)	Administrative Review	42 <u>No</u>	---	---	---	
(3)	Administrative Appeal	43 <u>N/A</u>	---	---	---	
	Correction/Notification of Error	44 <u>No</u>	---	---	---	

AGENCY Stark County Sheriff's Office
 TYPE OF FILES Microfilm
 ADDRESS (STREET) Stark Co. Safety Building, 4500 Atlantic Blvd. N.E.
 CITY, COUNTY, ZIP Canton, Stark 44705
 TELEPHONE 453-8101 AREA CODE 216
Stark Co. Safety Bldg

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency STARK COUNTY SHERIFF'S OFFICE

Address (street) 4500 Atlantic Blvd. N. E.

City, County, Zip Canton, Stark, Ohio 44705

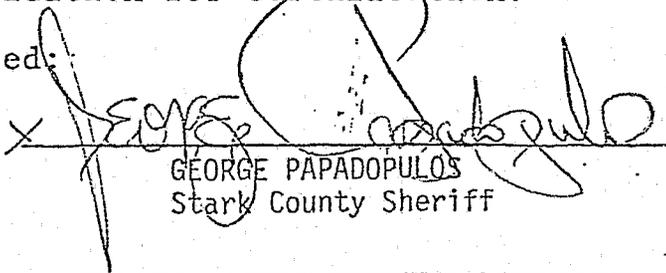
Telephone Number 453-8101 Area Code 216

Location of Files Stark County Safety Administration Building

Senior Executive Authority:

POSITION	NAME	TELEPHONE
SHERIFF	GEORGE PAPADOPULOS	216/453-8101

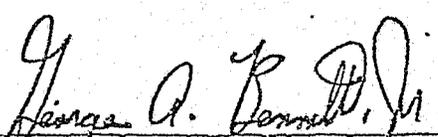
I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: 
GEORGE PAPADOPULOS
Stark County Sheriff

Date: October 24, 1975

FOR STATE USE ONLY:

RPU # _____
APD # II


(Signed by AJD Field Staff)
10/23/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

RECEIVED

NOV 3 1975

NON-METRO

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimat Implement Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 YES				
	Prosecutor	2 YES				
	Trial Courts	3 YES				
	Apellate Courts	4 N/A				
	Probation	5 YES				
	Correctional Institutions	6 YES				
	Parole	7 N/A				
(1)	Query Before Dissemination: - C	8 YES				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 YES				
	Accuracy Verification	10 YES				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 YES				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access	15 YES				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 YES				
20.21 (c) (3)	Confirmation of Record Existence	17 YES				
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 N/A				
	Secondary Dissemination Logs	22 N/A				

AGENCY WARREN CO SHERIFFS OFFICE
 TYPE OF FILES R.C.I.C.
 ADDRESS (STREET) 312 E. SILVER
 CITY, COUNTY, ZIP LEBANON, WARREN 45036
 TELEPHONE 932 4080 AREA CODE 513

RECEIVED

NOV 3 1975

AJD-SFR

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② <u>OPERATIONAL PROCEDURES</u>	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 YES	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 YES	---	---	---	---
	Software Design	25 N/A	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 N/A	---	---	---	---
	Communications Control	27 N/A	---	---	---	---
	Processor	28 N/A	---	---	---	---
	Storage Devices	29 N/A	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 YES	---	---	---	---
(4)	Access to Work Areas	31 YES	---	---	---	---
(5)	Selection and Supervision of Personnel	32 YES	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 YES	---	---	---	---
(9)	Unauthorized Access	34 YES	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 YES	---	---	---	---
	Theft, Sabotage	36 YES	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 YES	---	---	---	---
(8)	Employee Training Program	38 YES	---	---	---	---
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 N/A	---	---	---	---
	Point of Review and Mechanism	40 N/A	---	---	---	---
(3)	Challenge by Individual	41 N/A	---	---	---	---
(2)	Administrative Review	42 N/A	---	---	---	---
(3)	Administrative Appeal	43 N/A	---	---	---	---
	Correction/Notification of Error	44 N/A	---	---	---	---

AGENCY WARREN COUNTY SHERIFF
 TYPE OF FILES RCIC
 ADDRESS (STREET) 312 E. SILVER
 CITY, COUNTY, ZIP LEBANON WARREN 45036
 TELEPHONE 932 4080 AREA CODE 513
 LOCATION OF FILES SHERIFF'S DEPT

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency WARREN COUNTY SHERIFF
Address (street) 312 E. SILVER
City, County, Zip LEBANON WARREN 45036
Telephone Number 932 4080 Area Code 513
Location of Files SHERIFF'S DEPT.
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>SHERIFF</u>	<u>Roy Wallace</u>	<u>932 4080</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Roy Wallace

Date:

10-29-75

FOR STATE USE ONLY:

RPU #

APD #

III

Ralph J. Hoppen
(Signed by AJD Field Staff)

October 29-1975
(date)

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>Yes</u>				
	Prosecutor	2 <u>N/A</u>				
	Trial Courts	3 <u>Yes</u>				
	Appellate Courts	4 <u>No</u>	X	X	X	
	Probation	5 <u>Yes</u>				
	Correctional Institutions	6 <u>No</u>	X	X	X	
	Parole	7 <u>Yes</u>				
(1)	Query Before Dissemination: - C	8 <u>Yes</u>				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>Yes</u>				
	Accuracy Verification.	10 <u>Yes</u>				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>Yes</u>				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>Yes</u>				
(3)	Service Agencies Under Contract	13 <u>No</u>			X	
(4)	Research Organizations	14 <u>No</u>			X	
	Validating Agency Right of Access	15 <u>No</u>			X	
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>Yes</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>Yes</u>				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>No</u>			X	
(c) (1)	Dissemination Without Disposition	19 <u>No</u>			X	
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>N/A</u>				
	Primary Dissemination Logs	21 <u>Yes</u>				
	Secondary Dissemination Logs	22 <u>N/A</u>				

AGENCY Englewood Police Dept.

TYPE OF FILES Automated

ADDRESS (STREET) 333 West National Road

CITY, COUNTY, ZIP Englewood, Montgomery 45322

TELEPHONE 836-2678 AREA CODE 513

LOCATION OF FILES above address

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implement. Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security:</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>	—	—	—	—
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>n/a</u>	—	—	—	—
	Software Design	25 <u>n/a</u>	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>n/a</u>	—	—	—	—
	Communications Control	27 <u>n/a</u>	—	—	—	—
	Processor	28 <u>n/a</u>	—	—	—	—
	Storage Devices	29 <u>n/a</u>	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>n/a</u>	—	—	—	—
(4)	Access to Work Areas	31 <u>n/a</u>	—	—	—	—
(5)	Selection and Supervision of Personnel	32 <u>n/a</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	—	—	—	—
(9)	Unauthorized Access	34 <u>yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>	—	—	—	—
(8)	Employee Training Program	38 <u>yes</u>	—	—	—	—
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>yes</u>	—	—	—	—
	Point of Review and Mechanism	40 <u>yes</u>	—	—	—	—
(1)	Challenge by Individual	41 <u>yes</u>	—	—	—	—
(2)	Administrative Review	42 <u>yes</u>	—	—	—	—
(3)	Administrative Appeal	43 <u>yes</u>	—	—	—	—
	Correction/Notification of Error	44 <u>yes</u>	—	—	—	—

AGENCY Englewood Police Dept.

TYPE OF FILES Manual

ADDRESS (STREET) 333 W. National Road

CITY, COUNTY, ZIP Englewood Montgomery 45322

TELEPHONE 836-2678 AREA CODE 513

LOCATION OF FILES 333 W. National Rd.

B

DM
RPU

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Englewood Police Department

Address (street) 333 West NATIONAL Road

City, County, Zip Englewood, MONTGOMERY 45322

Telephone Number 836-2678 Area Code 513

Location of Files 333 W. NATIONAL Road

Senior Executive Authority:

POSITION	NAME	TELEPHONE
Director of Police	ROBERT B. KAEMMER	513-836-2678

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: Robert B. Kaemmer Date: 10-31-75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 Yes				
	Prosecutor	2 No	X	X		
	Trial Courts	3 No	X	X		
	Appellate Courts	4 No	X	X		
	Probation	5 No	X	X		
	Correctional Institutions	6 No	X	X		
	Parole	7 No	X	X		
(1)	Query Before Dissemination: - C	8 No	X	X		
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 No	X			
	Accuracy Verification	10 No	X			
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 No			X	
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 No			X	
(3)	Service Agencies Under Contract	13 No			X	
(4)	Research Organizations	14 No			X	
	Validating Agency Right of Access	15 No			X	
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 Yes				
20.21 (c), (3)	Confirmation of Record Existence	17 No	X			
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 No	X			
(c) (1)	Dissemination Without Disposition	19 No	X			11/3
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 No				11/3
	Secondary Dissemination Logs	22 N/A				

AGENCY Centerville Police Department

TYPE OF FILES Manual

ADDRESS (STREET) 100 West Spring Valley Road

CITY, COUNTY, ZIP Centerville, Montgomery, 45459

TELEPHONE 433-7661 AREA CODE 513

LOCATION OF FILES Above address



CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② <u>OPERATIONAL PROCEDURES</u>	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security:</u>					
(1)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>n/a</u>	---	---	---	---
	Software Design	25 <u>n/a</u>	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>n/a</u>	---	---	---	---
	Communications Control	27 <u>n/a</u>	---	---	---	---
	Processor	28 <u>n/a</u>	---	---	---	---
	Storage Devices	29 <u>n/a</u>	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>n/a</u>	---	---	---	---
(4)	Access to Work Areas	31 <u>n/a</u>	---	---	---	---
(5)	Selection and Supervision of Personnel	32 <u>n/a</u>	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	---	---	---	---
(9)	Unauthorized Access	34 <u>yes</u>	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	---	---	---	---
	Theft, Sabotage	36 <u>yes</u>	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 <u>no</u>	---	X	---	---
(8)	Employee Training Program	38 <u>no</u>	X	X	---	---
20.21 (2)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 <u>no</u>	---	---	---	---
	Point of Review and Mechanism	40 <u>no</u>	---	---	---	---
(1)	Challenge by Individual	41 <u>no</u>	---	---	---	---
(2)	Administrative Review	42 <u>no</u>	---	---	---	---
(3)	Administrative Appeal	43 <u>no</u>	---	---	---	---
	Correction/Notification of Error	44 <u>no</u>	---	---	---	---

AGENCY Centerville Police Department

TYPE OF FILES Manual

ADDRESS (STREET) 100 W. Spring Valley Road

CITY, COUNTY, ZIP Centerville, Montgomery, 45459

TELEPHONE 433-7661 AREA CODE 513

LOCATION OF FILES Above

B

p/m
R/R

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency CENTERVILLE POLICE DEPARTMENT
Address (street) 100 W. STRINE VALLEY RD.
City, County, Zip CENTERVILLE, OHIO 45459
Telephone Number 433-7661 Area Code 513
Location of Files ABOVE ADDRESS
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>CHIEF OF POLICE</u>	<u>WILLIAM F. RANDOLPH</u>	<u>513-433-7661</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

William F. Randolph

Date:

October 31, 1975

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

DIM
BPD

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy</u> - B					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>Yes</u>				
	Prosecutor	2 <u>Yes</u>				
	Trial Courts	3 <u>Yes</u>				
	Appellate Courts	4 <u>No</u>		X		unknown
	Probation	5 <u>Yes</u>				
	Correctional Institutions	6 <u>Yes</u>				
	Parole	7 <u>Yes</u>				
(1)	Query Before Dissemination: - C	8 <u>Yes</u>				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>No</u>	X	X	X	unknown
	Accuracy Verification	10 <u>Yes</u>				
20.21 (b)	<u>Limits on Dissemination</u> - E					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>Yes</u>				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>Yes</u>				
(3)	Service Agencies Under Contract	13 <u>No</u>		X		
(4)	Research Organizations	14 <u>Yes</u>				
	Validating Agency Right of Access	15 <u>Yes</u>				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>Yes</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>Yes</u>				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>Yes</u>			X	
(c) (1)	Dissemination Without Disposition	19 <u>Yes</u>				
20.21	<u>Audits and Quality Control</u> - D					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>No</u>		X		
	Primary Dissemination Logs	21 <u>No</u>		X		
	Secondary Dissemination Logs	22 <u>No</u>		X		

AGENCY Miamisburg Police Division

TYPE OF FILES Arrest records

ADDRESS (STREET) 10 North First Street

CITY, COUNTY, ZIP Miamisburg, Montgomery 45342

TELEPHONE 866-3303 AREA CODE 513

LOCATION OF FILES Above

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>	---	---	---	
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>yes</u>	---	---	---	
	Software Design	25 <u>yes</u>	---	---	---	
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>yes</u>	---	---	---	
	Communications Control	27 <u>yes</u>	---	---	---	
	Processor	28 <u>yes</u>	---	---	---	
	Storage Devices	29 <u>yes</u>	---	---	---	
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>no</u>	---	X	---	1 76
(4)	Access to Work Areas	31 <u>yes</u>	---	---	---	
(5)	Selection and Supervision of Personnel	32 <u>yes</u>	---	---	---	
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	---	---	---	
(9)	Unauthorized Access	34 <u>yes</u>	---	---	---	
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	---	---	---	
	Theft, Sabotage	36 <u>yes</u>	---	---	---	
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>	---	---	---	
(8)	Employee Training Program	38 <u>yes</u>	---	---	---	
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>yes</u>	---	---	---	
	Point of Review and Mechanism	40 <u>yes</u>	---	---	---	
(1)	Challenge by Individual	41 <u>yes</u>	---	---	---	
(2)	Administrative Review	42 <u>yes</u>	---	---	---	
(3)	Administrative Appeal	43 <u>yes</u>	---	---	---	
	Correction/Notification of Error	44 <u>yes</u>	---	---	---	

AGENCY Miamisburg Police Division

TYPE OF FILES Arrest records

ADDRESS (STREET) 10 N. First St.

CITY, COUNTY, ZIP Miamisburg, Montgomery 45342

TELEPHONE 866-3303 AREA CODE 513

LOCATION OF FILES _____

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency MIAMISBURG DIVISION OF POLICE

Address (street) 10 N FIRST ST

City, County, Zip MIAMISBURG, MONTGOMERY 45342

Telephone Number 513-866-3303 Area Code 513

Location of Files POLICE DIVISION

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>CHIEF</u>	<u>CARLYLE E. WEST</u>	<u>513-866-3303-40</u>

I certify that to the maximum extent possible, action ^{WILL}~~has~~ been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: *[Signature]* Date: 10/31/75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A	—	—	—	—
	Prosecutor	2 Yes	—	—	—	—
	Trial Courts	3 Yes	—	—	—	—
	Appellate Courts	4 N/A	—	—	—	—
	Probation	5 Yes	—	—	—	—
	Correctional Institutions	6 N/A	—	—	—	—
	Parole	7 Yes	—	—	—	—
(1)	Query Before Dissemination: - C	8 Yes	—	—	—	—
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 N/A	—	—	—	—
	Accuracy Verification	10 Yes	—	—	—	—
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 Yes	—	—	—	—
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 No	—	—	—	—
(3)	Service Agencies Under Contract	13 N/A	—	—	—	—
(4)	Research Organizations	14 N/A	—	—	—	—
	Validating Agency Right of Access Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 N/A	—	—	—	—
20.21 (c) (3)	Confirmation of Record Existence	17 N/A	—	—	—	—
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 N/A	—	—	—	—
(c) (1)	Dissemination Without Disposition	19 Yes	—	—	—	—
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 Yes	—	—	—	—
	Primary Dissemination Logs	21 Yes	—	—	—	—
	Secondary Dissemination Logs	22 Yes	—	—	—	—

AGENCY Youngstown, Ohio Police Dept., Records & Identification Division

TYPE OF FILES Microfiche - Arrest, Complaints, Investigation sheets etc.

ADDRESS (STREET) 116 W. Boardman St.

CITY, COUNTY, ZIP Youngstown, Ohio 44503 (Mahoning Co.)

TEL: 74 - 563

216

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>Yes</u>	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>	---	---	---	---
	Software Design	25 <u>Yes</u>	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>Yes</u>	---	---	---	---
	Communications Control	27 <u>Yes</u>	---	---	---	---
	Processor	28 <u>Yes</u>	---	---	---	---
	Storage Devices	29 <u>Yes</u>	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>No</u>	---	✓	---	---
(4)	Access to Work Areas	31 <u>Yes</u>	---	---	---	---
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>Yes</u>	---	---	---	---
(9)	Unauthorized Access	34 <u>Yes</u>	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	---	---	---	---
	Theft, Sabotage	36 <u>Yes</u>	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>	---	---	---	---
(8)	Employee Training Program	38 <u>Yes</u>	---	---	---	---
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>No</u>	---	---	---	---
	Point of Review and Mechanism	40 <u>Yes</u>	---	---	---	---
(1)	Challenge by Individual	41 <u>N/A</u>	---	---	---	---
(2)	Administrative Review	42 <u>Yes</u>	---	---	---	---
(3)	Administrative Appeal	43 <u>N/A</u>	---	---	---	---
	Correction/Notification of Error	44 <u>No - never had had this occur.</u>	---	---	---	---

AGENCY Youngstown, Ohio Police Dept., Records & Identification Division
 TYPE OF FILES Microfiche - Arrest, Complaints, Investigation Sheets etc.
 ADDRESS (STREET) 116 W. Boardman Street
 CITY, COUNTY, ZIP Youngstown, Ohio 44503 (Mahoning Co.)
 TELEPHONE 747-5631 AREA CODE 214

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency Youngstown Ohio Police Department
Address (street) 116 W. Boardman Street
City, County, Zip Youngstown, Mahoning 44503
Telephone Number 747-5631 Area Code 216
Location of Files 4th Floor, Records & Identification, Youngstown Police Dept.
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Captain in Charge of Records & Identification and Crime Lab.</u>	<u>Donald F. Komayo</u>	<u>(216) 747-5631</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Date:

Donald F. Komayo

October 29, 1975

FOR STATE USE ONLY:

RPU # _____

APD # II

James A. Bennett, Jr.
(Signed by AJD Field Staff)

10/22/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 NO	NO	NO	NO	180 DAYS
	Prosecutor	2 NO	NO	NO	NO	
	Trial Courts	3 NO	NO	NO	NO	
	Appellate Courts	4 NO	NO	NO	NO	
	Probation	5 NO	NO	NO	NO	
	Correctional Institutions	6 NO	NO	NO	NO	
	Parole	7 NO	NO	NO	NO	
(1)	Query Before Dissemination: - C	8 NO	NO	NO	NO	
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 NO	NO	NO	NO	
	Accuracy Verification	10 NO	NO	NO	NO	
20.21	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 NO	NO	NO	NO	
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 NO	NO	NO	NO	
(3)	Service Agencies Under Contract	13 NO	NO	NO	NO	
(4)	Research Organizations	14 NO	NO	NO	NO	
	Validating Agency Right of Access Restrictions On:	15 NO	NO	NO	NO	
(4) (d)	Juvenile Record Dissemination	16 NO	NO	NO	NO	
20.21 (c) (3)	Confirmation of Record Existence	17 NO	NO	NO	NO	
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 NO	NO	NO	NO	
(c) (1)	Dissemination Without Disposition	19 NO	NO	NO	NO	
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 NO	NO	NO	NO	
	Primary Dissemination Logs	21 NO	NO	NO	NO	
	Secondary Dissemination Logs	22 NO	NO	NO	NO	

AGENCY Springfield Division of Police
 TYPE OF FILES Fingerprint Microfilm / Computer File System
 ADDRESS (STREET) 120 South Center Street
 CITY, COUNTY, ZIP Springfield Clark 45501
 TELEPHONE (513) 3123-88 AREA CODE 51
 LOCATION OF FILES Springfield Ohio Crime Laboratory

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security:</u>					
(f)	Executive/Statutory Designation of	NO	NO	NO	NO	180
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	NO	NO	NO	NO	DA
	Software Design	NO	NO	NO	NO	
(2)	Dedicated Hardware: - H					
	Terminals	NO	NO	NO	NO	
	Communications Control	NO	NO	NO	NO	
	Processor	NO	NO	NO	NO	
	Storage Devices	NO	NO	NO	NO	
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	NO	NO	NO	NO	
(4)	Access to Work Areas	NO	NO	NO	NO	
(5)	Selection and Supervision of Personnel	NO	NO	NO	NO	
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	NO	NO	NO	NO	
(9)	Unauthorized Access	NO	NO	NO	NO	
(7)	Physical Protection Against: - J					
	Access to Equipment	YES				
	Theft, Sabotage	YES				
	Fire, Flood, Other Natural Disaster	YES				
(8)	Employee Training Program	NO	NO	NO	NO	
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	NO				
	Point of Review and Mechanism	NO				
(1)	Challenge by Individual	NO				
(2)	Administrative Review	NO				
(3)	Administrative Appeal	NO				
	Correction/Notification of Error	NO				

AGENCY Springfield Division of Police
 TYPE OF FILES Fingerprint Microfilm / Computer File System
 ADDRESS (STREET) 120 South Center Street
 CITY, COUNTY, ZIP Springfield Clark Ohio 45501
 TELEPHONE 323-9 AREA CODE 513
 LOCATION OF FILES Springfield Police Crime Laboratory

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

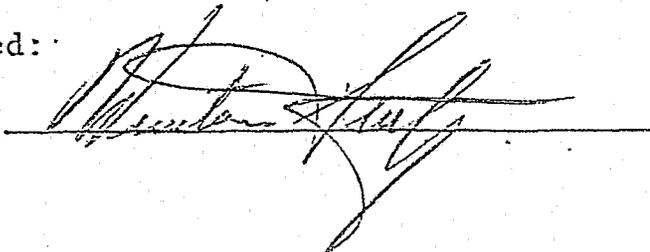
PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency Springfield Division of Police
Address (street) 120 South Center Street
City, County, Zip Springfield Clark 45501
Telephone Number 323-9181 Area Code 513
Location of Files Springfield Crime Laboratory
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Chief of Police</u>	<u>Winston Stultz</u>	<u>(513) 323-9181</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:



Date:

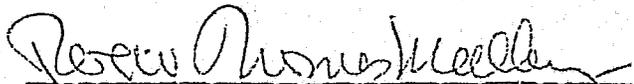
10-30-75

FOR STATE USE ONLY:

RPU #

APD #

III


(Signed by AJD Field Staff)

October 30, 1975
(date)

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 YES				
	Prosecutor	2 YES				
	Trial Courts	3 YES				
	Appellate Courts	4 YES				
	Probation	5 YES				
	Correctional Institutions	6 YES				
	Parole	7 YES				
(1)	Query Before Dissemination: - C	8 YES				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 YES				
	Accuracy Verification	10 YES				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 N/A				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access	15 N/A				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 YES				
20.21 (c) (3)	Confirmation of Record Existence	17 YES				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 YES				
	Primary Dissemination Logs	21 YES				
	Secondary Dissemination Logs	22 YES				

AGENCY Xenia Police Dept, Ray Jordan, Chief
 TYPE OF FILES Microfilm and Rotary - Arrest, Booking, Investigat
 ADDRESS (STREET) 101 North Detroit Street
 CITY, COUNTY, ZIP Xenia Greene 45385
 TELEPHONE (513) 372-9901 AREA CODE 513
 LOCATION OF FILES Police Department Records Room

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 Yes	---	---	---	---
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 Yes	---	---	---	---
	Software Design	25 N/A	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 N/A	---	---	---	---
	Communications Control	27 N/A	---	---	---	---
	Processor	28 N/A	---	---	---	---
	Storage Devices	29 N/A	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 N/A	---	---	---	---
(4)	Access to Work Areas	31 N/A	---	---	---	---
(5)	Selecting and Supervision of Personnel	32 Yes	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 Yes	---	---	---	---
(9)	Unauthorized Access	34 Yes	---	---	---	---
(7)	Physical Protection Against: - K					
	Access to Equipment	35 Yes	---	---	---	---
	Theft, Sabotage	36 Yes	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 Yes	---	---	---	---
(8)	Employee Training Program	38 Yes	---	---	---	---
20.21 (8)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 Yes	---	---	---	---
	Point of Review and Mechanism	40 Yes	---	---	---	---
(1)	Challenge by Individual	41 Yes	---	---	---	---
(2)	Administrative Review	42 Yes	---	---	---	---
(3)	Administrative Appeal	43 Yes	---	---	---	---
	Correction/Notification of Error	44 Yes	---	---	---	---

AGENCY Xenia Police Dept. Ray Jordan, Chief
 TYPE OF FILES Microfilm and Rotary - Arrest, Booking, Investigative, Etc.
 ADDRESS (STREET) 101 North Detroit Street
 CITY, COUNTY, ZIP Xenia Greene 45385
 TELEPHONE 2-9-0 AREA CODE 513
 LOCATION OF FILES at main records room

B

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

Note: Only study completed, no system is currently operational

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A				
	Prosecutor	2				
	Trial Courts	3				
	Appellate Courts	4				
	Probation	5				
	Correctional Institutions	6				
	Parole	7				
(1)	Query Before Dissemination: - C	8				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9				
	Accuracy Verification	10				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 N/A				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12				
(3)	Service Agencies Under Contract	13				
(4)	Research Organizations	14				
	Validating Agency Right of Access	15				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16				
20.21 (c) (3)	Confirmation of Record Existence	17				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18				
(c) (1)	Dissemination Without Disposition	19				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21				
	Secondary Dissemination Logs	22				

AGENCY Lorain County Commissioners

TYPE OF FILES Study for Local Criminal Justice Information System

ADDRESS (STREET) 226 Middle Avenue

CITY, COUNTY, ZIP Elyria, Lorain 44035

TELEPHONE 323-776

AREA CODE 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(F)	Executive/Statutory Designation of	23 N/A	—	—	—	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 ↓	—	—	—	—
	Software Design	25 ↓	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 N/A	—	—	—	—
	Communications Control	27 ↓	—	—	—	—
	Processor	28 ↓	—	—	—	—
	Storage Devices	29 ↓	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 N/A	—	—	—	—
(4)	Access to Work Area	31 ↓	—	—	—	—
(5)	Selection and Supervision of Personnel	32 ↓	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 N/A	—	—	—	—
(9)	Unauthorized Access	34 ↓	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 N/A	—	—	—	—
	Theft, Sabotage	36 ↓	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 ↓	—	—	—	—
(8)	Employee Training Program	38 ↓	—	—	—	—
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 N/A	—	—	—	—
	Point of Review and Mechanism	40 ↓	—	—	—	—
(1)	Challenge by Individual	41 ↓	—	—	—	—
(2)	Administrative Review	42 ↓	—	—	—	—
(3)	Administrative Appeal	43 ↓	—	—	—	—
	Correction/Notification of Error	44 ↓	—	—	—	—

AGENCY Lorain County Commissioners
 TYPE OF FILES Study for Local Criminal Justice Information System.
 ADDRESS (STREET) 226 Middle Avenue
 CITY, COUNTY, ZIP Elyria, Lorain 44035
 TELEPHONE 323-5776 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency Lorain County Commissioners

Address (street) 226 Middle Avenue

City, County, Zip Elyria, Lorain 44035

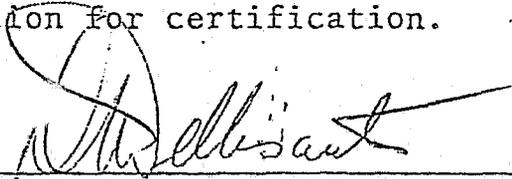
Telephone Number 323-5776 Area Code 216

Location of Files None exist at this time.

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>County Administrator</u>	<u>D.A. Dellisanti</u>	<u>(216) 323-5776</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

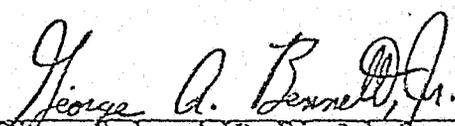
Signed: 

Date: October 31, 1975

FOR STATE USE ONLY:

RPU # _____

APD # II


(Signed by AJD Field Staff)

October 29, 1975
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implement. Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>Yes</u>				
	Prosecutor	2 <u>Yes</u>				
	Trial Courts	3 <u>Yes</u>				
	Appellate Courts	4 <u>Yes</u>				
	Probation	5 <u>Yes</u>				
	Correctional Institutions	6 <u>Yes</u>				
	Parole	7 <u>Yes</u>				
(1)*	Query Before Dissemination: - C	8 <u>NA</u>				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>NA</u>				
	Accuracy Verification	10 <u>Yes</u>				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>Yes</u>				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>Yes</u>				
(3)	Service Agencies Under Contract	13 <u>Yes</u>				
(4)	Research Organizations	14 <u>Yes</u>				
	Validating Agency Right of Access	15 <u>Yes</u>				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>Yes</u>				
20.21 (c) (3)	Confirmation of Record Existence	17 <u>Yes</u>				
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 <u>Yes</u>				
(c) (1)	Dissemination Without Disposition	19 <u>Yes</u>				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>NA</u>				
	Primary Dissemination Logs	21 <u>NA</u>				
	Secondary Dissemination Logs	22 <u>NA</u>				

AGENCY Clat of Courts
 TYPE OF FILES Legal & Title
 ADDRESS (STREET) Courthouse
 CITY, COUNTY, ZIP Hamilton Ohio 45011 (Butler)
 TELEPHONE 867-5725 AREA CODE 513
 LOCATION OF : cc 100 - 1 - 1

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a. - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implement. Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 NA	---	---	---	---
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 NA	---	---	---	---
	Software Design	25 NA	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 NA	---	---	---	---
	Communications Control	27 NA	---	---	---	---
	Processor	28 NA	---	---	---	---
	Storage Devices	29 NA	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 NA	---	---	---	---
(4)	Access to Work Areas	31 NA	---	---	---	---
(5)	Selection and Supervision of Personnel	32 NA	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>Yes</u>	---	---	---	---
(9)	Unauthorized Access	34 NA	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 NA	---	---	---	---
	Theft, Sabotage	36 <u>Yes</u>	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 NA	---	---	---	---
(8)	Employee Training Program	38 <u>Yes</u>	---	---	---	---
20.21 (2)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 NA	---	---	---	---
	Point of Review and Mechanism	40 NA	---	---	---	---
(1)	Challenge by Individual	41 NA	---	---	---	---
(2)	Administrative Review	42 NA	---	---	---	---
(3)	Administrative Appeal	43 NA	---	---	---	---
	Correction/Notification of Error	44 NA	---	---	---	---

AGENCY Clerk of Courts
 TYPE OF FILES Legal & Title
 ADDRESS (STREET) Court House
 CITY, COUNTY, ZIP Hamilton Ohio 45011 (Butler)
 TELEPHONE 867-25725 AREA CODE 513

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Butler Co. Clerk of Courts.
Address (street) Court House.
City, County, Zip Hamilton Ohio (Butler)
Telephone Number 867-5725 Area Code 513
Location of Files Legal Dept + Title Dept.
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Clerk</u>	<u>Edward J. [Signature]</u>	<u>867-5725</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: _____ Date: _____

FOR STATE USE ONLY:

RPU # _____
APD # JLL

[Signature]
(Signed by AJD Field Staff)
10-28-75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 ✓				
	Prosecutor	2 NA				
	Trial Courts	3 ✓				
	Appellate Courts	4 NA				
	Probation	5 ✓				
	Correctional Institutions	6 NA				
	Parole	7 NA				
(1)	Query Before Dissemination: - C	8 ✓				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 ✓				
	Accuracy Verification	10 ✓				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 ✓				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 NA				
(3)	Service Agencies Under Contract	13 NA				
(4)	Research Organizations	14 NA				
	Validating Agency Right of Access	15 ✓				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 ✓				
20.21 (c) (3)	Confirmation of Record Existence	17 ✓				
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 ✓				
(c) (1)	Dissemination Without Disposition	19 ✓				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 NA				
	Primary Dissemination Logs	21 ✓				
	Secondary Dissemination Logs	22 NA				

AGENCY CITY OF ASHTABULA

TYPE OF FILES MICROFILM

ADDRESS (STREET) 4400 MAIN AVENUE

CITY, COUNTY, ZIP ASHTABULA, OHIO 44004

TELEPHONE 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 ✓	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 ✓	---	---	---	---
	Software Design	25 <u>NA</u>	---	---	---	---
(2)	Dedicated Hardware: - II					
	Terminals	26 <u>NA</u>	---	---	---	---
	Communications Control	27 <u>NA</u>	---	---	---	---
	Processor	28 <u>NA</u>	---	---	---	---
	Storage Devices	29 ✓	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>NA</u>	---	---	---	---
(4)	Access to Work Areas	31 ✓	---	---	---	---
(5)	Selection and Supervision of Personnel	32 ✓	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 ✓	---	---	---	---
(9)	Unauthorized Access	34 ✓	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 ✓	---	---	---	---
	Theft, Sabotage	36 ✓	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 ✓	---	---	---	---
(8)	Employee Training Program	38 ✓	---	---	---	---
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 ✓	---	---	---	---
	Point of Review and Mechanism	40 ---	---	---	---	---
(1)	Challenge by Individual	41 ✓	---	---	---	---
(2)	Administrative Review	42 <u>NU</u>	---	---	---	---
(3)	Administrative Appeal	43 <u>ND</u>	---	---	---	---
	Correction/Notification of Error	44 <u>NU</u>	---	---	---	---

AGENCY City of Ashland

TYPE OF FILES Microfilm

ADDRESS (STREET) 4400 Main Avenue

CITY, COUNTY, ZIP Ashland, Ohio 44002-4

TELEPHONE 997 5791 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency City of AshTabula Police Dept.
Address (street) 4400 MAIN Ave.
City, County, Zip AshTabula, AshTabula, Ohio 44004
Telephone Number 998-1141 Area Code 216
Location of Files 4400 MAIN Ave.
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Chief of Police</u>	<u>Ernest C. Savaris</u>	<u>998-1141</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: Ernest C. Savaris Date: Oct 22, 1975

FOR STATE USE ONLY:

RPU # _____
APD # II Carl E. Bowler
(Signed by AJD Field Staff)
10-22-75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

RECEIVED

(SP 1 - 10/75)

RECEIVED
OCT 30 1975
AJD-BPR

OCT 30 1975

NON-METRO

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A				
	Prosecutor	2 Yes				
	Trial Courts	3 Yes				
	Appellate Courts	4 Yes				
	Probation	5 Yes				
	Correctional Institutions	6 Yes				
	Parole	7 Yes				
(1)	Query Before Dissemination: - C	8 Yes				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 Yes				
	Accuracy Verification	10 Yes				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 Yes				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 No			✓	
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access Restrictions On:	15 Yes				
(4) (d)	Juvenile Record Dissemination	16 Yes				
20.21 (c) (3)	Confirmation of Record Existence	17 Yes				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 Yes				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 Yes				
	Secondary Dissemination Logs	22 N/A				

AGENCY Stark Co. Clerk of Courts - Helen J. Garafalo, Chief Deputy Clerk of Court
 TYPE OF FILES Microfilm - Court Proceedings, Papers filed in Court, Charge, Indictment, Warrants
 ADDRESS (STREET) Courthouse (Stark Co.)
 CITY, COUNTY, ZIP Canton, Ohio 44702
 TELEPHONE 454-5651 (332) AREA CODE 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 Yes	---	---	---	---
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 Yes	---	---	---	---
	Software Design	25 No	✓	✓	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 N/A	---	---	---	---
	Communications Control	27 N/A	---	---	---	---
	Processor	28 N/A	---	---	---	---
	Storage Devices	29 N/A	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 N/A	---	---	---	---
(4)	Access to Work Areas	31 No	✓	✓	---	---
(5)	Selectign and Supervision of Personnel	32 Yes	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 No	✓	---	---	---
(9)	Unauthorized Access	34 No	✓	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 No	✓	---	---	---
	Theft, Sabotage	36 N/A	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 Yes	---	---	---	---
(8)	Employee Training Program	38 Yes	---	---	---	---
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 Yes	---	---	---	---
	Point of Review and Mechanism	40 N/A	---	---	---	---
(1)	Challenge by Individual	41 N/A	---	---	---	---
(2)	Administrative Review	42 N/A	---	---	---	---
(3)	Administrative Appeal	43 N/A	---	---	---	---
	Correction/Notification of Error	44 N/A	---	---	---	---

AGENCY Stark Co. Clerk of Courts - Helen J. Garofalo, Chief Deputy

TYPE OF FILES Microfilm - Court Proceedings, Papers filed in Court, Charge, Indictment Warrants, etc.

ADDRESS (STREET) Court House (Stark County)

CITY, COUNTY, ZIP Canton, Ohio 44702

TELEPHONE 454-5651 Ext. 332 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES..

Agency Stark Co. Clerk of Courts - Helen J. Garofalo, Chief Deputy Clerk of Courts

Address (street) Court House, Canton, Ohio 44702 (Stark County)

City, County, Zip Canton, Ohio 44702

Telephone Number 454-5651 Ext. 332 Area Code 216

Location of Files Stark Co. Court House and Stark County Office Building

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Chief Deputy Clerk of Courts</u>	<u>Helen J. Garofalo</u>	<u>454-5651 Ext. 332</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Date:

X *Helen J. Garofalo*

October 29, 1975

FOR STATE USE ONLY:

RPU # _____

APD # II

George A. Bennett, Jr.
(Signed by AJD Field Staff)

10/23/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>N/A</u>	—	—	—	—
	Prosecutor	2 <u>N/A</u>	—	—	—	—
	Trial Courts	3 <u>Yes</u>	—	—	—	—
	Appellate Courts	4 <u>N/A</u>	—	—	—	—
	Probation	5 <u>Yes</u>	—	—	—	—
	Correctional Institutions	6 <u>N/A</u>	—	—	—	—
	Parole	7 <u>N/A</u>	—	—	—	—
(1)	Query Before Dissemination: - C	8 <u>Yes</u>	—	—	—	—
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>N/A</u>	—	—	—	—
	Accuracy Verification	10 <u>N/A</u>	—	—	—	—
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>No</u>	—	—	✓	—
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>N/A</u>	—	—	—	—
(3)	Service Agencies Under Contract	13 <u>N/A</u>	—	—	—	—
(4)	Research Organizations	14 <u>N/A</u>	—	—	—	—
	Validating Agency Right of Access	15 <u>Yes</u>	—	—	—	—
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 <u>N/A</u>	—	—	—	—
20.21 (c) (3)	Confirmation of Record Existence	17 <u>No</u>	—	—	✓	—
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>N/A</u>	—	—	—	—
(c) (1)	Dissemination Without Disposition	19 <u>Yes</u>	—	—	—	—
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>No</u>	✓	✓	—	—
	Primary Dissemination Logs	21 <u>N/A</u>	—	—	—	—
	Secondary Dissemination Logs	22 <u>N/A</u>	—	—	—	—

AGENCY Willoughby Municipal Court

TYPE OF FILES Micro Film - Court, Sentence, Probation etc.

ADDRESS (STREET) 4163 River Street

CITY, COUNTY, ZIP Willoughby, Lake 44094

TELEPHONE 216) 951-2800 ARE : 216

A

CERTIFICATION FOR LOCAL AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 <u>No</u>	✓	✓	✓	
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>				
	Software Design	25 <u>N/A</u>				
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>N/A</u>				
	Communications Control	27 <u>N/A</u>				
	Processor	28 <u>N/A</u>				
	Storage Devices	29 <u>N/A</u>				
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>N/A</u>				
(4)	Access to Work Areas	31 <u>Yes</u>				
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>				
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>No</u>	✓	✓		
(9)	Unauthorized Access	34 <u>Yes</u>				
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>				
	Theft, Sabotage	36 <u>Yes</u>				
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>				
(8)	Employee Training Program	38 <u>No</u>	✓	✓		
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 <u>Yes</u>				
	Point of Review and Mechanism	40 <u>No</u>				
(1)	Challenge by Individual	41 <u>N/A</u>				
(2)	Administrative Review	42 <u>N/A</u>				
(3)	Administrative Appeal	43 <u>N/A</u>				
	Correction/Notification of Error	44 <u>No</u>				

AGENCY Willoughby Municipal Court
 TYPE OF FILES Microfilm - Court, Sentences, Probation etc.
 ADDRESS (STREET) 4163 River Street
 CITY, COUNTY, ZIP Willoughby, Lake 44094
 TELEPHONE 951-2800 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Willoughby Municipal Court

Address (street) 4163 River Street

City, County, Zip Willoughby, Lake 44094

Telephone Number 951-2800 Area Code 216

Location of Files Willoughby Municipal Court

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>X CLERK OF COURT</u>	<u>Emma J. Vidic</u>	<u>951-2800 EX 69</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: X Emma J. Vidic Date: 10/29/75

FOR STATE USE ONLY:

RPU # _____

APD # II

George A. Bennett, Jr.
(Signed by AJD Field Staff)

10/31/75
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementat Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A				
	Prosecutor	2 YES				
	Trial Courts	3 YES				
	Apellate Courts	4 N/A				
	Probation	5 YES				
	Correctional Institutions	6 N/A				
	Parole	7 N/A				
(1)*	Query Before Dissemination: - C	8 YES				
(I)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 YES				
	Accuracy Verification	10 N/A				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 YES				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 YES				
(3)	Service Agencies Under Contract	13 YES				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access Restrictions On:	15 N/A				
(4) (d)	Juvenile Record Dissemination	16 N/A				
20.21 (c) (3)	Confirmation of Record Existence	17 N/A				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 N/A				
	Secondary Dissemination Logs	22 N/A				

AGENCY Miami County Clerk of Courts
 TYPE OF FILES Microfilm and Rotary File
 ADDRESS (STREET) Safety Building West Main Street
 CITY, COUNTY, ZIP Troy Miami 45373
 TELEPHONE 335-8344 AREA CODE 513
 LOCATION OF FILES 2 R out

A

CERTIFICATION FOR LOCAL AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)

① Reference	② <u>OPERATIONAL PROCEDURES</u>	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost a	Technical (b)	Lack of Authority c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 N/A	---	---	---	---
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 YES	---	---	---	---
	Software Design	25 N/A	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 N/A	---	---	---	---
	Communications Control	27 N/A	---	---	---	---
	Processor	28 N/A	---	---	---	---
	Storage Devices	29 N/A	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 N/A	---	---	---	---
(4)	Access to Work Areas	31 N/A	---	---	---	---
(5)	Selection and Supervision of Personnel	32 YES	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 YES	---	---	---	---
(9)	Unauthorized Access	34 YES	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 YES	---	---	---	---
	Theft, Sabotage	36 YES	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 YES	---	---	---	---
(8)	Employee Training Program	38 YES	---	---	---	---
20.21 (2)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 NO	---	---	---	---
	Point of Review and Mechanism	40 NO	---	---	---	---
(1)	Challenge by Individual	41 YES	---	---	---	---
(2)	Administrative Review	42 YES	---	---	---	---
(3)	Administrative Appeal	43 YES	---	---	---	---
	Correction/Notification of Error	44 YES	---	---	---	---

AGENCY Miami County Clerk of Courts
 TYPE OF FILES Microfilm and Rotary File
 ADDRESS (STREET) Safety Building West Main Street
 CITY, COUNTY, ZIP Troy Miami 45373
 TELEPHONE 335-8341 AREA CODE 513

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Miami County Clerk of Courts
Address (street) Safety Building West Main Street
City, County, Zip Troy Miami 45373
Telephone Number 335-8341 Area Code 513
Location of Files Clerk of Courts Office
Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Clerk of Courts</u>	<u>Earl Wisler</u>	<u>335-8341</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: Earl Wisler Date: 10-30-75

FOR STATE USE ONLY:

RPU # III
APD # III

River Downs McElroy
(Signed by AJD Field Staff)
October 30, 1975
(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

RECEIVED
OCT 30 1975
AJD-BTR

SYSTEMS
(SP 1 - 10/75)

OCT 30 1975
NON-METRO

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implemental Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 Yes	---	---	---	---
	Prosecutor	2 Yes	---	---	---	---
	Trial Courts	3 Yes	---	---	---	---
	Apellate Courts	4 N/A	---	---	---	---
	Probation	5 Yes	---	---	---	---
	Correctional Institutions	6 N/A	---	---	---	---
	Parole	7 N/A	---	---	---	---
(1)	Query Before Dissemination: - C	8 Yes	---	---	---	---
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 Yes	---	---	---	---
	Accuracy Verification	10 N/A	---	---	✓	---
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 Yes	---	---	---	---
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 Yes	---	---	---	---
(3)	Service Agencies Under Contract	13 N/A	---	---	---	---
(4)	Research Organizations	14 N/A	---	---	---	---
	Validating Agency Right of Access Restrictions On:	15	---	---	---	---
(4) (d)	Juvenile Record Dissemination	16 N/A	---	---	---	---
20.21 (c) (3)	Confirmation of Record Existence	17 Yes	---	---	---	---
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 No	---	---	✓	---
(c) (1)	Dissemination Without Disposition	19 No	---	---	✓	---
20.21	<u>Audits and Quality Control - D</u>					
	Audit trail:					
(a) (2)	Recreating Data Entry	20 Yes	---	---	---	---
	Primary Dissemination Logs	21 N/A	---	---	---	---
	Secondary Dissemination Logs	22 N/A	---	---	---	---

AGENCY Clerk's Office, Warren Municipal Court, Michael G. Delaquila
 TYPE OF FILES Court Files - Microfilm file - Arrest, Prosecution, Courts Sentence, Release, Parol
 ADDRESS (STREET) 141 South Street S.B.
 CITY, COUNTY, ZIP Warren, Ohio 44483
 TELEPHONE 399-681

A

CERTIFICATION FOR LOCAL AGENCY RECORD
SYSTEMS
(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of	23 <u>No</u>	—	—	✓	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>Yes</u>	—	—	—	—
	Software Design	25 <u>Yes</u>	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>N/A</u>	—	—	—	—
	Communications Control	27 <u>N/A</u>	—	—	—	—
	Processor	28 <u>Yes</u>	—	—	—	—
	Storage Devices	29 <u>Yes</u>	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>N/A</u>	—	—	—	—
(4)	Access to Work Areas	31 <u>Yes</u>	—	—	—	—
(5)	Selection and Supervision of Personnel	32 <u>Yes</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>Yes</u>	—	—	—	—
(9)	Unauthorized Access	34 <u>Yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>Yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>Yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>Yes</u>	—	—	—	—
(8)	Employee Training Program	38 <u>No</u>	✓	—	—	—
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 <u>No</u>	—	—	—	—
	Point of Review and Mechanism	40 <u>Yes</u>	—	—	—	—
(1)	Challenge by Individual	41 <u>Yes</u>	—	—	—	—
(2)	Administrative Review	42 <u>N/A</u>	—	—	—	—
(3)	Administrative Appeal	43 <u>N/A</u>	—	—	—	—
	Correction/Notification of Error	44 <u>No</u>	—	—	—	—

AGENCY Clerks Office, Warren Municipal Court, Michael G. Delagula
 TYPE OF FILES Court Files - Microfilm file - Arrest, Prosecution, Courts, Sentences, Release, Par
 ADDRESS (STREET) 141 South Street S.E.
 CITY, COUNTY, ZIP Warren, Ohio 44483
 TELEPHONE 399-3681 AREA CODE 216

B

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Clerk of Courts, Warren Municipal Court

Address (street) 141 South Street S.E.

City, County, Zip Warren, Ohio 44483

Telephone Number 399-3681 Area Code 216

Location of Files Clerk of Courts Office, 2nd Floor, Justice Building

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Clerk of Courts</u>	<u>Michael G. Delaquila</u>	<u>(216) 399-3681 ext. 262</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

Michael G. Delaquila Jr.

Date:

Oct. 28, 1975

FOR STATE USE ONLY:

RPU # _____

APD # II

James A. Bennett Jr.
(Signed by AJD Field Staff)

10/22/75
(date)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A				
	Prosecutor	2 N/A				
	Trial Courts	3 N/A				
	Appellate Courts	4 N/A				
	Probation	5 N/A				
	Correctional Institutions	6 N/A				
	Parole	7 N/A				
(1)	Query Before Dissemination: - C	8 N/A				
(3)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 Yes				
	Accuracy Verification	10 Yes				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 N/A				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access Restrictions On:	15 N/A				
(4) (d)	Juvenile Record Dissemination	16 N/A				
20.21 (c) (3)	Confirmation of Record Existence	17 N/A				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 No				12/1/76
	Secondary Dissemination Logs	22 No				12/1/76

AGENCY Pretrial Release Bureau, Inc.

TYPE OF FILES Manual

ADDRESS (STREET) 333 West First St., Suite 334

CITY, COUNTY, ZIP Dayton, Ohio, Montgomery 45402

TELEPHONE 228-9695 AREA CODE 513

LOCATION OF FILES 333 W. First, Suites 334 & 346



CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② <u>OPERATIONAL PROCEDURES</u>	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>	---	---	---	---
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>n/a</u>	---	---	---	---
	Software Design	25 <u>na</u>	---	---	---	---
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>-</u>	---	---	---	---
	Communications Control	27 <u>-</u>	---	---	---	---
	Processor	28 <u>-</u>	---	---	---	---
	Storage Devices	29 <u>-</u>	---	---	---	---
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>na</u>	---	---	---	---
(4)	Access to Work Areas	31 <u>na</u>	---	---	---	---
(5)	Selection and Supervision of Personnel	32 <u>na</u>	---	---	---	---
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	---	---	---	---
(9)	Unauthorized Access	34 <u>yes</u>	---	---	---	---
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	---	---	---	---
	Theft, Sabotage	36 <u>yes</u>	---	---	---	---
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>	---	---	---	---
(8)	Employee Training Program	38 <u>yes</u>	---	---	---	---
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>yes</u>	---	---	---	---
	Point of Review and Mechanism	40 <u>yes</u>	---	---	---	---
(1)	Challenge by Individual	41 <u>yes</u>	---	---	---	---
(2)	Administrative Review	42 <u>yes</u>	---	---	---	---
(3)	Administrative Appeal	43 <u>yes</u>	---	---	---	---
	Correction/Notification of Error	44 <u>yes</u>	---	---	---	---

AGENCY Pre-Trial Release Bureau, Inc.

TYPE OF FILES Manual

ADDRESS (STREET) 333 West First St. Suite 334

CITY, COUNTY, ZIP Dayton, Montgomery 45402

TELEPHONE 228-9695 AREA CODE 513

LOCATION OF FILES Suites 334 & 346

B

DM

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Pre-Trial Release Bureau, Inc.

Address (street) 333 W. First St. Suite 334

City, County, Zip Dayton, Montgomery, 45322

Telephone Number 228-9695 Area Code 513

Location of Files 333 W. First St. Suites 334 and 346

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Executive Director</u>	<u>Bruce E. Sucher</u>	<u>228-9695</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: Bruce E. Sucher Date: 10-31-75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 <u>N/A</u>	---	---	---	---
	Prosecutor	2 <u>N/A</u>	---	---	---	---
	Trial Courts	3 <u>N/A</u>	---	---	---	---
	Appellate Courts	4 <u>N/A</u>	---	---	---	---
	Probation	5 <u>N/A</u>	---	---	---	---
	Correctional Institutions	6 <u>N/A</u>	---	---	---	---
	Parole	7 <u>N/A</u>	---	---	---	---
(1)	Query Before Dissemination: - C	8 <u>N/A</u>	---	---	---	---
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 <u>No</u>	<u>X</u>	<u>X</u>	<u>X</u>	---
	Accuracy Verification	10 <u>Yes</u>	---	---	---	---
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 <u>N/A</u>	---	---	---	---
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 <u>N/A</u>	---	---	---	---
(3)	Service Agencies Under Contract	13 <u>N/A</u>	---	---	---	---
(4)	Research Organizations	14 <u>N/A</u>	---	---	---	---
	Validating Agency Right of Access Restrictions On:	15 <u>N/A</u>	---	---	---	---
(4) (d)	Juvenile Record Dissemination	16 <u>N/A</u>	---	---	---	---
20.21 (c) (3)	Confirmation of Record Existence	17 <u>N/A</u>	---	---	---	---
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 <u>N/A</u>	---	---	---	---
(c) (1)	Dissemination Without Disposition	19 <u>N/A</u>	---	---	---	---
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 <u>N/A</u>	---	---	---	---
	Primary Dissemination Logs	21 <u>N/A</u>	---	---	---	---
	Secondary Dissemination Logs	22 <u>N/A</u>	---	---	---	---

AGENCY Public Defender Association of Dayton, Inc.

TYPE OF FILES 8 x 14 Jackets

ADDRESS (STREET) 352 Dayco Building

CITY, COUNTY, ZIP Dayton, Ohio 45402

TELEPHONE 228-3246

AREA CODE 513

A

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implementation Date
			Cost a	Technical (b)	Lack of Authority c	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>	—	—	—	—
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>n/a</u>	—	—	—	—
	Software Design	25 <u>n/a</u>	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 —	—	—	—	—
	Communications Control	27 —	—	—	—	—
	Processor	28 —	—	—	—	—
	Storage Devices	29 —	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>n/a</u>	—	—	—	—
(4)	Access to Work Areas	31 <u>n/a</u>	—	—	—	—
(5)	Selection and Supervision of Personnel	32 <u>n/a</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	—	—	—	—
(9)	Unauthorized Access	34 <u>yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>	—	—	—	—
(8)	Employee Training Program	38 <u>yes</u>	—	—	—	—
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>yes</u>	—	—	—	—
	Point of Review and Mechanism	40 <u>yes</u>	—	—	—	—
(1)	Challenge by Individual	41 <u>yes</u>	—	—	—	—
(2)	Administrative Review	42 <u>yes</u>	—	—	—	—
(3)	Administrative Appeal	43 <u>yes</u>	—	—	—	—
	Correction/Notification of Error	44 <u>yes</u>	—	—	—	—

AGENCY Public Defender Association of Dayton, Inc.

TYPE OF FILES 8x14 jackets

ADDRESS (STREET) 352 333 West First St.

CITY, COUNTY, ZIP Dayton Montgomery 45402

TELEPHONE 228-3246 AREA CODE 513

LOCATION OF FILES in office

B

DAW
RPU

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Public Defender Association of Dayton, Inc.
 Address (street) 352 Dayco Bldg, 333 W. First St.
 City, County, Zip Dayton, Ohio 45402
 Telephone Number 228-3246 Area Code 513
 Location of Files file storage room in office
 Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Exec. Director</u>	<u>John W. Kessler</u>	<u>228-3246</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: John W. Kessler

Date: 10/31/75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimate Implement. Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 N/A				
	Prosecutor	2 N/A				
	Trial Courts	3 N/A				
	Appellate Courts	4 N/A				
	Probation	5 N/A				
	Correctional Institutions	6 N/A				
	Parole	7 N/A				
(1)	Query Before Dissemination: - C	8 N/A				
(1)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 N/A				
	Accuracy Verification	10 Yes				
20.21	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 N/A				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 N/A				
	Validating Agency Right of Access	15 N/A				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 N/A				
20.21	(c) (3) Confirmation of Record Existence	17 N/A				
(c) (2)	Secondary Dissemination by					
	Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 N/A				
	Primary Dissemination Logs	21 N/A				
	Secondary Dissemination Logs	22 N/A				

AGENCY Human Rehabilitation Center

TYPE OF FILES _____

ADDRESS (STREET) 1613 South Gettysburg Ave.

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security:</u>					
(f)	Executive/Statutory Designation of	23 <u>yes</u>	—	—	—	—
(9)	Responsible Criminal Justice Agency					
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>n/a</u>	—	—	—	—
	Software Design	25 <u>n/a</u>	—	—	—	—
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>n/a</u>	—	—	—	—
	Communications Control	27 <u>n/a</u>	—	—	—	—
	Processor	28 <u>n/a</u>	—	—	—	—
	Storage Devices	29 <u>n/a</u>	—	—	—	—
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30 <u>n/a</u>	—	—	—	—
(4)	Access to Work Areas	31 <u>n/a</u>	—	—	—	—
(5)	Selection and Supervision of Personnel	32 <u>n/a</u>	—	—	—	—
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>	—	—	—	—
(9)	Unauthorized Access	34 <u>yes</u>	—	—	—	—
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>	—	—	—	—
	Theft, Sabotage	36 <u>yes</u>	—	—	—	—
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>	—	—	—	—
(8)	Employee Training Program	38 <u>yes</u>	—	—	—	—
20.21 (g)	<u>Individual Right of Access</u> - K					
	Rules for Access	39 <u>yes</u>	—	—	—	—
	Point of Review and Mechanism	40 <u>yes</u>	—	—	—	—
(1)	Challenge by Individual	41 <u>yes</u>	—	—	—	—
(2)	Administrative Review	42 <u>yes</u>	—	—	—	—
(3)	Administrative Appeal	43 <u>yes</u>	—	—	—	—
	Correction/Notification of Error	44 <u>yes</u>	—	—	—	—

AGENCY Human Rehabilitation Center

TYPE OF FILES _____

ADDRESS (STREET) 1613 S. Gettysburg Avenue

CITY, COUNTY, ZIP Dayton, Ohio 45418 Montgomery

TELEPHONE 263-2671 AREA CODE 513

LOCATION OF FILES _____

B

AM
200

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency Dayton Human Rehabilitation Center
Address (street) 1613 S. Gettysburg Ave.
City, County, Zip Dayton, Montgomery - 45408
Telephone Number 263-2678 Area Code 513
Location of Files Saved as usual

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>Supt.</u>	<u>William Johnson</u>	<u>263-2671</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed:

William Johnson

Date:

10/31/75

FOR STATE USE ONLY:

RPV # _____

APD # _____

(Signed by AJD Field Staff)

(date)

SYSTEMS

(SP 1 - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Completeness and Accuracy - B</u>					
(a)	Complete Disposition Reporting in 90 days from:					
	Police	1 Yes				
	Prosecutor	2 Yes				
	Trial Courts	3 Yes				
	Appellate Courts	4 Yes				
	Probation	5 Yes				
	Correctional Institutions	6 Yes				
	Parole	7 Yes				
(1)	Query Before Dissemination: - C	8 Yes				
(3)	Systematic Audit: - D					
	Delinquent Disposition Monitoring	9 N/A				
	Accuracy Verification	10 Yes				
20.21 (b)	<u>Limits on Dissemination - E</u>					
(1)	Contractual Agreements/Notices and Sanctions in Effect for:					
(1)	Criminal Justice Agencies	11 Yes				
(2)	Non-Criminal Justice Agencies Granted Access by Law or Executive Order	12 N/A				
(3)	Service Agencies Under Contract	13 N/A				
(4)	Research Organizations	14 Yes				
	Validating Agency Right of Access	15 Yes				
	Restrictions On:					
(4) (d)	Juvenile Record Dissemination	16 N/A				
20.21 (c) (3)	Confirmation of Record Existence	17 Yes				
(c) (2)	Secondary Dissemination by Non-Criminal Justice Agencies	18 N/A				
(c) (1)	Dissemination Without Disposition	19 N/A				
20.21	<u>Audits and Quality Control - D</u>					
	Audit Trail:					
(a) (2)	Recreating Data Entry	20 Yes				
	Primary Dissemination Logs	21 Yes				
	Secondary Dissemination Logs	22 N/A				

AGENCY Talbert House - Dayton

TYPE OF FILES Lock Metal

ADDRESS (STREET) 656 South Main Street

CITY, COUNTY, ZIP Dayton, Ohio, Montgomery 45402

TELEPHONE 224-9675 AREA CODE 513

LOCATION OF FILES 117 W. Monument and 656 S. Main

A

CERTIFICATION FOR LOCAL AGENCY RECORD

SYSTEMS

(SP 1a - 10/75)

① Reference	② OPERATIONAL PROCEDURES	③ Now Implemented	④ Reasons For Non-Implementation			⑤ Estimated Implementation Date
			Cost (a)	Technical (b)	Lack of Authority (c)	
20.21	<u>Security</u>					
(f)	Executive/Statutory Designation of					
(9)	Responsible Criminal Justice Agency	23 <u>yes</u>				
(1)	Prevention of Unauthorized Access: - G					
	Hardware Design	24 <u>na</u>				
	Software Design	25 <u>na</u>				
(2)	Dedicated Hardware: - H					
	Terminals	26 <u>na</u>				
	Communications Control	27 <u>na</u>				
	Processor	28 <u>na</u>				
	Storage Devices	29 <u>na</u>				
(3)	Criminal Justice Agency Authority: - I					
(3)	Computer Operations Policy	30				
(4)	Access to Work Areas	31				
(5)	Selection and Supervision of Personnel	32				
(6)	Assignment of Administration Responsibility: - J					
(6)	Physical Security	33 <u>yes</u>				
(9)	Unauthorized Access	34 <u>yes</u>				
(7)	Physical Protection Against: - J					
	Access to Equipment	35 <u>yes</u>				
	Theft, Sabotage	36 <u>yes</u>				
	Fire, Flood, Other Natural Disaster	37 <u>yes</u>				
(8)	Employee Training Program	38 <u>yes</u>				
20.21 (g)	<u>Individual Right of Access - K</u>					
	Rules for Access	39 <u>yes</u>				
	Point of Review and Mechanism	40 <u>yes</u>				
(1)	Challenge by Individual	41 <u>yes</u>				
(2)	Administrative Review	42 <u>yes</u>				
(3)	Administrative Appeal	43 <u>yes</u>				
	Correction/Notification of Error	44 <u>yes</u>				

AGENCY Talbert House - Dayton

TYPE OF FILES Metal Lock

ADDRESS (STREET) 656 So. Main St.

CITY, COUNTY, ZIP Dayton, Montgomery 45402

TELEPHONE 224-9675 AREA CODE 513

LOCATION OF FILES 117 W. Monument and 656 So. Main

B

DM
RPU

CRIMINAL HISTORY RECORD INFORMATION

CERTIFICATION

PRINT CLEARLY OR TYPE ALL ENTRIES EXCEPT SIGNATURES.

Agency TALBERT HOUSE - DAYTON
 Address (street) 1656 SO MAIN ST.
 City, County, Zip DAYTON MONTGOMERY 45402
 Telephone Number 224-9675 Area Code 513
 Location of Files 656 SO. MAIN ST.

Senior Executive Authority:

POSITION	NAME	TELEPHONE
<u>DIRECTOR</u>	<u>LOUIS E. LEONARD</u>	<u>224-9675</u>

I certify that to the maximum extent possible, action has been taken "in good faith" to comply with the procedures set forth in the DOJ Rules and Regulations of 20 May, 1975. I have read the Regulations and am aware of the penalties for non-compliance, 20.25. Please consider the submission of this application for certification.

Signed: Louis E. Leonard Date: 10-31-75

FOR STATE USE ONLY:

RPU # _____

APD # _____

(Signed by AJD Field Staff)

(date)

IV. MILESTONE CHART

To be submitted under separate cover.

GLOSSARY

- Criminal Justice Agency -- courts; any governmental agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice. This includes: the Bureau of Criminal Identification and Investigation, sheriffs, constables, building and loan police, railroad police, private police, police, emergency patrolmen, village marshalls, agents of county humane societies, cemetery police, chautauqua police and special constables (for statutory authority see appendix).
- Administration of Criminal Justice -- performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders, criminal identification activities, and the collection, storage, and dissemination of criminal history record information.
- Criminal History Record Information System -- a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation or dissemination of criminal history record information.
- Criminal History Record Information -- information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations or other formal criminal charges, and any disposition arising therefrom, sentencing correctional supervision, and release. The term does not include identification information such as fingerprint records or photographs to the extent that such information does not indicate involvement of the individual in the criminal justice system.
- Dissemination -- the release or transmission of criminal history record information by an agency to another agency or individual.
- Central State Repository -- a state agency having the function pursuant to statute or executive order of maintaining comprehensive statewide criminal history record information files.
- Disposition -- the formal conclusion of each stage of a case as it moves by arrest through the criminal justice system.

Nonconviction Data -- arrest information without disposition of an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings or that proceedings have been indefinitely postponed; as well as all acquittals and all dismissals.

Direct Access -- having the authority to access criminal history record data base, whether by manual or automated methods.

ACRS -- Automated Criminal Records System.

ALECS -- Automated Law Enforcement Communication System.

Automated Criminal Records System (ACRS) -- A computerized system used at BCI&I for criminal history data.

Automated Law Enforcement Communication System (ALECS) -- An automated communication system for transmitting messages relating to law enforcement activities.

BCI&I -- Bureau of Criminal Identification and Investigation.

Bureau of Criminal Identification and Investigation (BCI&I) -- A Bureau in the Attorney General's Office responsible for identification of criminal offenders, criminal history record keeping (including file maintenance, manual and automated criminal history data) crime scene investigation and lab evidence analysis. Responsible for Offender Based Transaction System/Computerized Criminal Histories and Uniform Crime Reporting subsystems of Criminal Justice Information System.

CCH -- Computerized Criminal Histories.

CDS -- Comprehensive Data System.

CJA -- Criminal Justice Agency

CJIS -- Criminal Justice Information System.

Comprehensive Data System (CDS) -- The CDS program being developed by Ohio according to Law Enforcement Assistance Administration guidelines to provide for systematic collection and reporting of criminal justice information and statistics.

Computerized Criminal History (CCH) -- Criminal history data which has been automated.

Criminal Justice Purpose -- A function relating primarily to the detection, identification, apprehension, prosecution, adjudication, incarceration, rehabilitation, probation and parole of criminal offenders.

Challenge -- A written statement, from an individual to the originating agency describing the specific computerized criminal history data that the individual believes to be inaccurate or incomplete.

CJIS Employee -- An employee of a criminal justice agency whose work assignments relate to CJIS; includes, but is not limited to : Terminal or Data Entry Operator; Computer Operator, Data Conversion Technician, Programmer, System Analyst, Tape Librarian, Security Officer or Guard of CJIS EDP equipment, files or area, Data Base Administrator; etc., or the immediate Supervisor of one of these employees.

Community Lines/Channel -- A wire or telephone circuit connecting a CJIS terminal with the CJIS computer.

Dispute -- A suit, by an individual, against the originating agency, filed with the appropriate court, which describes the specific computerized criminal history data that the individual believes to be inaccurate or incomplete.

Expunge -- A criminal history cycle is said to be expunged from the computerized criminal history file if that criminal history cycle is removed from on-line access by CJIS terminal agencies. The criminal history cycle shall be sealed and maintained in hard copy form at BCI&I. The computerized index record shall be modified so as to not provide any information regarding that criminal history cycle to the terminal agencies, except to "contact BCI&I for additional information." (See Purge).

Integrated Traffic Records System (ITRS) -- Computerized data base in use by the Department of Highway Safety for traffic law enforcement; includes driver's records, vehicle registration, warrants and wanted, and stolen property; interfaces with National Crime Information Center/Warrants and Wanted and Stolen Property.

Law Enforcement Automated Data System (LEADS) -- Computerized system in use by the Department of Highway Safety for traffic law enforcement; includes Integrated Traffic Records System, communications system, terminal, computer, peripheral equipment and on-line interface with NCIC.

Management and Administrative Statistics System (MASS) -- The collection and analysis of data regarding financial personnel; facilities and equipment data of the various criminal justice functions at state and local levels.

National Law Enforcement Telecommunications System (NLETS) -- A system for transmission of crime information among law enforcement agencies throughout the nation.

OBTS/CCH -- Offender Based Transaction System/Computerized Criminal Histories.

Ohio Criminal History (OCH) -- Criminal history data offenses in Ohio.

Ohio Criminal Justice Information System (CJIS) -- The Criminal Justice Information System is a computerized, comprehensive, state-wide information system, with integrated data base serving all Ohio Criminal Justice Agencies. See CJIS configuration schematic.

ORI -- Originating Agency

Originating Agency (ORI) -- An agency supplying criminal history data to CJIS.

Offender Based Transaction System (OBTS) -- Data: Data required in the OBTS of the Ohio CJIS to follow an individual from the time of arrest until release from the criminal justice system.

Offender Based Transaction System/Computerized Criminal Histories (OBTS/CCH) -- A systematic collection, at BCI&I, of significant data by police, prosecution, court and correctional agencies about every person arrested on a serious charge, from time of arrest to final disposition.

Off-line -- Descriptive of a system and of the peripheral equipment or devices in a system in which the operation of peripheral equipment is not under the control of the CJIS computer.

On-line -- Descriptive of a system and of the peripheral equipment or devices in which the operation of such equipment is under the control of the CJIS computer, and in which information reflecting current activity is introduced into the data processing system as soon as it occurs. Thus, directly in-line with the main flow of transaction processing.

Personal Identification Data -- Data permitting the identification of a specific individual, (including but not limited to: name, date of birth, place of birth, address, sex, race, height, weight, eyes, hair, fingerprints, social security number, BCI&I number, FBI number, etc.)

Purge -- A criminal history record is said to be purged from the computerized criminal history file if the personal identifying data and/or any associated criminal history cycles are removed from access by CJIS terminal agencies. (See expunge)

Satellite Computer -- A computer under the management control of a criminal justice agency which interfaces on-line with the CJIS computer.

Statistical Analysis Center (SAC) -- A professional staff at the Administrative Justice Division to coordinate the Ohio CJIS to provide interpretative analysis of collected data, and to insure quality control of data collected and reported.

Terminal Agency -- An agency having on-line access to CJIS via a CJIS terminal

State Control Terminal -- The state agency, Ohio State Highway Patrol, responsible for NCIC, intrastate and interstate interfaces and message switching.

User Agency -- A criminal justice agency supplying criminal history data to and/or obtaining criminal history data from CJIS.

Record Series -- A grouping of documents, photographic images that have a logical relationship of subject matter. Usually contained in one folder, jacket, wallet card or film area.

Case No. -- Number designated by assignment officer or clerk in the courts record/process control procedure.

Attorney of Record -- Designated legal representative for defense.

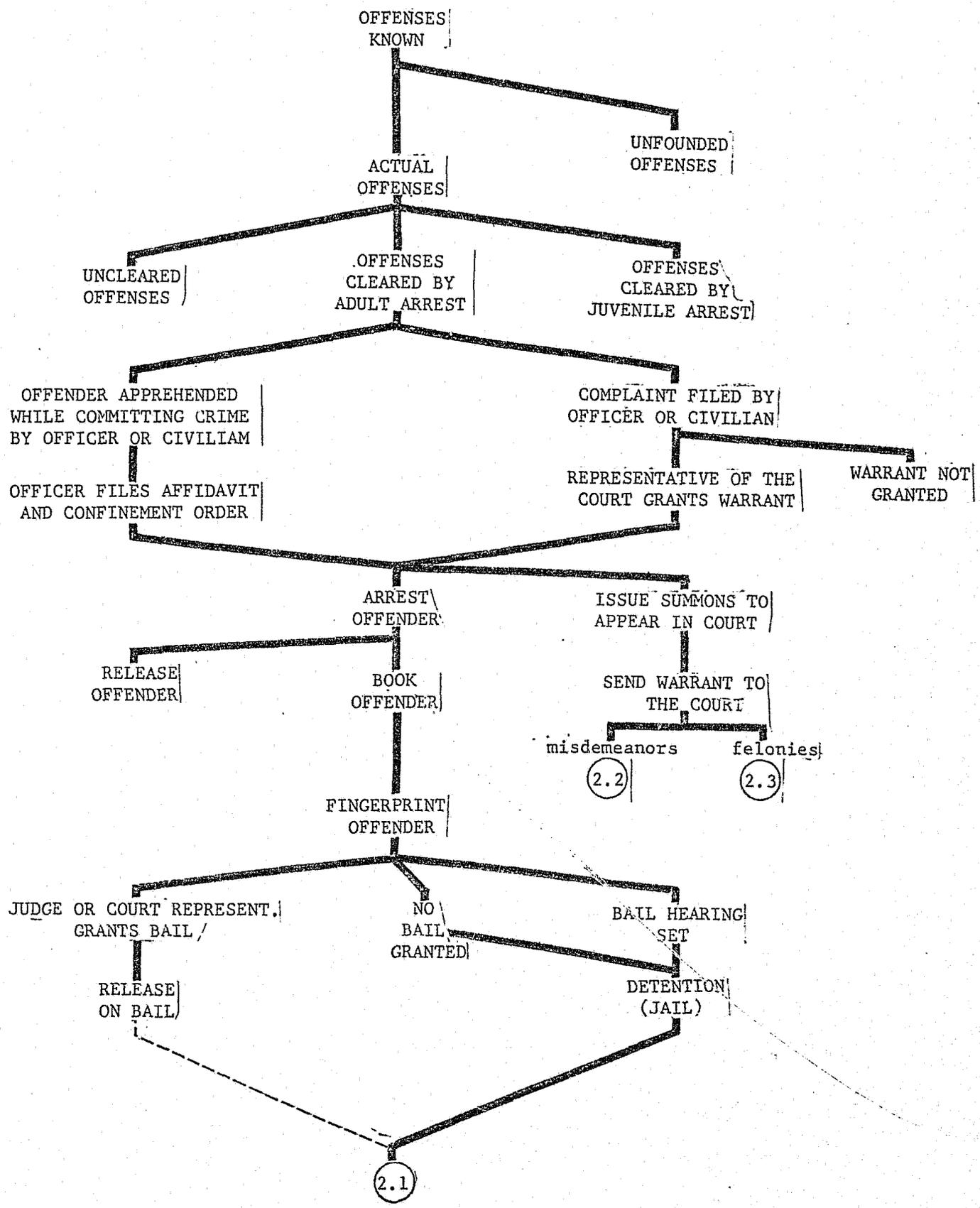
O.R.C. (ORC) -- Ohio Revised Code.

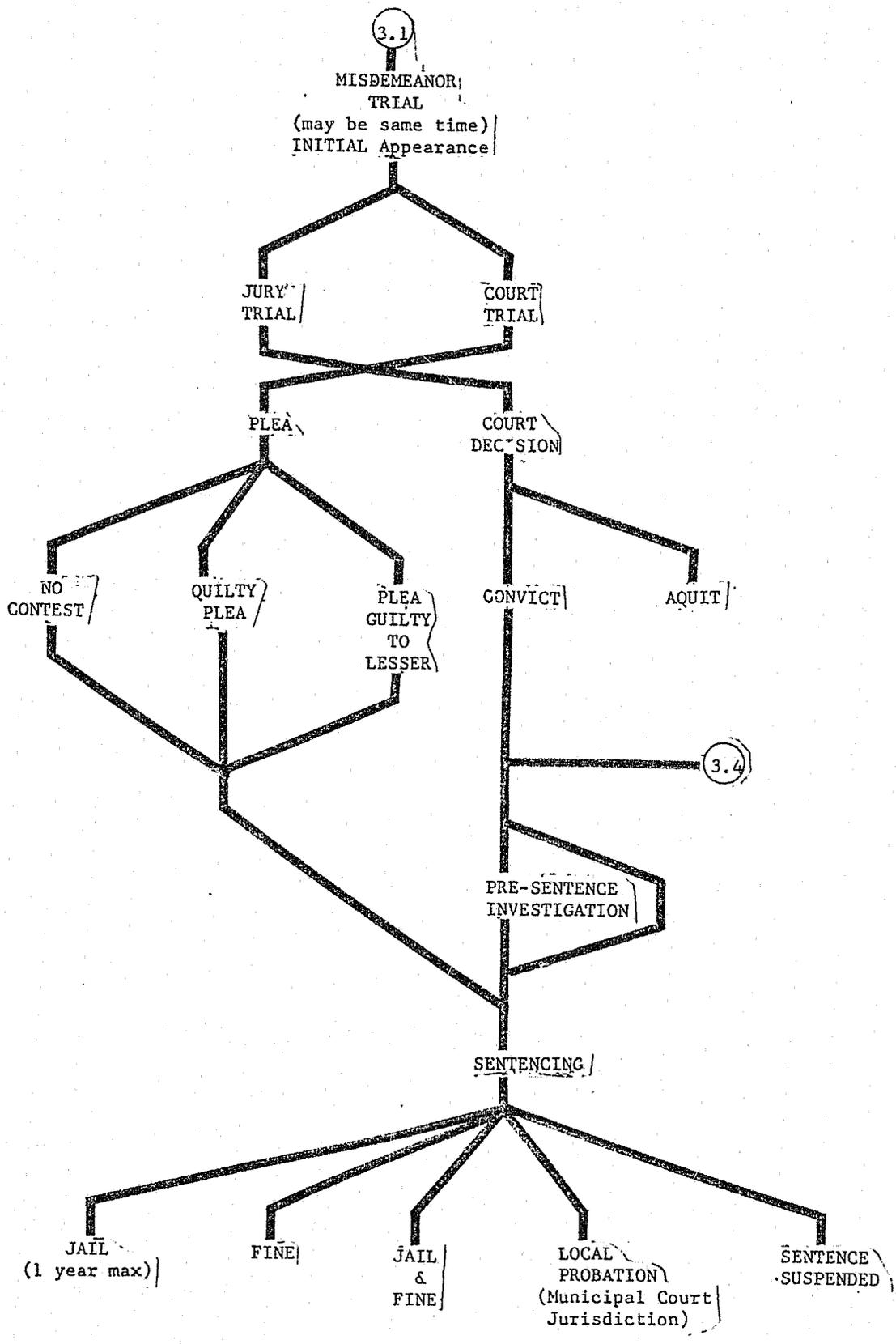
Prosecutor No. -- Control number assigned by prosecutors office as file control. This number in a manual system usually has no relationship to a control number used by the enforcement function.

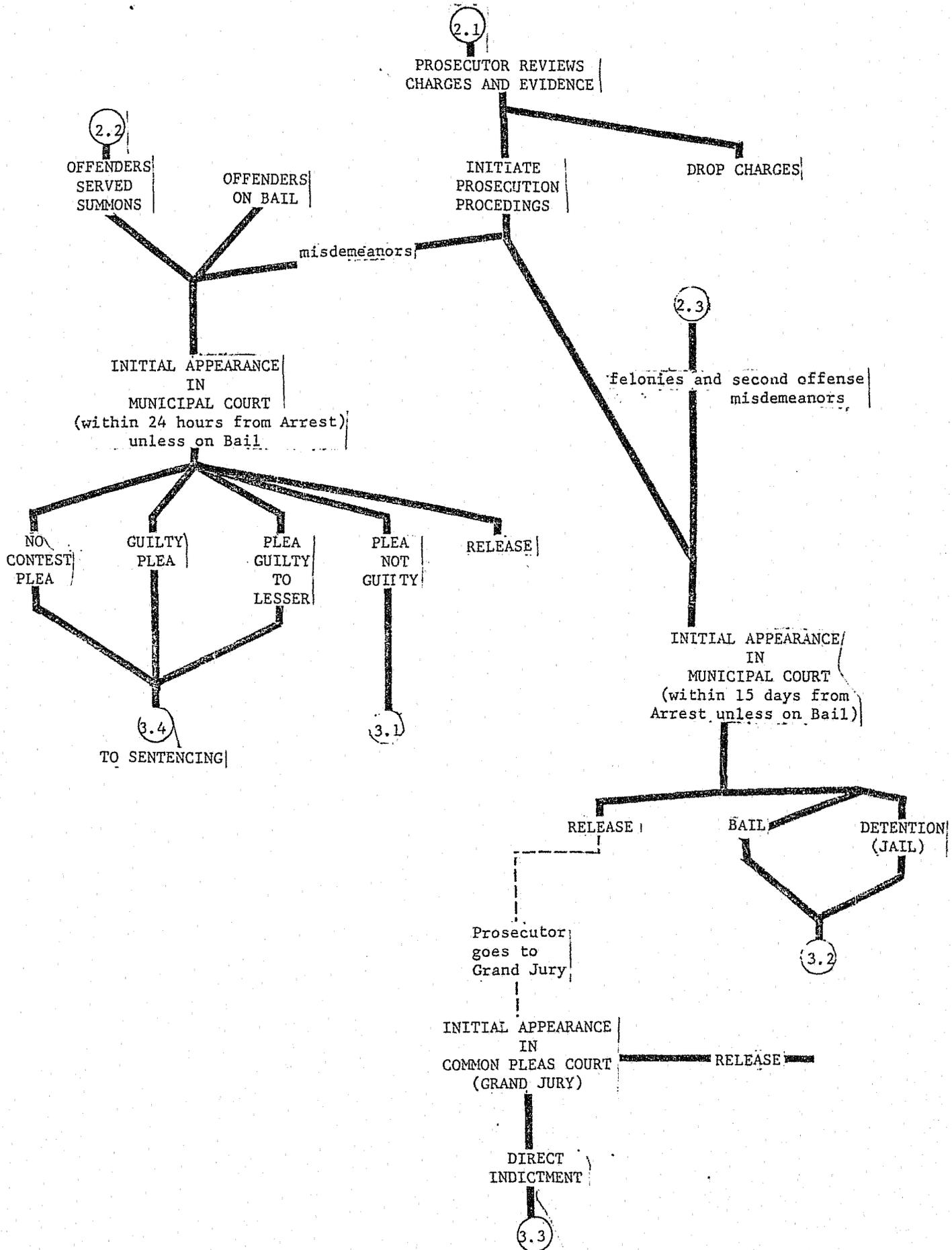
Docket -- A summary of legal proceeding, a list of legal decisions, or a list of cases to be tried by a court.

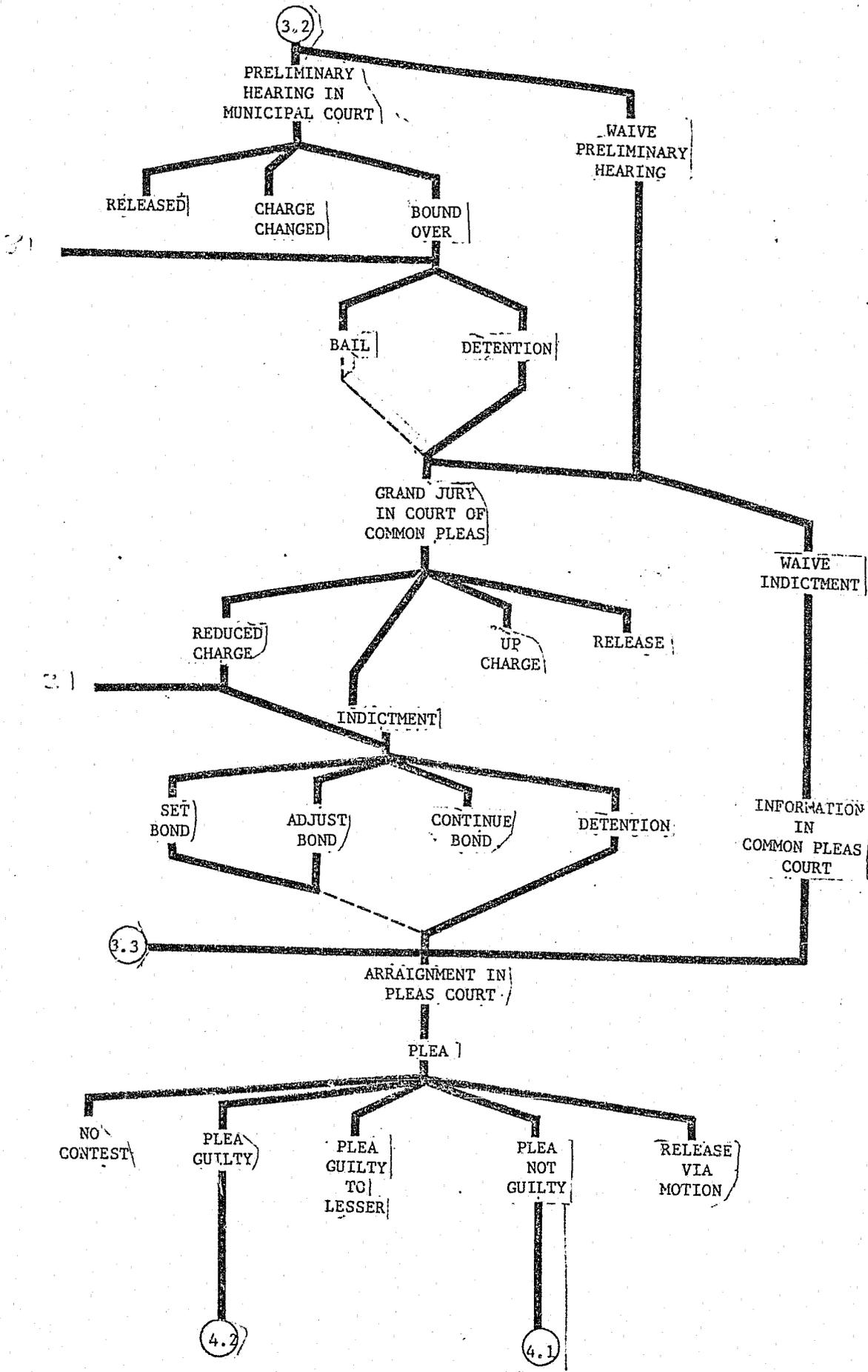
APPENDIX A
CRIMINAL JUSTICE SYSTEM
FLOW CHART

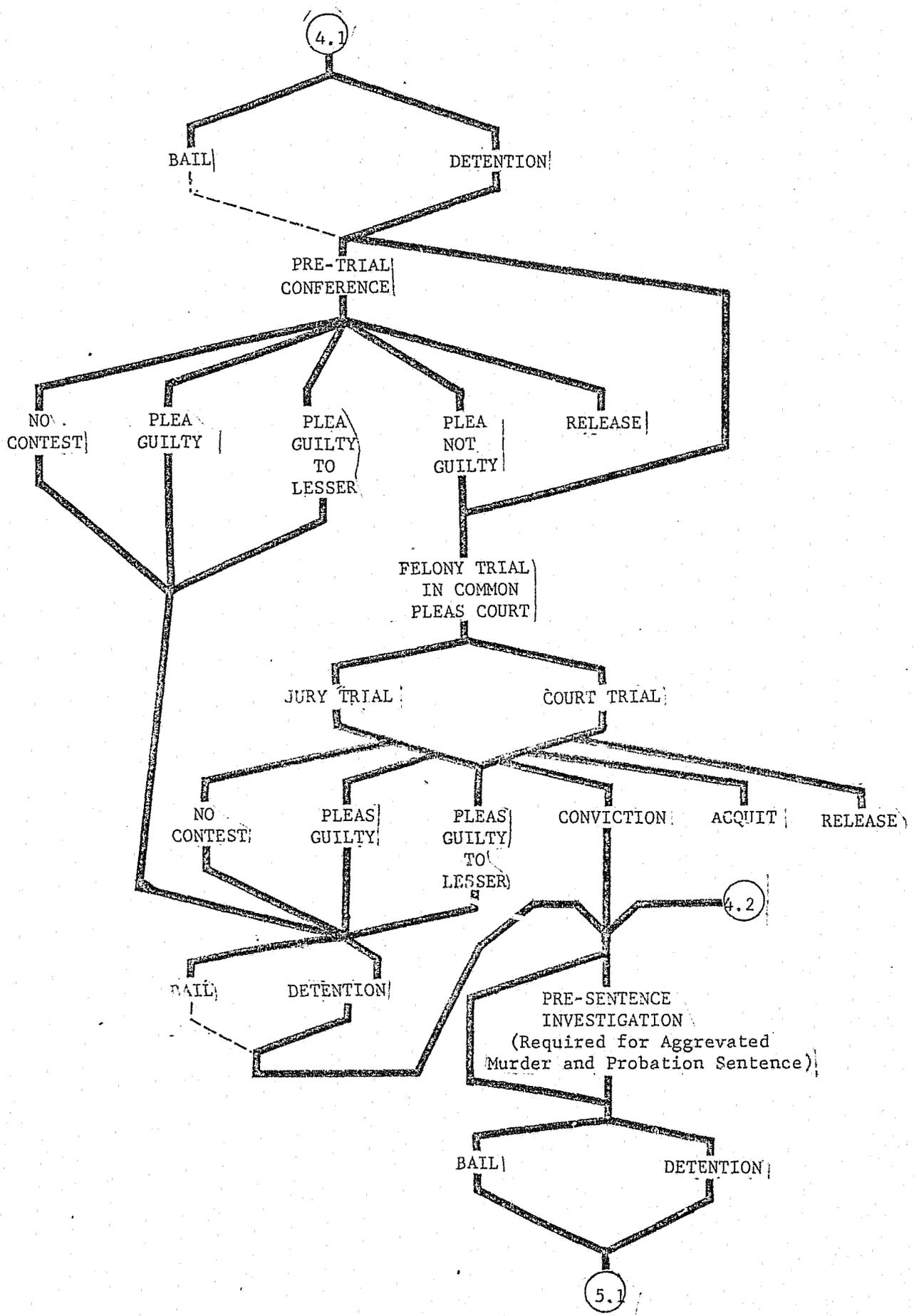
CRIMINAL JUSTICE SYSTEM FLOW











APPENDIX B
ENABLING LEGISLATION FOR
LAW ENFORCEMENT AND INVESTIGATIVE AGENCIES

BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION

§ 109.51 Creation of bureau of criminal identification and investigation.

There is hereby created in the office of the attorney general, a bureau of criminal identification and investigation to be located at the site of the London correctional institution. The attorney general shall appoint a superintendent of said bureau. The superintendent shall appoint, with the approval of the attorney general, such assistants as are necessary to carry out the functions and duties of the bureau as contained in sections 109.51 to 109.63, inclusive, of the Revised Code.

§ 109.52 Operations of the bureau.

The bureau of criminal identification and investigation may operate and maintain a criminal analysis laboratory and mobile units thereof, create a staff of investigators and technicians skilled in the solution and control of crimes and criminal activity, keep statistics and other necessary data, assist in the prevention of crime, and engage in such other activities as will aid law enforcement officers in solving crimes and controlling criminal activity.

§ 109.53 Equipment and furnishings of the bureau.

The bureau of criminal identification and investigation shall be supplied with furniture, fixtures, apparatus, vehicles, and materials necessary to carry out the functions and duties of the bureau as contained in sections 109.51 to 109.63, inclusive, of the Revised Code.

§ 109.54 Intergovernmental cooperation.

The bureau of criminal identification and investigation may investigate any criminal activity in this state which is of statewide or intercounty concern when requested by local authorities and may aid federal authorities, when requested, in their investigation of any criminal activity in this state. On and after July 1, 1971, the bureau may investigate any criminal activity in this state involving drug abuse or illegal drug distribution prohibited under Chapter 3719. or 4729. of the Revised Code.

The bureau may provide such trained investigative personnel and specialized equipment as may be requested by any sheriff, chief of police, or other law officer to aid and assist such officer in the investigation and solution of any crime or the control of any criminal activity occurring within his jurisdiction. This assistance shall be furnished by the bureau without disturbing or impairing any of the existing law enforcement authority or the prerogatives of local law enforcement authorities or officers. Investigators provided pursuant to this section, or engaged in an investigation pursuant to section 109.83 of the Revised Code, may go armed in the same manner as sheriffs and regularly appointed police officers under section 2923.01 of the Revised Code.

§ 109.54 Intergovernmental cooperation.

The bureau of criminal identification and investigation may investigate any criminal activity in this state which is of statewide or intercounty concern when requested by local authorities and may aid federal authorities, when requested, in their investigation of any criminal activity in this state.

The bureau may provide such trained investigative personnel and specialized equipment as may be requested by any sheriff, chief of police, or other law officer to aid and assist such officer in the investigation and solution of any crime or the control of any criminal activity occurring within his jurisdiction. This assistance shall be furnished by the bureau without disturbing or impairing any of the existing law enforcement authority or the prerogatives of local law enforcement authorities or officers.

§ 109.55 Coordination of law enforcement activities.

The superintendent of the bureau of criminal identification and investigation shall recommend co-operative policies for the co-ordination of the law enforcement work and crime prevention activities of all state and local agencies and officials having law enforcement duties to promote co-operation between such agencies and officials, to secure effective and efficient law enforcement, to eliminate duplication of work, and to promote economy of operation in such agencies.

§ 109.56 Training local law enforcement authorities.

The bureau of criminal identification and investigation shall, where practicable, assist in training local law enforcement officers in crime prevention, detection, and solution when requested by local authorities, and, where practicable, furnish instruction to sheriffs, chiefs of police, and other law officers in the establishment of efficient local bureaus of identification in their districts.

§ 109.57 Duties of the superintendent of the bureau.

(A) The superintendent of the bureau of criminal identification and investigation shall procure and file for record photographs, pictures, descriptions, fingerprints, measurements, and such other information as may be pertinent, of all persons who have been convicted of a felony or any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, within the state, and of all well known and habitual criminals, from wherever procurable. The person in charge of any state correctional institution and the person in charge of any state institution having custody of a person suspected of having committed a felony or any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, shall furnish such material to the superintendent of the bureau upon request. Fingerprints, photographs, or other descriptive information of a child under eighteen years of age shall not be procured by the superintendent or furnished by any person in charge of any state correctional institution, except as may be authorized in section 2151.313 [2151.313] of the Revised Code. Every court

of record in this state shall send to the superintendent of the bureau a weekly report containing a summary of each case involving a felony or any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses. Such summary shall include the style and number of the case, the dates of arrest, commencement of trial, and conviction, a statement of the offense and the conduct which constituted it, and the sentence or terms of probation imposed, or other disposition of the offender. The superintendent shall cooperate with and assist sheriffs, chiefs of police, and other law officers in the establishment of a complete system of criminal identification and in obtaining fingerprints and other means of identification of all persons arrested on charge of felony or any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses. He shall also file for record the fingerprint impressions of all persons confined in any workhouse, jail, reformatory, or penitentiary, for the violation of state laws, and such other information as he may receive from law enforcement officers of the state and its subdivisions.

The superintendent shall carry out sections 2950.01 to 2950.08, inclusive, of the Revised Code, in regard to the registration of habitual sex offenders.

(B) The superintendent of the bureau of criminal identification and investigation shall prepare and furnish to every state penal and reformatory institution and to every court of record in this state standard forms for reporting the information required under division (A) of this section.

(C) The superintendent of the bureau of criminal identification and investigation may operate a center for electronic, automated, or other data processing for the storage and retrieval of information, data, and statistics pertaining to criminals, criminal activity, crime prevention, law enforcement, and criminal justice, and may establish and operate a statewide communications network to gather and disseminate information, data, and statistics for the use of law enforcement agencies.

(D) The information and materials furnished to the superintendent pursuant to division (A) of this section are not public records under section 149.53 [149.43] of the Revised Code.

ES 109.57.11 § 109.571 [Law enforcement communications committee.]

(A) There is hereby created a law enforcement communications committee, consisting of the superintendent of the bureau of criminal identification and investigation as chairman, and four members appointed by the superintendent to serve at his pleasure, one each of whom shall be a representative of the office of budget and management, the division of state highway patrol, the county sheriffs, and the chiefs of police.

(B) The committee shall meet at least once every six months, or more often upon call of the superintendent or the written request of any two members. Committee members shall receive no compensation for their services as such, but are entitled to their actual and necessary expenses incurred in the performance of committee duties, as determined by the state employees compensation board.

(C) The committee shall aid and encourage coordination and cooperation among law enforcement agencies in the operation and utilization of data processing facilities and equipment, and a statewide law enforcement communications network.

§ 109.58 Superintendent shall prepare a standard fingerprint impression sheet.

The superintendent of the bureau of criminal identification and investigation shall prepare standard impression sheets on which fingerprints may be made in accordance with the fingerprint system of identification. Such sheets may provide for other descriptive matter which the superintendent may prescribe. Such sheets shall be furnished to each sheriff, chief of police, and person in charge of every workhouse, reformatory, or penitentiary within the state.

§ 109.59 Fingerprint impression and descriptive measurement records.

The sheriff, chief of police, or other person in charge of each prison, workhouse, reformatory, or penitentiary shall send to the bureau of criminal identification and investigation, on forms furnished by the superintendent of such bureau, such fingerprint impressions and other descriptive measurements which the superintendent may require. Such information shall be filed, classified, and preserved by the bureau.

§ 109.60 Duty of sheriffs and chiefs of police to take fingerprints; report.

The sheriffs of the several counties and the chiefs of police of cities shall immediately upon the arrest of any person for any felony, on suspicion of any felony, or for a crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, take his fingerprints, or cause the same to be taken, according to the fingerprint system of identification on the forms furnished by the superintendent of the bureau of criminal identification and investigation, and forward the same, together with such other description as may be required and with the history of the offense committed, to the bureau to be classified and filed. Should any accused be found not guilty of the offense charged, then said fingerprints and description shall be given to the accused upon his request. The superintendent shall compare the descriptions received with those already on file in the bureau, and if he finds that the person arrested has a criminal record or is a fugitive from justice or wanted by any jurisdiction in this or any

other state or the United States or a foreign country for any offense, he shall at once inform the arresting officer of such fact and give appropriate notice to the proper authorities in the jurisdiction in which such person is wanted, or, if such jurisdiction is a foreign country, give appropriate notice to federal authorities for transmission to such foreign country. The names, under which each person whose identification is thus filed is known, shall be alphabetically indexed by the superintendent.

This section does not apply to a violator of a city ordinance unless the officers have reason to believe that such person is a past offender, or the crime is one constituting a misdemeanor on the first offense and a felony on subsequent offenses, or unless it is advisable for the purpose of subsequent identification. This section does not apply to any child under eighteen years of age, except as provided in section 2151.313 [2151.31.3] of the Revised Code.

§ 109.61 Descriptions, fingerprints, and photographs sent to bureau by sheriffs and chiefs of police.

Each sheriff or chief of police shall furnish the bureau of criminal identification and investigation with descriptions, fingerprints, photographs, and measurements of:

(A) Persons arrested who in such police official's judgment are wanted for serious offenses, are fugitives from justice, or in whose possession at the time of arrest are found goods or property reasonably believed to have been stolen;

(B) All persons in whose possession are found burglar outfits, burglar tools, or burglar keys, or who have in their possession high power explosives reasonably believed to be intended to be used for unlawful purposes;

(C) Persons who are in possession of infernal machines or other contrivances in whole or in part and reasonably believed by said sheriffs or chiefs of police to be intended to be used for unlawful purposes;

(D) All persons carrying concealed firearms or other deadly weapons reasonably believed to be carried for unlawful purposes;

(E) All persons who have in their possession inks, dies, paper, or other articles necessary in the making of counterfeit bank notes, or in the alteration of bank notes, or dies, molds, or other articles necessary in the making of counterfeit money and reasonably believed to be intended to be used by them for such unlawful purposes.

§ 109.62 Interstate, national, and international cooperation.

The superintendent of the bureau of criminal identification and investigation shall co-operate with bureaus in other states and with the federal bureau of investigation to develop and carry on a complete interstate, national, and international system of criminal identification and investigation.

§ 109.63 Superintendent of bureau and assistants may testify in court.

The superintendent of the bureau of criminal identification and investigation and his assistants employed in accordance with section 109.51 of the Revised Code may testify in any court in this state to the same extent as any law enforcement officer in this state.

CHAPTER 5503: STATE HIGHWAY PATROL

- Section
- 5503.01 Patrol created.
 - 5503.02 Duties and powers of state highway patrol.
 - 5503.03 Equipment; rules; promotions.
 - 5503.04 Disposition of fines.
 - 5503.05 Training schools for patrolmen.
 - 5503.06 Regulation of motor transportation by public utilities commission not affected.
 - 5503.07 Misdemeanor arrests.
[DRIVER'S LICENSE EXAMINATION]
 - 5503.21 Driver's license examination.
 - 5503.22 Duty of examiners.
 - 5503.23 Training schools for examiners.
 - 5503.24 [Repealed.]
 - [AUTHORITY ON TURNPIKE PROJECTS]
 - 5503.31 Authority on turnpike projects.
 - 5503.32 Turnpike policing contracts; reimbursement of costs incurred.
 - 5503.33 Patrolmen and radiomen assigned.

§ 5503.01 Patrol created.

There is hereby created in the department of highway safety a division of state highway patrol which shall be administered by a superintendent of the state highway patrol.

The superintendent shall be appointed by the director of highway safety, and shall serve at his pleasure. The superintendent shall give bond for the faithful performance of his duties in such amount and with such security as the director approves.

The superintendent, with the approval of the director, may appoint such number of highway patrolmen and radiomen as are necessary to carry out sections 5503.01 to 5503.06, inclusive, of the Revised Code, but patrolmen shall not be less than eight hundred eighty. Radiomen shall not exceed eighty in number. Patrolmen shall not be less than twenty-one nor more than thirty years of age, and shall be legal residents of Ohio for at least one year at the time of their appointment, except that the residence requirement may be waived by the superintendent.

If any such patrolmen become disabled through accident or illness, the superintendent, with the approval of the director, shall fill any such vacancies through the appointment of other patrolmen from a qualified list to serve during the period of such disability.

The superintendent and patrolmen shall be vested with the authority of peace officers for the purpose of enforcing the laws of the state which it is the duty of the patrol to enforce, and may arrest, without warrant, any person who, in the presence of the superintendent or any patrolman, is engaged in the violation of any such laws. Such patrolmen shall never be used as peace officers in connection with any strike or labor disputes.

Each patrolman and radioman, upon his appointment and before entering upon his duties, shall take an oath of office for faithful performance of his duties and execute a bond in the sum of twenty-five hundred dollars, payable to the state and for the use and benefit of any aggrieved party who may have a cause of action against any such patrolman or radioman for misconduct while in the performance of his duties. In no event shall such bond include any claim arising out of negligent operation of a motorcycle or motor vehicle used by such patrolman or radioman in the performance of his duties.

The superintendent shall prescribe a distinguishing uniform and badge which shall be worn by each patrolman and radioman while on duty, unless otherwise designated by the superintendent. No person shall wear such uniform or badge or any distinctive part thereof, except on order of the superintendent.

The superintendent, with the approval of the director, may appoint necessary clerks, stenographers, and employees.

§ 5503.02 Duties and powers of state highway patrol.

(A) The state highway patrol shall enforce the laws of the state relating to the titling, registration, and licensing of motor vehicles; enforce, on all roads and highways notwithstanding section 4513.39 of the Revised Code, the laws relating to the operation and use of vehicles on the highways; enforce and prevent the violation of the laws relating to the size, weight, and speed of commercial motor vehicles and all laws designed for the protection of the highway pavements and structures on such highways; investigate and report to the public utilities commission violations of its rules and regulations and the laws governing the transportation of persons and property by motor transportation companies and all other motor carriers for hire; investigate and report violations of all laws relating to the collection of excise taxes on motor vehicle fuels; and regulate the movement of traffic on the roads and highways of the state, notwithstanding section 4513.39 of the Revised Code.

The patrol shall, whenever possible, determine the persons causing or responsible for the breaking, damaging, or destruction of any improved surfaced roadway, structure, sign, marker, guard-rail, or any other appurtenance constructed or maintained by the department of transportation and shall arrest persons responsible therefor and bring them before the proper officials for prosecution. The state highway patrolmen shall investi-

gate and report all motor vehicle accidents on all roads and highways outside of municipal corporations. The superintendent of the state highway patrol or any patrolman may arrest without a warrant any person, who is the driver of or a passenger in any vehicle operated or standing on a state highway, whom he has reasonable cause to believe is guilty of a felony, under the same circumstances and with the same power that any peace officer may make such arrest. The superintendent or any patrolman may enforce the criminal laws on all state properties and state institutions, owned or leased by the state, and, when so ordered by the governor in the event of riot or insurrection, may, pursuant to sections 2935.03 to 2935.05 of the Revised Code, arrest offenders against the criminal laws wherever they may be found within the state where the violations occurred upon, or resulted in injury to person or property on, state properties or institutions, or under the conditions described in division (B) of this section.

(B) In the event of riot, civil disorder, or insurrection, or reasonable threat thereof, and upon request, as provided in this section, of the sheriff of a county or the mayor or other chief executive of a municipal corporation, the governor may order the state highway patrol to enforce the criminal laws within the area threatened by such riot, civil disorder, or insurrection, as designated by the governor, upon finding that law enforcement agencies within the counties involved will not be reasonably capable of controlling such riot, civil disorder, or insurrection and that additional assistance is necessary. In cities in which the sheriff is under contract to provide exclusive police services pursuant to section 311.29 of the Revised Code, in villages, and in the unincorporated areas of the county, the sheriff has exclusive authority to request the use of the state highway patrol. In cities in which the sheriff does not exclusively provide police services, the mayor, or other chief executive performing the duties of mayor, has exclusive authority to request the use of the state highway patrol. The superintendent or any patrolman may enforce the criminal laws within the area designated by the governor during the emergency arising out of such riot, civil disorder, or insurrection, until released by the governor upon consultation with the requesting authority. Ohio state highway patrolmen shall never be used as peace officers in connection with any strike or labor dispute. When a request for the patrol is made pursuant to this section, the requesting authority shall notify the law enforcement authorities in contiguous communities and the sheriff of each county within which the threatened area, or any part thereof,

lies of such request, but failure to do so shall not affect the validity of the request.

Any person arrested by the superintendent or a patrolman shall be taken before any court or magistrate having jurisdiction of the offense with which such person is charged. Any person arrested or apprehended within the municipal corporation limits shall be brought before the municipal court or other tribunal of the municipal corporation.

Patrolmen shall have no other right or power of search or of seizure except to take from any person, under arrest or about to be arrested, deadly or dangerous weapons in the possession of such person. No state official shall command, order, or direct any patrolman to perform any duty or service not authorized by law. The powers and duties conferred on the patrol shall be supplementary to and in no way a limitation on the powers and duties of sheriffs or other peace officers of the state.

The general assembly shall appropriate annually from general revenues to the state highway safety fund created by section 4501.06 of the Revised Code, moneys to reimburse such fund for all expenses of the state highway patrol incident to the performance of duties unrelated to highway purposes as described in section 5a of Article XII, Ohio Constitution.

§ 3345.04 Special policemen authorized.

The board of trustees of a state university, the board of trustees of the medical college of Ohio at Toledo, the board of trustees of the northeastern Ohio universities college of medicine, and the board of control of the Ohio agricultural research and development center may designate one or more employees of the institution, as special policeman, and as such said employees shall take an oath of office, wear the badge of office, and give bond to the state for the proper and faithful discharge of their duties in such amount as the board of trustees requires.

Such policemen shall protect the property of such institution, suppress nuisances and disturbances and breaches of the peace, and enforce laws for the preservation of good order. Upon view or information they may arrest, without warrant, any person trespassing upon the grounds or destroying property of the institution, or violating a law of the state or violating a rule or regulation properly prescribed by the governing board of the institution, and particularly regulations regarding automobile or other traffic on the premises under the control of such governing board, and bring such person before the court of common pleas, or other local court of competent jurisdiction, or a magistrate within the county.

§ 3737.10 Arrest of persons suspected.

If the fire marshal or an assistant fire marshal, is of the opinion that there is evidence sufficient to charge a person with arson or a similar crime, or with a violation of section 3737.081 [3737.08.1] of the Revised Code, he shall arrest such person or cause him to be arrested and charged with such offense. Such marshal or assistant shall furnish the prosecuting attorney such evidence, with the names of witnesses, and a copy of material testimony taken in the case.

§ 3737.02 Arson bureau; qualifications and duties of chief. (GC § 820-1)

There is hereby created, in and as a part of the office of fire marshal, an arson bureau consisting of a chief of said bureau, six deputies, and such additional number of deputies as the fire marshal determines necessary for the efficient administration of said bureau.

The chief shall be experienced in the investigation of the cause, origin, and circumstances of fires, and in administration and the supervision of subordinates. The chief and his deputies shall be in the classified service of the civil service.

The chief shall be responsible, under the direction of the marshal, for the investigation of the cause, origin, and circumstances of each fire, and for the prosecution of persons believed to be guilty of arson or a similar crime. The chief shall provide that at least four deputies are located in four zones determined by the marshal on the basis of population.

PRIVATE INVESTIGATOR

§ 4749.01 Definitions.

As used in sections 4749.01 to 4749.10, inclusive, of the Revised Code:

(A) "Private investigator" means any person who engages in the business of private investigation, as an individual, a partner, or an officer of a corporation.

(B) "Business of private investigation" means, except when performed by one excluded under division (C) of this section, engaging in any of the following for hire:

(1) Furnishing watchmen, guards, private patrolmen, or other persons whose primary duties are to protect persons or property;

(2) Conducting any investigation relevant to any crime or wrong done or threatened, or to obtain information on the identity, habits, conduct, movements, whereabouts, affiliations, transactions, reputation, credibility, or character of any person, or to locate and recover lost or stolen property, or to determine the cause of or responsibility for any libel or slander, or any fire, accident, or damage to property, or to secure evidence for use in any legislative, administrative, or judicial investigation or proceeding.

(C) "Private investigator" and "business of private investigation" do not include:

(1) Public officers and employees whose official duties require them to engage in investigatory activities;

(2) Attorneys at law;

(3) Credit bureaus and other persons engaged in the business of obtaining and furnishing financial ratings and personnel information;

(4) Insurers, inspection bureaus, and persons acting on their behalf, engaged in investigating matters related to insurance policies or bonds;

(5) An employee in the regular course of his employment, engaged in investigating matters pertinent to the business of his employer or protecting property in the possession of his employer, provided such employee is not employed by, associated with, or acting for or on behalf of any private investigator.

(6) Any better business bureau or similar organization or any of its employees while engaged in the maintenance of the quality of business activities relating to consumer sales and services.

§ 4749.08 Distinction between private investigator and law enforcement officer.

(A) No private investigator or registered employee who engages in private investigatory activities as defined in division (B) of section 4749.01 of the Revised Code, shall thereby be considered a law enforcement officer for any purpose, and nothing in Chapter 4749. of the Revised Code shall be construed as granting the right to carry a concealed weapon.

(B) The rules and regulations established by the department of commerce for the administration of Chapter 4749. of the Revised Code shall include provisions to assure that any uniform or identification card shall be so designed as to avoid confusion of the private investigator or registered employee with any law enforcement officer in this state.

§ 1541.10 Park officers.

Any person selected by the chief of the division of parks and recreation for custodial or patrol service on the lands and waters operated or administered by the division shall be employed in conformity with the law applicable to the classified civil service of the state. Such person may be designated by said chief as a park officer. A park officer has, in any state park or nature preserve, and along any trail established pursuant to Chapter 1519. of the Revised Code, the authority vested by law in constables to keep the peace, the authority to enforce all laws and all rules and regulations of the divisions of parks and recreation, all laws, rules, and regulations pertaining to nature preserves or recreational trails, and regulations and orders pertaining to watercraft and wildlife, and to make arrests for violation of such laws and regulations. A park officer has, in or along any watercourse within, abutting, or upstream from the boundary of any area administered by the division of parks and recreation, the authority to enforce section 3767.-32 of the Revised Code and any other laws prohibiting the dumping of refuse into or along waters, and to make arrests for violation of such laws. Such jurisdiction shall be concurrent with that of the peace officers of the county, township, or municipal corporation in which the violation occurs. A state park, for purposes of this section, is any area which is administered as a state park by the division of parks and recreation.

The governor, upon the recommendation of the chief, shall issue to each park officer a commission indicating authority to make arrests as provided in this section.

The chief shall furnish a suitable badge to each commissioned park officer as evidence of his authority.

If any person employed under this section is designated by the chief to act as an agent of the state in the collection of money resulting from the sale of licenses, fees of any nature, or other moneys belonging to the state, said chief shall require a surety bond from such person in an amount not less than one thousand dollars.

§ 1503.29 Forest officer.

Any person employed by the chief of the division of forests and preserves for administrative service in a state forest may be designated by said chief and known as a forest officer. Such forest officer has, in any state forest or nature preserve, and along any trail established pursuant to Chapter 1519. of the Revised Code, the authority vested by law in constables to keep the peace and to enforce all laws and regulations governing such forests, nature preserves, and recreational trails, and to make arrests for violation of such laws and regulations.

A forest officer has, in or along any watercourse within, abutting, or upstream from the boundary of any area administered by the division, the authority to enforce section 3767.32 of the Revised Code and any other laws prohibiting the dumping of refuse into or along waters and to make arrests for violation of such laws. Such jurisdiction shall be concurrent with that of the peace officers of the county, township, or municipal corporation in which the violation occurs.

§ 1503.30 Commission of forest officer.
(GC § 1177-10ff)

The chief of the division of forestry shall furnish each forest officer, as an evidence of his authority, a badge which has impressed thereon "Forest Officer."

The governor shall issue to each forest officer a commission indicating such officer's authority to make arrests as provided by section 1503.29 of the Revised Code.



CONTINUED

2 OF 3

DIVISION OF WILDLIFE

GAME PROTECTOR

§ 1531.13 Enforcement officers.

The law enforcement officers of the division of wildlife shall be known as "game protectors." The chief of the division of wildlife, game protectors, and such other employees of the division as the chief designates, and other officers who are given like authority, shall enforce all laws pertaining to the taking, possession, protection, preservation, management, and propagation of wild animals and all orders, rules or regulations of the division of wildlife. Such persons shall enforce all laws against hunting without permission of the owner or authorized agent of the land on which such hunting is done. They may arrest on view and without issuance of a warrant therefor. They may inspect any container or package at any time except when within a building and the owner or person in charge of such building objects. Such inspection shall be only for bag limits of wild animals taken in open season or for wild animals taken during the closed season, or for any kind or species of such wild animals.

The chief may visit all parts of the state and direct and assist game protectors and other employees in the discharge of their duties. The owners or tenants of private lands or waters shall not be liable to game protectors for injuries suffered while carrying out their duties while on the lands or waters of such owners or tenants, unless such injuries are caused by the willful or wanton misconduct of such owners or tenants. Any regularly employed salaried game protector may enter any private lands or waters if he has good cause to believe and does believe that a law is being violated.

Such game protector, sheriff, deputy sheriff, constable, or officer having a similar authority, may search any place which he has good reason to believe contains a wild animal or any part thereof, taken or had in possession contrary to law or division order, or a boat, gun, net, seine, trap, ferret, or device used in such violation, and seize any he finds so taken or possessed. If the owner or person in charge of the place to be searched refuses to permit such search, upon filing an affidavit in accordance with law with a court having jurisdiction of the offense, and upon receiving a search warrant issued thereon, such officer or game protector may forcibly search the place described and if in such search he finds any wild animal or part thereof, or any boat, gun, net, seine, trap, ferret, or device in the possession of the owner or person in charge, contrary to sections 1531.01 to 1531.26, inclusive, and 1533.01 to 1533.69, inclusive, of the Revised Code, or division order, he shall seize them and arrest the person in whose custody or possession they were found. Such wild animals or parts thereof, or boat, gun, net, seine, trap, ferret, or device so found shall escheat to the state.

Each game protector shall post a bond in a sum not less than one thousand dollars executed by a surety company authorized to transact business in this state for the faithful performance of the duties of his office.

The chief of the division of wildlife and game protectors are vested with the authority of law enforcement officers for the purpose of enforcing the criminal laws of the state on any property owned, controlled, maintained, or administered by the division of wildlife and may arrest without warrant, any person who in the presence of the chief or any game protector, is engaged in the violation of any such laws.

DEPARTMENT OF TAXATION

§ 5703.17 Appointment and power of agents. (GC §§ 1465-14, 1465-15)

In making an investigation as to any company, firm, corporation, person, association, partnership, or public utility subject to the laws which the tax commissioner is required to administer, the commissioner may appoint by an order in writing an agent, whose duties shall be prescribed in such order.

In the discharge of his duties such agent shall have every power of an inquisitorial nature granted by law to the commissioner, and the same powers as a notary public as to the taking of depositions, and all powers given by law to a notary public relative to depositions are hereby given to such agent.

§ 5703.02 Powers and duties of board of tax appeals.

The board of tax appeals shall exercise the following powers and perform the following duties of the department of taxation:

(A) Exercise the authority provided by law relative to consenting to the exempting of property from taxation, and revising the list of exempted property in any county except as provided in sections 5709.20 to 5709.26, inclusive, of the Revised Code;

(B) Exercise the authority provided by law relative to determining the date as of which the taxable deposits in financial institutions shall be listed and assessed;

(C) Exercise the authority provided by law relative to determining whether the real property, and the various classes thereof, in the counties, municipal corporations, and taxing districts have been assessed by uniform rule at the per cent of the true value thereof in money established by the board of tax appeals as taxable value pursuant to section 5715.01 of the Revised Code, relative to correcting discriminatory valuations, and relative to increasing or decreasing the aggregate value of real property and the various classes thereof in the counties, municipal corporations, and taxing districts;

(D) Exercise the authority provided by law relative to the action of local taxing authorities in levying taxes, collecting and receiving payment of taxes, borrowing money, refunding indebtedness, appropriating money, or expending money;

(E) Exercise the authority provided by law to hear and determine all appeals including appeals from the actions of county budget commissions, decisions of county boards of revision, and actions of any assessing officer or other public official, including appeals from any tax assessments, valuations, determinations, findings, computations, or orders made by the tax commissioner or any correction or redetermination made by him; and hear and determine applications for review of rules of the department of taxation adopted and promulgated by the tax commissioner;

(F) Appoint a secretary of the board of tax appeals, who shall serve in the unclassified civil service at the pleasure of the board, and such other employees as are necessary in the exercise of the powers and the performance of the duties and functions which the board is by law authorized and required to exercise, and prescribe the duties of all such employees, and to fix their compensation as provided by law;

(G) Maintain a journal, which shall be open to public inspection, in which it shall keep a record of all of the proceedings, the vote of each of its members upon every action taken by it, all investigations undertaken by it or by any of its employees, and of any action taken by it as the result of any such investigation, and where such investigation is followed by a finding of no tax liability or by a remittitur or refund, such finding and the reasons therefor shall be entered in such journal;

(H) Adopt and promulgate in the manner provided by section 5703.14 of the Revised Code all rules of the department of taxation relating to the procedure of the board in administering the laws which it has the authority or duty to administer, and to the procedure of officers or employees of the department whom the board may appoint; provided that sections 5703.11 and 5703.13 of the Revised Code shall apply to and govern the procedure of the board except in so far as such sections conflict with sections 5703.01 to 5703.09, inclusive, 5703.14, and 5703.15 of the Revised Code;

(I) Exercise the authority provided by section 5715.39 of the Revised Code relative to remitting taxes and penalties against real property found to have been illegally assessed or to have been assessed in consequence of the negligence or error of an officer required to perform a duty relating to the assessment of such property for taxation, or the levy or collection of such taxes;

(J) Exercise the authority provided by law relative to approving the appointment or employment of experts, deputies, clerks, and other employees of county auditors or county boards of revision, their compensation and tenure;

(K) Exercise the authority provided by law relative to the adoption and promulgation of uniform rules and methods for the assessment of real property according to taxable value, in accordance with Section 2 of Article XII, Ohio Constitution.

In addition to such powers and duties, the board of tax appeals may request the tax commissioner to submit to it reports and recommendations upon matters pertinent to the exercise by the board of the powers and duties vested in it by divisions (A), (B), (C), and (D) of this section and to conduct such investigations as are necessary in connection therewith. The results of such investigations and of any similar investigations conducted by the board of tax appeals itself are admissible in evidence in any proceeding before a county board of revision, the board of tax appeals, or a court of record in this state.

DEPARTMENT OF LIQUOR CONTROL

§ 4301.10 Powers and duties of department of liquor control.

(A) The department of liquor control shall:

(1) Control the traffic in beer and intoxicating liquor in this state, including the manufacture, importation, and sale thereof;

(2) Grant or refuse permits for the manufacture, distribution, transportation, and sale of beer and intoxicating liquor and the sale of alcohol, as authorized or required by Chapters 4301. and 4303. of the Revised Code; and a certificate signed by the director of liquor control to which is affixed the official seal of the department stating that it appears from the records of the department that no permit has been issued to the person specified therein, or that a permit, if issued, has been revoked, cancelled, or suspended shall be received as prima-facie evidence of the facts therein recited in any court, or before any officer of this state;

(3) Put into operation, manage, and control a system of state liquor stores for the sale of spirituous liquor at retail and to holders of per-

mits authorizing the sale of such liquor; however, the department shall not establish any drive-in state liquor stores; and by means of such stores, and such manufacturing plants, distributing and bottling plants, warehouses, and other facilities as it deems expedient, establish and maintain a state monopoly of the distribution of such liquor and its sale in packages or containers; and for such purpose manufacture, buy, import, possess, and sell spirituous liquors as provided in Chapters 4301. and 4303. of the Revised Code, and in the regulations promulgated by the director of liquor control pursuant to such chapters; lease, or in any manner acquire the use of any land or building required for any such purposes; purchase such equipment as is required; and borrow money to carry on its business, and issue, sign, indorse, and accept notes, checks, and bills of exchange; but all obligations of the department created under authority of this division shall be a charge only upon the moneys received by the department from the sale of spirituous liquor and its other business transactions in connection therewith, and shall not be general obligations of the state;

(4) Enforce Chapters 4301. and 4303. of the Revised Code, and the rules, regulations, and orders of the board, the director, and the penal laws relating to the manufacture, importation, transportation, distribution, and sale of beer and intoxicating liquors; and the attorney general, any prosecuting attorney, and any prosecuting officer of a municipal corporation or a police or municipal court, shall at the request of the department prosecute any person charged with the violation of such chapters or of any section of the Revised Code relating to the manufacture, importation, transportation, distribution, and sale of beer and intoxicating liquor;

(5) Determine the locations of all state liquor stores and manufacturing, distributing, and bottling plants required in connection therewith, subject to Chapters 4301. and 4303. of the Revised Code;

(6) Inspect, upon demand, the books, accounts, records, memorandums, and place of business of any person subject to Chapters 4301. and 4303. of the Revised Code or the laws relating to the manufacture, importation, transportation, distribution, and sale of beer and intoxicating liquor, and the sale of alcohol;

(7) Delegate to any of its agents or employees any power of investigation which the department possesses and the powers of police officers with respect to the enforcement of any of the penal laws relating to beer and to intoxicating liquor, provided that except in his report to the department or when called upon to testify in any court or proceeding, no such agent or employee shall

divulge any information acquired by him with respect to the transactions or the business of any person while acting as such agent or employee, and if he does divulge such information he shall be disqualified forever from acting as agent or in any other capacity under the appointment or employment of the department;

(8) Exercise all other powers expressly or by necessary implication conferred upon the department by Chapters 4301. and 4303. of the Revised Code, and all powers necessary for the exercise or discharge of any power, duty, or function expressly conferred or imposed upon the department by such chapters.

(B) The department may:

(1) Sue, but may be sued only in connection with the execution of leases of real estate and such purchases and contracts necessary for the operation of the state liquor stores that are made under Chapters 4301. and 4303. of the Revised Code;

(2) Enter into leases and contracts of all descriptions within the scope of its functions and acquire and transfer title to personal property;

(3) Terminate at will any lease entered into pursuant to such chapters upon first giving ninety days' notice in writing to the lessor of its intention to do so;

(4) Fix the wholesale and retail prices at which the various classes, varieties, and brands of spirituous liquor shall be sold by the department. Such retail prices shall be the same at all state liquor stores. In fixing selling prices, the department shall compute an anticipated gross profit at least sufficient to provide in each calendar year all costs and expenses of the department, including the costs and expenses of enforcement, and also an adequate working capital reserve for the department. Such gross profit shall not exceed thirty per cent of the retail selling price based on costs of the department, and in addition the sum required by section 4301.12 of the Revised Code to be paid into the state treasury.

On spirituous liquor manufactured in Ohio from the juice of grapes or fruits grown in Ohio, the department shall compute an anticipated gross profit of not to exceed ten per cent. The wholesale prices shall be at a discount of not less than ten per cent of the retail selling prices as determined by the department in accordance with this section.

STATE BOARD OF PHARMACY

Sec. 3719.18. The state board of pharmacy, its officers, agents, inspectors, and representatives, and all officers within the state, and all prosecuting attorneys, shall enforce ~~sections 3719.01 to 3719.22, inclusive,~~ CHAPTERS 2925. AND 3719. of the Revised Code, except those specifically delegated, and ~~co-operate~~ COOPERATE with all agencies charged with the enforcement of the laws of the United States, of this state, and of all other states, relating to ~~narcotic drugs~~ CONTROLLED SUBSTANCES.

§ 4729.25 Board shall enforce pharmacy laws.

The state board of pharmacy shall enforce, or cause to be enforced, sections 4729.01 to 4729.37, inclusive, of the Revised Code. If it has information that such sections have been violated, it shall investigate the matter, and take such action as it considers appropriate in accordance with its regulations made and published pursuant to section 4729.26 of the Revised Code.

§ 4729.63 Enforcement.

The board of pharmacy shall enforce, or cause to be enforced, sections 4729.51 to 4729.62, inclusive, of the Revised Code. If it has information that such sections have been violated it shall investigate the matter and upon probable cause appearing file a complaint in an appropriate court for prosecution of the offender.

The attorney general, prosecuting attorney, or city attorney to whom the board reports any violation of sections 4729.51 to 4729.62, inclusive, of the Revised Code shall cause appropriate proceedings to be instituted in the proper court without delay and to be prosecuted in the manner provided by law.

§ 3715.70 Powers of the director of agriculture or board of pharmacy.

The director of agriculture or the board of pharmacy shall have free access at all reasonable hours to any factory, warehouse, or establishment in which foods, drugs, devices, or cosmetics are manufactured, processed, packed, or held for introduction into commerce, or to enter any vehicle being used to transport or hold such foods, drugs, devices, or cosmetics in commerce, for the purpose:

(A) Of inspecting such factory, warehouse, establishment, or vehicle to determine if any of the provisions of sections 3715.01 or 3715.52 to 3715.72, inclusive, of the Revised Code, are being violated;

(B) To secure samples of specimens of any food, drug, device, or cosmetic after paying or offering to pay for such sample.

The director or the board of pharmacy shall make or cause to be made examinations of samples secured under the provisions of this section to determine whether or not any provisions of sections 3715.01 and 3715.52 to 3715.72, inclusive, of the Revised Code, are being violated.

§ 311.07 General powers and duties of the sheriff.

(A) Each sheriff shall preserve the public peace and cause all persons guilty of any breach of the peace, within his knowledge or view, to enter into recognizance with sureties to keep the peace and to appear at the succeeding term of the court of common pleas, and the sheriff shall commit such persons to jail in case they refuse to do so. He shall return a transcript of all his proceedings with the recognizance so taken to such court and shall execute all warrants, writs, and other process directed to him by any proper and lawful authority. He shall attend upon the court of common pleas and the court of appeals during their sessions, and, when required, shall attend upon the probate court. In the execution of the duties required of him, the sheriff may call to his aid such persons or power of the county as is necessary. Under the direction and control of the board of county commissioners, such sheriff shall have charge of the court house.

(B) The sheriff of a county may call upon the sheriff of any adjoining county, the mayor or other chief executive of any municipal corporation within his county or in adjoining counties, and the chairman of the board of township trustees of any township within his county or in adjoining counties, to furnish such law enforcement or fire protection personnel, or both, together with appropriate equipment and apparatus, as may be necessary to preserve the public peace and protect persons and property in the requesting sheriff's county in the event of riot, insurrection, or invasion. Such aid shall be furnished to the sheriff requesting it, insofar as possible without withdrawing from the political subdivision furnishing such aid the minimum police and fire protection appearing necessary under the circumstances. In such case, law enforcement and fire protection personnel acting outside the territory of their regular employment shall be considered as performing services within the territory of their regular employment for the purposes of compensation, pension or indemnity fund rights, workmen's compensation, and other rights or benefits to which they may be entitled as incidents of their regular employment. The county receiving such aid shall reimburse the political subdivision furnishing it the cost of furnishing such aid, including compensation of

personnel, expenses incurred by reason of the injury or death of any such personnel while rendering such aid, expenses of furnishing equipment and apparatus, compensation for damage to or loss of equipment or apparatus while in service outside the territory of its regular use, and such other reasonable expenses as may be incurred by any such political subdivision in furnishing such aid. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to section 311.29 of the Revised Code. Law enforcement officers acting pursuant to this section outside the territory of their regular employment have the same authority to enforce the law as when acting within the territory of their regular employment.

§ 311.04 Deputy sheriffs.

The sheriff may appoint, in writing, one or more deputies. Thereupon such writing shall be filed by the sheriff with the clerk of the court of common pleas, who shall enter it upon the journal of such court. The clerk's fees for such filing and journal entry shall be paid by the sheriff. In cases of emergency the sheriff may request of the sheriff of another county the aid of qualified deputies serving in such other counties of the state, and if the consent of the sheriff of such other county is received, the deputies while so assigned shall be deemed to be the deputies of the sheriff of the county requesting aid. No judge of a county court or mayor shall be appointed a deputy.

CONSTABLE

§ 509.05† Sheriffs and constables ministerial officers of county court; powers and duties of constables.

In addition to the county sheriff, constables shall be ministerial officers of the county court in all cases in their respective townships, and in criminal cases, they shall be such officers within the county. They shall apprehend and bring to justice felons and disturbers of the peace, suppress riots, and keep and preserve the peace within the county. They may execute all writs and process, in criminal cases, throughout the county in which they reside, and in which they were elected or appointed. If a person charged with the commission of a crime or offense flees from justice, any constable of the county wherein such crime or offense was committed shall pursue and arrest such fugitive in any other county of the state and convey him before the county court of the county where such crime or offense was committed.

Such constables shall serve and execute all warrants, writs, precepts, executions, and other process directed and delivered to them, and shall do all things pertaining to the office of constable.

The authority of a constable in serving any process, either civil or criminal, and in doing his duties generally shall extend throughout the county in which he is appointed, and in executing and serving process issued by a judge of the county court, he may exercise the same authority and powers over goods and chattels, and the persons of parties, as is granted to a sheriff or coroner, under like process issued from courts of record.

MUNICIPAL POLICE

§ 737.11 General duties of police and fire departments. (GC § 4378)

The police force of a municipal corporation shall preserve the peace, protect persons and property, and obey and enforce all ordinances of the legislative authority thereof, and all criminal laws of the state and the United States. The fire department shall protect the lives and property of the people in case of fire. Both the police and fire departments shall perform such other duties as are provided by ordinance. The police and fire departments in every city shall be maintained under the civil service system.

MARSHAL

§ 737.19 Powers and duties of marshal. (GC §§ 4386, 4387)

The marshal of a village shall suppress all riots, disturbances, and breaches of the peace, and to that end may call upon the citizens to aid him. He shall arrest all disorderly persons in the village and pursue and arrest any person fleeing from justice in any part of the state. He shall arrest any person in the act of committing any offense against the laws of the state or the ordinances of the village, and forthwith bring such person before the mayor or other competent authority for examination or trial. He shall receive and execute any proper authority for the arrest and detention of criminals fleeing or escaping from other places or states.

In the discharge of his duties, the marshal shall have the powers and be subject to the responsibilities of constables, and for services performed by him or his deputies, the same fees and expenses shall be taxed as are allowed constables.

PRIVATE POLICE

§ 737.05 Composition and control of police department. (GC §§ 4374, 4375)

The police department of each city shall be composed of a chief of police and such other officers, patrolmen, and employees as the legislative authority thereof provides by ordinance.

The director of public safety of such city shall have the exclusive management and control of all other officers, surgeons, secretaries, clerks, and employees in the police department as provided by ordinances or resolution of such legislative authority. He may commission private policemen, who may not be in the classified list of the department, under such rules and regulations as the legislative authority prescribes.

SPECIAL CONSTABLE

ES 1907.20.11 § 1907.201 Appointment of special constables.

Upon the written application of the director of public works or of three freeholders of the county in which a county court judge resides, such judge may appoint one or more electors of the county special constables who shall guard and protect the property of this state, or the property of such freeholders, and the property of this state under lease to such freeholders, designated in general terms in such application, from all unlawful acts, and so far as necessary for that purpose, a constable so appointed has the same authority and is subject to the same obligations as other constables.

EMERGENCY POLICE

§ 737.10 Additional patrolmen and firemen in emergency situation.

In case of riot or other like emergency, the mayor may appoint additional patrolmen and officers for temporary service in the police department, or additional firemen and officers for temporary service in the fire department, who need not be in the classified list of such department. Such additional persons shall be employed only for the time during which the emergency exists.

The mayor may call upon the sheriff of the county in which all or part of the municipal corporation lies or the sheriff of any adjoining county, the mayor or other chief executive of any municipal corporation in the same or any adjoining county, and the chairman of the board of township trustees of any township in the same or any adjoining county, to furnish such law enforcement or fire protection personnel, or both, together with appropriate equipment and apparatus, as may be necessary to preserve the public peace and protect persons and property in the requesting municipal corporation in the event of riot. Such aid shall be furnished to the mayor requesting it, insofar as possible without withdrawing from the political subdivision furnishing such aid the minimum police and fire protection appearing necessary under the circumstances. In such case, law enforcement and

fire protection personnel acting outside the territory of their regular employment shall be considered as performing services within the territory of their regular employment for purposes of compensation, pension or indemnity fund rights, workmen's compensation, and other rights or benefits to which they may be entitled as incidents of their regular employment. The municipal corporation receiving such aid shall reimburse the political subdivision furnishing it the cost of furnishing such aid, including compensation of personnel, expenses incurred by reason of the injury or death of any such personnel while rendering such aid, expenses of furnishing equipment and apparatus, compensation for damage to or loss of equipment or apparatus while in service outside the territory of its regular use, and such other reasonable expenses as may be incurred by any such political subdivision in furnishing such aid. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to section 737.04 of the Revised Code. Law enforcement officers acting pursuant to this section outside the territory of their regular employment have the same authority to enforce the law as when acting within the territory of their regular employment.

SPECIAL POLICE

§ 4973.17 [Commissions for special policemen; term of office.] (CC § 9150)

Upon the application of any bank or building and loan association, association of banks or building and loan associations, or of a company owning or using a railroad, street railway, or suburban or interurban railroad in this state, the governor may appoint and commission such persons as the bank, building and loan association, association of banks or building and loan associations, or railroad company designates, or as many of such persons as he deems proper, to act as policeman for and on the premises of such bank, building and loan association, association of banks or building and loan associations, or railroad, or elsewhere, when directly in the discharge of their duties. Policemen so appointed shall be citizens of this state and men of good character. They shall hold office for three years unless for good cause shown their commission is revoked by the governor, or by the bank, building and loan association, association of banks or building and loan associations, or railroad company as provided by law. Not more than one such policeman shall be appointed for each five miles of a street railway or suburban or interurban railroad. A fee of five dollars for each commission shall be paid at the time the application is made, and this amount shall be returned if for any reason a commission is not issued. Upon the application of any company under contract with the United States atomic energy commission for the construction or operation of a plant at a site owned by such commission, the governor may appoint and commission such persons as the company designates not to exceed one hundred and fifty, to act as policeman for the company at the plant or site owned by such commission. Policemen so appointed shall be citizens of this state and men of good character. They shall hold office for three years, unless for good cause shown, their commission is revoked by the governor, or by the company, as provided by law. A fee of five dollars for each commission shall be paid at the time the application is made, and this amount shall be returned if for any reason a commission is not issued.

§ 4973.18 Oath of office and commission; powers; liabilities. (CC § 9151)

Before entering upon the duties of his office, each policeman appointed under section 4973.17 of the Revised Code shall take and subscribe an oath of office which shall be indorsed on his commission, and said commission with the oath shall be recorded in the office of the secretary of state who shall charge and collect a fee of one dollar for such recording. Policemen so appointed and commissioned shall severally possess and exercise the powers of, and be subject to the liabilities of, municipal policemen while discharging the duties for which they are appointed.

§ 4973.19 Power of police to enforce regulations and make arrests. (CC § 9152)

A company which avails itself of sections 4973.17 and 4973.18 of the Revised Code may make needful regulations to promote the public convenience and safety in and about its depots, stations, and grounds, not inconsistent with law, and print and post such regulations conspicuously upon its depot or station buildings. Policemen appointed under such sections shall enforce and compel obedience to such regulations. The keeper of jails, lockups, or station houses in each county shall receive persons arrested for the commission of an offense against such regulations or the laws of the state upon or along the railroad or premises of such company.

§ 1721.14 Cemetery policemen.

The trustees, directors, or other officers of a cemetery company or association, whether it is incorporated or unincorporated, and a board of township trustees having charge of township cemeteries, may appoint day and night watchmen for their grounds. All such watchmen, and all superintendents, gardeners, and agents of such company or association or of such board, who are stationed on the cemetery grounds may take and subscribe, before any judge of a county court or judge of a municipal court having jurisdiction in the township where the grounds are situated, an oath of office similar to the oath required by law of constables. Upon taking such oath, such watchmen, superintendents, gardeners, or agents shall have, within and adjacent to the cemetery grounds, all the powers of police officers.

§ 1717.06 Agents of county humane society. (GC §§ 10070, 10071)

A county humane society organized under section 1717.05 of the Revised Code may appoint agents, who are residents of the county or municipal corporation for which the appointment is made, for the purpose of prosecuting any person guilty of an act of cruelty to persons or animals. Such agents may arrest any person found violating sections 1717.01 to 1717.14, inclusive, of the Revised Code, or any other law for protecting persons or animals or preventing acts of cruelty thereto. Upon making such arrest the agent forthwith shall convey the person arrested before some court or magistrate having jurisdiction of the offense, and there make complaint against him on oath or affirmation of the offense.

All appointments of agents under this section shall be approved by the mayor of the municipal corporation for which they are made. If the society exists outside a municipal corporation, such appointments shall be approved by the probate judge of the county for which they are made. Such mayor or probate judge shall keep a record of such appointments.

§ 3771.01 Chautauqua assemblies may make rules for government of grounds; special police. (GC §§ 5888, 5889, 5890)

A corporation, organized in this state, for holding Chautauqua assemblies, or encouraging religion, art, science, literature, the general dissemination of knowledge, or two or more of such purposes, occupying grounds and holding meetings or entertainments thereon for advancing the purpose of its incorporation, through its board of directors or trustees, may make such rules and regulations for the government of such grounds as will promote the purposes for which it is incorporated.

Such corporation, on the application of its board or general manager, may have special policemen appointed by a judge of a county court or judge of a municipal court having jurisdiction in the township in which such grounds or a part thereof are located.

Such policemen shall have like powers within and about such grounds, as are vested in police officers in municipal corporations, in any county in which grounds or a part thereof are located.

APPENDIX C
LIMITS ON DISSEMINATION

★ OPINION NO. 74-097

Syllabus:

With the exception of physical and psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law, R.C. 149.43 requires all court records to be kept open for inspection at all reasonable times. The public's right to inspect court records pursuant to R.C. 149.43 may not be restricted by a court because of the intended purpose of such inspection.

To: John T. Corrigan, Cuyahoga County Pros. Atty., Cleveland, Ohio
By: William J. Brown, Attorney General, November 22, 1974

Your request for my opinion poses the following question-

"Under Ohio Revised Code Section 149.43 does a judge of any court in Ohio have discretionary powers to restrict inspection of a court record when the person requesting such record specifically indicates the purpose of such request is to make use of the record for commercial or professional sales solicitation. And, further under said statute, is a judge of a court deprived of any and all control of a court record regardless of whether the applicant intends to use it for a malicious purpose, or purpose not applicable to the instant case, but inherent in a decision which would deny the court any and all discretionary power?"

R.C. 149.43 reads:

"As used in this section, 'public record' means any record required to be kept by any governmental unit, including, but not limited to, state, county, city, village, township, and school district units, except records pertaining to physical or psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law.

"All public records shall be open at all reasonable times for inspection. Upon request, a person responsible for public records shall make copies available at cost, within a reasonable period of time."

This Section was enacted in 1963 (130 Ohio 155), and creates a public right to inspect public records. On this point see State, ex rel. White v. City of Cleveland, 34 Ohio St. 2d 37 (1973), which involved an action in mandamus to obtain certain building and architectural plans filed with the Commissioner of the Division of Building of the City of Cleveland. The court in characterizing that suit as a taxpayer's action to enforce a right of action on behalf of and for the benefit of the general public, stated at p. 40:

"In the present action, it is clear that R.C. 149.43 establishes a public right to the inspection and copying of public records and imposes upon municipal corporations the mandatory duty to permit same."

The definition of "public record" in R.C. 149.43 is further clarified by R.C. 149.40, which provides in part:

"Any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office, is a record within the meaning of sections 149.31 to 149.44, inclusive, of the Revised Code.

"* * *

* * *

* * *

Thus, in Opinion No. 67-018, Opinions of the Attorney General for 1967, my predecessor held that transcripts prepared by a court reporter pursuant to R.C. 2301.23 are available to disinterested parties upon demand as public records under the terms of R.C. 149.43. See also Opinion No. 71-053, Opinions of the Attorney General for 1971, and Opinion No. 73-034, Opinions of the Attorney General for 1973. In the latter opinion I noted that it is the requirement that a record be kept which makes it "public" in nature. On this point, see Curran v. Board of Park Commrs., 22 Ohio Misc. 197 (1970), which held that a county park board's records are subject to R.C. 149.43.

It follows that those records which a court is required to keep are, with the exceptions noted in R.C. 149.43, public records, which must be open at all reasonable times for inspection.

You have suggested, however, that a judge has inherent discretion under R.C. 149.43 to restrict inspection of records when the applicant intends to use it for a malicious purpose, or for a purpose not applicable to the case. However, neither R.C. 149.43 nor earlier Ohio case law would appear to authorize such a restriction of the public's right to inspect. For example, in State, ex rel. Patterson v. Ayers, 171 Ohio St. 369 (1960), the court held that the right was subject only to the limitation that such inspection does not endanger the safety of the record,

or unreasonably interfere with the discharge of the duties of the officer having custody of the records. See also State, ex rel. Louisville Title Ins. Co. v. Brewer, 147 Ohio St. 161 (1946), to the same effect.

R.C. 149.43 states flatly that "all public records shall be open at all reasonable times for inspection." The only qualification of this mandate is in the definition of "public records." Records pertaining to physical or psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law are expressly excepted from this definition and hence from the requirement that they be open to public inspection.

Under the maxim, expressio unius est exclusio alterius, the enumeration of specific exceptions to a statutory requirement indicates a legislative intent to include within the scope of the requirement all situations not expressly excepted. State, ex rel. Boda v. Brown, 157 Ohio St. 368 (1952); Akron Transportation Co. v. Glander, 155 Ohio St. 471 (1951); Opinion No. 74-010, Opinions of the Attorney General for 1974.

In the present case the General Assembly qualified the mandate of R.C. 149.43 only in the case of certain specified records. I must, therefore, conclude that the public's right under R.C. 149.43 to inspect public records may not be restricted as to the purpose of the inspection or the use to be made of the records.

In specific answer to your question, it is my opinion and you are so advised that with the exception of physical and psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law, R.C. 149.43 requires all court records to be kept open for inspection at all reasonable times. The public's right to inspect court records pursuant to R.C. 149.43 may not be restricted by a court because of the intended purpose of such inspection.

Statement of the Case.

DAYTON NEWSPAPERS, INC., D. B. A. THE DAYTON DAILY NEWS,
APPELLANT, v. CITY OF DAYTON ET AL., APPELLEES.

[Cite as Dayton Newspapers v. Dayton (1976),
45 Ohio St. 2d 107.]

*Public records—Daily jail log—A “public record,” when—
R. C. 149.43, construed.*

A record is “required to be kept” by a governmental unit, within the meaning of R. C. 149.43, where the unit’s keeping of such record is necessary to the unit’s execution of its duties and responsibilities.

(No. 75-434—Decided February 11, 1976.)

APPEAL from the Court of Appeals for Montgomery County.

Police officers assigned to duty as jailers of the Dayton city jail maintain a daily “Jail Register,” or log, of all arrests made by the department of police. The following entries are made in the log: “Arrest Number,” “Name of Prisoner,” “Charge” (such as “drunk,” “petit theft”), “Date,” “Time,” and “Disposition.”

In July or August 1972, Dayton Newspapers, Inc., D. B. A. The Dayton Daily News, appellant herein, requested the Dayton chief of police to consider the log a “public record” so that it could be made available to the media. The chief refused to so divulge the contents of the log to the newspaper, and this injunction action ensued.

The newspaper’s complaint alleged that the log is a public record required to be kept by the city, and that access to the log is therefore authorized by R. C. 149.43, which reads:

“As used in this section, ‘public record’ means any record required to be kept by any governmental unit, including, but not limited to, state, county, city, village, township, and school district units, except records pertaining to physical or psychiatric examinations, adoption, probation, and parole proceedings, and records the release of which is prohibited by state or federal law.

Opinion, per W. BROWN, J.

"All public records shall be open at all reasonable times for inspection. Upon request, a person responsible for public records shall make copies available at cost, within a reasonable period of time."

Upon the city's motion to dismiss the action for failure to state a claim upon which relief can be granted (Civ. R. 12[B][6]), the Court of Common Pleas held that the log was not a "public record" and entered judgment of dismissal. That judgment was affirmed by the Court of Appeals, and we granted the newspaper's motion to certify the record.

Messrs. Estabrook, Finn & McKee, Mr. Robert P. Bartlett, Jr., and Mr. Thomas L. Czechowski, for appellant.

Mr. James W. Drake, city attorney, and Mr. Edward B. Neuman, for appellees.

WILLIAM B. BROWN, J. Speaking for a unanimous court in *State, ex rel. White, v. Cleveland* (1973), 34 Ohio St. 2d 37, 40, Justice Corrigan states "* * * that R. C. 149.43 establishes a public right to the inspection and copying of public records and imposes upon municipal corporations the mandatory duty to permit same." The Dayton jail log is certainly a "record." If it is "required to be kept" by the city, appellees must grant access to appellant because the log does not come within any of the exceptions set forth in R. C. 149.43.

This court has not directly considered the "required to be kept" element of R. C. 149.43. That element is ambiguous, and the reason for its insertion in the statute is not readily apparent. Appellees urge that we construe it to mean required by statute (or at least, by the official policy of a unit of government) to be kept. We would be more readily inclined to follow appellees' argument if the statute stated "required by law to be kept." Cf. *State, ex rel. Grosser, v. Boy* (1975), 42 Ohio St. 2d 498.

On the other hand, appellant would have the statutory phrase describe any record which but for its keeping the governmental unit could not carry out its duties and re-

Opinion, per W. BROWN, J.

sponsibilities; that the *raison d'etre* of such record is to assure the proper functioning of the unit. We accept the interpretation suggested by appellant, and, in so doing, we reject the holdings of the courts below that the Dayton jail log is not a "public record" subject to disclosure.

Prior to the enactment of R. C. 149.43 in 1963 (130 Ohio Laws 155), this court, in *State, ex rel. Patterson, v. Ayers* (1960), 171 Ohio St. 369, affirmed the issuance of a writ of mandamus to allow inspection of Bureau of Motor Vehicles records. Although the statute therein declared that all records of the bureau were "public records," we find instructive the approach taken by the court on the question of access. Judge Zimmerman, at page 371, quoted with approval the following passage from Ohio Jurisprudence:

"The rule in Ohio is that public records are the people's records, and that the officials in whose custody they happen to be are merely trustees for the people; therefore anyone may inspect such records at any time, subject only to the limitation that such inspection does not endanger the safety of the record, or unreasonably interfere with the discharge of the duties of the officer having custody of the same." And then he stated, at page 372:

"How far the General Assembly might go in limiting access to and inspection of public records is not now before us. Suffice it to say, such body has not *denied* the right to inspect the records in the office of the Registrar of Motor Vehicles in the respect demanded by relator. We do not doubt that the registrar may establish and enforce reasonable rules and regulations covering the examination of the records in his custody and control to insure the orderly and efficient operation of his department, but under the statutes in their present wording he may not arbitrarily and wholly close those records to public view." (Emphasis *sic.*)

See, also, *State, ex rel. Louisville Title Ins. Co., v. Brewer* (1946), 147 Ohio St. 161, 164, which involved a similar mandamus action wherein a title research company requested access to a special card index for land records kept by the Probate Court of Cuyahoga County. (The writ was

Concurring Opinion, per CORRIGAN, J.

denied, but the court failed to indicate which of numerous valid grounds were determinative in refusing relief.)

On the basis of *Ayers, supra* (171 Ohio St. 369), we believe that doubt should be resolved in favor of disclosure of records* held by governmental units. Aside from the exceptions mentioned in R. C. 149.43, records should be available to the public *unless* the custodian of such records can show a legal prohibition to disclosure. Cf. R. C. 121.22 (A), as amended November 28, 1975.

The decision to allow access to governmental records should not rest solely with the custodian. "Law has reached its finest moments when it has freed man from the unlimited discretion of some ruler, some civil or military official, some bureaucrat. Where discretion is absolute, man has always suffered." *United State v. Wunderlich* (1951), 342 U. S. 98, 101, Douglas, J., dissenting.

We hold that the information contained in the Dayton jail log is required to be kept in the operation of the jail. Accordingly, the judgment of the Court of Appeals is reversed, and the cause its remanded to the Court of Common Pleas for further proceedings consistent with this opinion.

Judgment reversed.

O'NEILL, C. J., HERBERT, CORRIGAN, STERN, CELEBREZZE and P. BROWN, JJ., concur.

CORRIGAN, J., concurring. Unreservedly, I join in the judgment and opinion of Justice William B. Brown. An additament occurs to me in connection with the constitutional requirement of due process.

The Fifth Amendment to the United States Constitution mandates that no person shall "be deprived of * * * liberty * * * without due process of law," thereby securing

*"A public record has been defined as a record required by law to be kept, or necessary to be kept, in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done. * * *" (Emphasis added.) *State v. Brooks* (1971), 27 Ohio St. 2d 144, 147.

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this right against invasion by the federal government. The right is safeguarded against state action by the Fourteenth Amendment. As the United States Supreme Court said, in *Betts v. Brady* (1942), 316 U. S. 455, 462: “* * * The phrase formulates a concept less rigid and more fluid than those envisaged in other specific and particular provisions of the Bill of Rights. Its application is less a matter of rule. Asserted denial is to be tested by an appraisal of the totality of the facts in a given case. That which may, in one setting, constitute a denial of fundamental fairness shocking the universal sense of justice, may, in other circumstances, and in the light of other considerations fall short of such a denial. * * *”

Due process then is measured by that whole community sense of decency and fairness that has been woven into the fabric of acceptable conduct. “* * * It is on this bedrock that this court has established the concept of due process,” said the United States Supreme Court in *Breithaupt v. Abram* (1957), 352 U. S. 432, 436.

The city of Dayton assumes that the “Jail Register” is kept only for a “convenience” of the jailer, and, as such, is exempt from the state open-records law because no official record of who is in the jail is required by statute, ordinance or court rule. If a person is arrested on a warrant, of course there is a record of that arrest. But, if a person is arrested without a warrant having been issued, then, according to the city of Dayton, it is not necessary to keep a record, although the “Jail Register” is kept. During oral argument of this case before us, counsel for the city of Dayton was asked, “What is the record of an arrest when no warrant is issued?” “There is none,” he answered, “but there is no requirement for such a record.”

Such an attitude on the part of an arresting authority does not comport with due process in my opinion. The right of a person to due process begins when he is arrested. If a warrant has not been issued, he has a right, under Crim R. 4(E)(2), to have the arresting officer without unnecessary delay bring him before a court having jurisdiction of the offense for which he was arrested; he has a right to

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release after arrest, as provided by Crim. R. 4(F), under certain circumstances by the arresting officer or his superior without unnecessary delay; and, at the time of his arrest, he has a right to be informed of the cause of his arrest, a right to certain warnings if he is to be interrogated and a right to counsel. If there is no official arrest record at the jail, except the private log of the jailer, how is it to be determined if there was unnecessary delay in according the person arrested his rights? How is his family or a friend going to learn of his arrest if, on inquiry, they are advised there is no official record? The constitutional foundation underlying these rights is the respect a state or city must accord to the dignity and worth of its citizens. It is an integral part of constitutional due process that a public record of such arrests be maintained.

CELEBREZZE and P. BROWN, JJ., concur in the foregoing concurring opinion.

Sec. 5122.53. (A) RECORDS OR INFORMATION, OTHER THAN COURT JOURNAL ENTRIES OR COURT DOCKET ENTRIES, PERTAINING TO THE IDENTITY, DIAGNOSIS, OR TREATMENT OF ANY PATIENT WHICH ARE MAINTAINED IN CONNECTION WITH THE PERFORMANCE OF ANY DRUG TREATMENT PROGRAM LICENSED BY, OR CERTIFIED BY, THE DIRECTOR OF MENTAL HEALTH AND MENTAL RETARDATION, UNDER SECTIONS 5122.50 AND 5122.51 OF THE REVISED CODE, SHALL BE KEPT CONFIDENTIAL, MAY BE DISCLOSED ONLY FOR THE PURPOSES AND UNDER THE CIRCUMSTANCES EXPRESSLY AUTHORIZED UNDER THIS SECTION, AND MAY NOT OTHERWISE BE DIVULGED IN ANY CIVIL, CRIMINAL, ADMINISTRATIVE, OR LEGISLATIVE PROCEEDING.

(B) WHEN THE PATIENT, WITH RESPECT TO WHOM ANY RECORD OR INFORMATION REFERRED TO IN DIVISION (A) OF THIS SECTION IS MAINTAINED, GIVES HIS CONSENT IN THE FORM OF A WRITTEN RELEASE SIGNED BY THE PATIENT, THE CONTENT OF SUCH RECORD OR SUCH INFORMATION MAY BE DISCLOSED IF SAID WRITTEN RELEASE:

(1) SPECIFICALLY IDENTIFIES THE PERSON, OFFICIAL, OR ENTITY TO WHOM THE INFORMATION IS TO BE PROVIDED;

(2) DESCRIBES WITH REASONABLE SPECIFICITY THE RECORD, RECORDS, OR INFORMATION TO BE DISCLOSED; AND

(3) DESCRIBES WITH REASONABLE SPECIFICITY THE PURPOSES OF THE DISCLOSURE AND THE INTENDED USE OF THE DISCLOSED INFORMATION.

(C) A PATIENT WHO IS SUBJECT TO PAROLE, PROBATION, OR WHO IS ORDERED TO REHABILITATION IN LIEU OF CONVICTION, AND WHO HAS AGREED TO PARTICIPATE IN A DRUG TREATMENT OR REHABILITATION PROGRAM AS A CONDITION OF PAROLE, PROBATION, OR ORDER TO REHABILITATION, SHALL BE DEEMED TO HAVE CONSENTED TO THE RELEASE OF RECORDS AND INFORMATION RELATING TO THE PROGRESS OF TREATMENT, FREQUENCY OF TREATMENT, ADHERENCE TO TREATMENT REQUIREMENTS, AND PROBABLE OUTCOME OF TREATMENT. RELEASE OF INFORMATION AND RECORDS UNDER THIS DIVISION SHALL BE LIMITED TO THE COURT OR GOVERNMENTAL PERSONNEL HAVING THE RESPONSIBILITY FOR SUPERVISING HIS PROBATION, PAROLE, OR ORDER TO REHABILITATION. A PATIENT, DESCRIBED IN THIS DIVISION, WHO REFUSES TO ALLOW DISCLOSURE MAY BE CONSIDERED IN VIOLATION OF THE CONDITIONS OF HIS PAROLE, PROBATION, OR ORDER TO REHABILITATION.

(D) DISCLOSURE OF A PATIENT'S RECORD MAY BE MADE WITHOUT HIS CONSENT TO QUALIFIED PERSONNEL FOR THE PURPOSE OF CONDUCTING SCIENTIFIC RESEARCH, MANAGEMENT, FINANCIAL AUDITS, OR PROGRAM EVALUATION, BUT SUCH PERSONNEL MAY NOT IDENTIFY, DIRECTLY OR INDIRECTLY, ANY INDIVIDUAL PATIENT IN ANY REPORT OF SUCH RESEARCH, AUDIT, OR

EVALUATION, OR OTHERWISE DISCLOSE A PATIENT'S IDENTITY IN ANY MANNER.

(E) UPON THE REQUEST OF A PROSECUTING ATTORNEY OR THE DIRECTOR OF MENTAL HEALTH AND MENTAL RETARDATION, A COURT OF COMPETENT JURISDICTION MAY ORDER THE DISCLOSURE OF RECORDS OR INFORMATION REFERRED TO IN DIVISION (A) OF THIS SECTION IF THE COURT HAS REASON TO BELIEVE THAT A TREATMENT PROGRAM OR FACILITY IS BEING OPERATED OR USED IN A MANNER CONTRARY TO LAW. THE USE OF ANY INFORMATION OR RECORD SO DISCLOSED SHALL BE LIMITED TO THE PROSECUTION OF PERSONS WHO ARE OR MAY BE CHARGED WITH ANY OFFENSE RELATED TO THE ILLEGAL OPERATION OR USE OF THE DRUG TREATMENT PROGRAM OR FACILITY, OR TO THE DECISION TO WITHDRAW THE AUTHORITY OF A DRUG TREATMENT PROGRAM OR FACILITY TO CONTINUE OPERATION. FOR PURPOSES OF THIS DIVISION THE COURT SHALL:

(1) LIMIT DISCLOSURE TO THOSE PARTS OF PATIENT'S RECORD DEEMED ESSENTIAL TO FULFILL THE OBJECTIVE FOR WHICH THE ORDER WAS GRANTED;

(2) REQUIRE, WHERE APPROPRIATE, THAT ALL INFORMATION BE DISCLOSED IN CHAMBERS;

(3) INCLUDE ANY OTHER APPROPRIATE MEASURES TO KEEP DISCLOSURE TO A MINIMUM, CONSISTENT WITH THE PROTECTION OF THE PATIENTS, THE PHYSICIAN-PATIENT RELATIONSHIP, AND THE ADMINISTRATION OF THE DRUG TREATMENT AND REHABILITATION PROGRAM.

§ 2953.32 [Expungement of record of conviction.]

(A) A first offender may apply to the sentencing court if convicted in the state of Ohio or to a court of common pleas if convicted in another jurisdiction for the expungement of the record of his conviction, at the expiration of three years if convicted of a felony, or at the expiration of one year if convicted of a misdemeanor, after his final discharge.

(B) Upon the filing of such application, the court shall set a date for hearing and shall notify the prosecuting attorney of the hearing on the application. The court shall direct its regular probation officer, a state probation officer, or the department of probation of the county where the applicant resides to make such inquiries and written reports as the court requires concerning the applicant.

(C) If the court finds that the applicant is a first offender, that there is no criminal proceeding against him, that his rehabilitation has been attained to the satisfaction of the court, and that the expungement of the record of his conviction is consistent with the public interest, the court shall order all official records pertaining to such case sealed and all index references deleted. The proceedings in such case shall be deemed not to have occurred and the conviction of the person subject thereof shall be expunged, except that upon conviction of a subsequent offense, the sealed record of prior conviction may be considered by the court in determining the sentence or other appropriate disposition, including the relief provided for in sections 2953.31 to 2953.33 of the Revised Code. Upon the filing of an application under this section, the applicant shall, unless he is indigent, pay a fee of fifty dollars. The court shall pay thirty dollars of such fee into the state treasury; and twenty dollars into the county general revenue fund if the expunged conviction was under a state statute; or into the general revenue fund of the municipal corporation involved if the expunged conviction was under a municipal ordinance.

(D) Inspection of the records included in the order may be made only by any law enforcement officer, prosecuting attorney, city solicitor, or their assistants, for purposes of determining whether the nature and character of the offense with which a person is to be charged would be affected by virtue of such persons having previously been convicted of a crime or upon application by the person who is the subject of the records and only to such persons named in his application. When the nature and character of the offense with which a person is to be charged would be affected by such information, it may be used for the purpose of charging the person with an offense.

(E) In any criminal proceeding, proof of any otherwise admissible prior conviction may be introduced and proved, notwithstanding the fact that for any such prior conviction an order of expungement was previously issued pursuant to sections 2953.31 to 2953.36 of the Revised Code.

[§ 2151.35.8] § 2151.358 Expungement of record.

Any person who has been adjudicated a delinquent or unruly child, may apply to the court for an expungement of his record, or the court may initiate expungement proceedings. Such application shall be filed no sooner than two years after the termination of any order made by the court, or two years after his unconditional discharge from the Ohio youth commission or other institution or facility to which he may have been committed.

Notice of the hearing on such application shall be given to the prosecuting attorney.

If the court finds that the rehabilitation of the person has been attained to a satisfactory degree, the court may order the records sealed and the proceedings in such case shall be deemed never to have occurred. All index references shall be deleted and the person and the court may properly reply that no record exists with respect to such person upon any inquiry in the matter. Inspection of the records included in the order may thereafter be permitted by the court only upon application by the person who is the subject of the records and only to such persons as are named in his application.

The judgment rendered by the court under this chapter shall not impose any of the civil disabilities ordinarily imposed by conviction of a crime in that the child is not a criminal by reason of such adjudication, nor shall any child be charged or convicted of a crime in any court except as provided by this chapter. The disposition of a child under the judgment rendered or any evidence given in court is not admissible as evidence against the child in any other case or proceeding in any other court, except that the judgment rendered and the disposition of such child may be considered by any court only as to the matter of sentence or to the granting of probation. Such disposition or evidence shall not operate to disqualify a child in any future civil service examination, appointment, or application.

§ 2151.18 Records; annual report; copies for distribution.

The juvenile court shall maintain records of all official cases brought before it, including an appearance docket, a journal, and a cashbook. The court shall maintain a separate docket for traffic offenses, in which case, all traffic cases shall be recorded thereon instead of on the general appearance docket. The parents of any child affected, if living, or if deceased, the nearest of kin, may inspect such records, either in person or by counsel during the hours in which such court is open.

Not later than June of each year, the court shall prepare an annual report covering the preceding calendar year showing the number and kinds of cases that have come before it, the disposition thereof, and such other data pertaining to the work of the court as the juvenile judge directs or as the department of public welfare requests. Copies of such report shall be filed with such department and with the board of county commissioners. With the approval of such board copies may be printed for distribution to persons and agencies interested in the court or community program for dependent, neglected, or delinquent children and juvenile traffic offenders. The number of copies ordered printed and the estimated cost of each printed copy shall appear on each copy of such report printed for distribution.

[§ 2151.31.3] § 2151.313 Fingerprints and photographs.

No child shall be fingerprinted or photographed in the investigation of a crime without the consent of the judge, except as provided in this section. Fingerprints of a child may be taken by law enforcement officers investigating the commission of an act which would be a felony if committed by an adult when there is probable cause to believe that the child may have been involved in the felonious act being investigated.

Unless otherwise ordered by the court, originals and all copies of such fingerprints or photographs shall be delivered to the juvenile court after use for their original purpose for such further use and disposition as the court directs.

Fingerprints and photographs of a child shall be removed from the file and destroyed if a complaint is not filed or is dismissed after having been filed.

OHIO CJIS TERMINAL AGENCY
APPLICATION REVIEW INFORMATION

The following information to be completed by the Security and User Interface Subcommittee:

Date received by Subcommittee _____

Date application reviewed _____

Date forwarded to Steering Committee _____

Recommended Subcommittee action:

- Approval
 - Disapproval
 - Other (Explain) _____
- _____
- _____
- _____

Reviewed by:

Date approved/rejected by Steering Committee _____

Date agreement signed _____

Terminal Type _____

Date Terminal on-line _____

ORI NO: _____

Application for Ohio CJIS Terminal

Return to: Ohio Bureau of Criminal Identification and Investigation
P.O. Box 365
London, Ohio 43140

Criminal Justice
Agency Name _____

Person responsible for com-
puterized criminal history
functions.

Address _____

Name _____

Telephone _____

Title _____

Director of Agency _____

Telephone _____

Title _____

Type Police Corrections
 Sheriff Other
 Court

Telephone _____

System Description

A. Describe your need for Criminal History Information.

B. What is your expected volume of usage by type? (Inquiry, Up-date, Retrieval, etc.)

C. Describe your physical facility including layout of physical area, (use diagram), and describe security provisions, including working hours and after hours.

D. Describe your management control (using organization chart). Describe major control functions, responsibilities and relationships.

E. Interface: Terminal Computer: Show computer, hardware configuration and interface with CJIS computer. Describe software control.

F. Do you presently have a LEADS terminal? _____

G. What other Criminal Justice Agencies will your agency service and what type of service will you be providing? _____

H. What is your source of funding for this terminal?

City Township County State Federal Other (Specify)

The above information is submitted to the Ohio CJIS Board for the purpose of obtaining access to the Ohio CJIS/CCH and NCIC/CCH files, and is consistent with applicable local laws and CJIS plans.

Signature

CRIMINAL JUSTICE INFORMATION SYSTEM TERMINAL USERS AGREEMENT

1. This agreement made and entered into this _____ day of _____, by and between LEADS, administrator of the Criminal Justice Information System, hereinafter referred to as CJIS and a criminal justice agency, hereinafter referred to as User Agency.
2. Purpose of Agreement. This agreement provides for CJIS to serve as the state agency responsible for the exchange of statewide criminal offender record information and other criminal justice information between CJIS and the User Agency. In addition, it provides for CJIS to serve as a state control terminal to facilitate the interchange of computerized criminal history data between FBI/NCIC and the User Agency.
3. Cancellation. Either CJIS or the User Agency may, upon thirty days' notice in writing, cancel this agreement.

SECTION I

1. CJIS agrees to furnish the User Agency such criminal offender record information and other criminal justice information as is available in the CJIS files and further agrees to furnish such criminal history information as is available through FBI/NCIC CCH program. CJIS shall also provide a store and forward message switching service between the User Agency and all other user agency terminals within the information system.

SECTION II

1. CJIS, solely and exclusively, shall select the equipment for, provide, maintain, operate and manage an electronic data processing system at the CJIS Computer Center in order to provide the services specified in this agreement.

2. CJIS shall provide User Agency the terminal devices and required communication lines at a nominal cost (or agreed upon cost) for lease of such facilities. Terminal operator personnel costs, equipment power and connection costs, dispatch center supply costs unrelated directly to the CJIS terminal, and any charges related to the physical relocation of the terminal equipment after initial installation will be borne by the User Agency. Training of terminal operators will be provided by CJIS at no charge to the User Agency at designated locations throughout the state.

It is understood by and between the parties hereto that this agreement shall be deemed executory to the extent of the monies available to CJIS and no liability on account thereof shall be incurred by CJIS beyond monies available for the purposes thereof.

3. User Agency shall operate terminal stations at its dispatch center on a 24-hour, seven-day week basis (or during regular working hours) and shall provide sufficient authorized personnel to operate them. Inquiry terminals, data sets and voice grade telephone wires between and connecting the terminal stations and the CJIS computer center shall be arranged for by CJIS. The type and kind of electronic equipment used at the terminal station shall be compatible with the Center and shall be subject to the approval of CJIS.

Furthermore, CJIS reserves the right to approve of User Agency's volume of terminal usage, equipment location, security measures, computer interface configuration and the qualifications and number of system-related personnel.

4. Dispatch personnel assigned by User Agency as terminal operators shall be identified on record forms furnished by and returned to CJIS and authorized to perform CJIS terminal operations only after having been provided adequate training by CJIS or its designee. Terminal operators must be certified by CJIS prior to actual on-line operation of the CJIS terminal. User agency agrees to notify CJIS at least one hour prior to the performance of any maintenance upon the User Agency inquiry terminal by any person who is not a member of User Agency staff authorized to operate the terminal; User Agency agrees and acknowledges that its inquiry terminal will be placed in a restrictive mode during such maintenance by unauthorized personnel.

5. It shall be the responsibility of User Agency to provide for conversion and entry of data into the CJIS system through the use of codes, procedures, and techniques as developed and provided by CJIS. CJIS shall render assistance to the User Agency in order to provide for timely, efficient and accurate implementation of terminal operations.

The data provided to CJIS files by the User Agency will be relevant to the criminal justice process, excluding data such as relates to census, tax, election, unemployment insurance and similar files about individuals. The completeness and accuracy of information entered into the information system is paramount and User Agency will cooperate with regular auditing of the system to assure reliability of stored data; in addition, measures for purging or cancelling entries will be adhered to for enhancing reliability of all data.

6. In keeping with the concept of CJIS as being established to provide assistance to all law enforcement agencies of the state, the User Agency agrees to provide to those adjacent law enforcement or criminal justice jurisdictions not equipped with a CJIS terminal, and identified by CJIS rules, such assistance as may be requested in the furtherance of law enforcement processes through record inquiry, message transmittals, or record entries in keeping with CJIS standards.

SECTION III

1. User Agency agrees to limit access to information furnished by CJIS to its own employees and other criminal justice/law enforcement agencies who have entered into agreements comparable to this one with NCIC, a state control terminal, or user agency itself to protect the security and privacy of this information. User Agency will not provide information to non-criminal justice agencies, but will refer such agencies to CJIS.
2. User Agency further agrees to comply with federal and state law, rules, procedures and policies formally adopted by CJIS and in regard to criminal history information furnished through the FBI/NCIC CCH program, to rules, procedures and policies approved by the NCIC advisory policy board and adopted by the NCIC.
3. A statement of CJIS rules, procedures and policies adopted on _____ and NCIC rules, procedures and policies approved by the NCIC on _____ is attached to this agreement as Appendix A and incorporated by reference in this agreement.
4. CJIS agrees that no changes will be made in the rules, procedures and policies adopted by it and incorporated in this agreement without notice to User Agency and provision of a 30-day period in which User Agency can submit written comment to CJIS.

5. CJIS reserves the right to immediately suspend furnishing any information provided for in this agreement to User Agency when any rule, policy or procedure adopted by CJIS or approved by the NCIC Advisory Board and adopted by NCIC or any law of this state or the federal government applicable to the security and privacy of information is violated or appears to be violated. CJIS may reinstate the furnishing of such information upon receipt of satisfactory assurances that such violation did not occur or was corrected. User Agency agrees and acknowledges that its computer system use and configuration will be continuously monitored by a CJIS command terminal.

6. User Agency agrees to indemnify and save harmless CJIS and its officials and employees from and against any and all claims, demands, actions, suits and proceedings by others, against all liability to others, including but not limited to any liability for damages by reason of or arising out of any false arrest or imprisonment, or any cause of action whatsoever, or against any loss, cost, expense, and damage, resulting therefrom, arising out of or involving any negligence on the part of User Agency in the exercise or enjoyment of this agreement. This agreement will become effective on _____.

In witness whereof, the parties hereto caused this agreement to be executed by proper officers and officials.

Chairman for CJIS Steering Committee _____

Date _____

CJIS Remote Terminal Agency

Agency Name: _____

By: _____

Title: _____

Date: _____

APPENDIX D
SYSTEM SECURITY

SITE SECURITY

ELECTRONIC GUARD CONSOLE CAN INCLUDE:

- Light panels
- Alarm buzzers
- Television screen
- Telephone
- Switches for remote control of door and equipment
- Automatic continuous log of emergency status (to prevent guard sleeping or taking bribes)
- Tape recorder
- Leased line to police station

BURGLAR ALARMS

- Perimeter fence
- Outside walls, door, and windows
- Internal doors, storage cabinets, telephone junction boxes
- Detection of movement in critical areas (computer room, tape library, PBX)

OTHER ALARMS

- Fire detectors (heat, smoke)
- Manual fire alarms
- Water-flow detectors
- Valve detectors
- Magnet detectors
- Theft detectors

STATUS OF DOORS SHOWN IN LIGHTS (eg., green for closed; red for unlocked; flashing for individual requesting entrance or exit)

- Outside entrance
- Loading bay doors
- Emergency exits
- Critical internal doors (computer room, tape library, PBX)

REMOTE CONTROL OF EMPLOYEE ENTRANCES

- Badge readers or ID cards
- Telephone (or microphone and speaker)
- Secret numbers
- Television camera to compare with photograph
- Locks on doors operated from control center

SITE SECURITY (cont.)

TELEVISION CAMERAS

Remote control of pan and tilt
Remote control of zoom lens

GUARD PATROLS

Key reporting stations
Two-way radio to guards
Telephones

EMERGENCY EVACUATION

Loudspeakers
Evacuation horns

EQUIPMENT FOR FAULT DETECTION

Electrical equipment
Air conditioning
Computer running without operator

REMOTE-CONTROLLED FIRE EXTINGUISHERS (CO₂ Halon)

TELEPHONE

PUBLIC ADDRESS

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Control of the Programmers: Separation of Responsibilities

1. The systems programmers will not write application programs using sensitive data. The application programmers will not write systems programs.
2. It is not possible for users to access application programs except via the input/output control software and this will contain security features including a user identification and authorization check.
3. It is not possible for an application program to access the data files except via the data management software and this will contain security features including a password or authorization check.
4. On a dedicated commercial system no user is permitted to use a program that he himself has written.
5. No programmer will be permitted to operate the entire computer system.
6. The operator will not be told the functions of the programs he is running. Program decks, tapes, and disks will be labeled with an alphanumeric number but not with anything that indicates the function.
7. No program will be run that does not reside on the authorized program file. Elaborate control will be maintained over the "promotion" of programs to this file as a means of ensuring that such programs are authorized, fully tested, and independently inspected.
8. Users of the system do not specify its programs in detail.
9. Program specifications are centrally approved by a control group.
10. Specifications for data-base records or files are centrally approved. DBA.
11. Data for final program testing is generated by the programmer final test group.
12. Testing will be conducted by a central group which maintains tight control over the operational system. Test, install, limited hours.
13. All programs and modifications to programs will be kept centrally by a program library maintenance system. An "audit trail" of program modifications will be kept, and this will indicate who authorized the modifications and who specified and programmed them.
14. The application programs for a "sensitive file or transaction" will never be written in total by the same programmer.

Types of System Penetration and Main Means of Protection

Type of Penetration *	Prevention
Documents casually picked up or copied	Clean desk policy enforced Effective control of classified data
Program listings casually picked up or copied	Clean desk policy enforced Effective control of classified data. Red Rope folder.
Valuable information or listings obtained from waste-paper cans or garbage men.	Sensitive documents should be shredded. Closed waste cans.
Information obtained from carbon paper or typewriter ribbons.	Destruction of these should be controlled. Typewriters or terminals which overwrite their own ribbon may be used.
Photography	Prohibit cameras on premises
Telescopes or cameras with long-focus lenses	Site terminals away from windows which are overlooked.
Wiretapping a. Public telephone lines (difficult to tap) b. On user's premises (easy to tap)	Cryptography Lock up PBX (Private Branch Exchange) and install burglar alarm Use computerized PBX Lock up junction boxes (and install burglar alarm) Cryptography
Electromagnetic eavesdropping	Arrange equipment so that Penetrator cannot get close to terminals Choice of terminal Physical measures such as screening, grounding metal objects that carry the radiation, filtering power lines.

Type of Penetration (Cont.)*	Prevention (Cont.)
Hidden microphone and transmitter	Sweep premises by a security specialist
Electromagnetic bug and transmitter. a. in modems b. in terminals	Have premises checked out by a security specialist

*Types of Penetration listed in order of likelihood.

Unauthorized Obtaining of Data

Causes of Loss of Privacy	Means of Protection
1. Accidental disclosure of private information. a. Computer operator error b. User error c. System hardware error	-Input/output Control Group -Automatic checks on operating procedures -Controls on classified documents -Hardware designed to prevent output on the wrong device -Terminal identification in tele-processing.
2. Theft of listings or documents.	-Physical security for theft protection -Effective controls on classified documents -Enforced clean desk policy -Head listings are shredded
3. Theft of data media (e.g. tape or disk)	-Tight volume library controls -Physical security for theft protection -Controls on classified volumes -Cryptography
4. Authorized duplication of a volume	-Library controls inventory -Control of utility programs for duplication -Control of classified media -Cryptography

Unauthorized Obtaining of Data

<u>Causes of Loss of Privacy (Cont.)</u>	<u>Means of Protection (Cont.)</u>
5. Authorized printing of a volume.	-Library controls - Inventory -Control of utility programs for duplication. -Control of classified documents. -Cryptography
6. Unauthorized use of terminal.	-Positive identification of terminal user. -Programmed locks, alarms and surveillance based on user identification.

DOCUMENTATION

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

1. Are there written documentation standards? Are they enforced before new systems are implemented or existing ones changed? Are the following included?
 - (a) Systems flow chart showing the portion of the system that the program represents - equipment used, keypunch, unit record, computer, etc.
 - (b) Program flow chart - logic of program instructions.
 - (c) Narrative description - what is the objective of the program? What data is the user receiving?
 - (d) Program listing (printout of the source deck).
 - (e) Sample of output (listings, cards, etc.)
 - (f) Record layouts (data included in tape, dish, and punched card fields, etc.)

2. Prior to installation, is there a program release sheet, signed-off by the: using department manager; programming manager; DP operations and systems manager(s)?

3. Are all production programs or projects documented with run instructions? They should include:
 - (a) Title and explanation of job
 - (b) Due-in and due-out schedules
 - (c) Deadline priorities
 - (d) Set-up instructions
 - (e) Programmed halt and restart instructions

DOCUMENTATION (continued)

Not Applicable
Satisfactory
Unsatisfactory
Scheduled for Implementation On:
Comments:

(f) Checkpoint - restart procedures

(g) Data control total checks required

(h) End of job - (take down) instructions

(i) Disbursement of I/O data

4. Are there overall operational standards for all projects?
Are they kept current?

TAPE AND DISK LIBRARY

1. Are magnetic tapes, disk packs, and data cells stored in a closed, dust free, fire resistant, and lockable library area? (Under no circumstances should these items, which have magnetic attraction to paper dust, be used or kept where card equipment or paper cutting devices are used.)
2. Does the library have a sprinkler system and automatic fire alarm for added protection?
3. Is there one person who is responsible for administration of the Tape Library? (Either a Librarian or Scheduling Clerk.)
4. Are all shifts covered for tape library operation?
5. Is access to the library restricted to authorized personnel only? Key listing maintained?
6. Is there an inventory list of tapes, disk packs, and data cells? Minimum information should include:
 - (a) Library location
 - (b) Reel or serial number
 - (c) Job or project number
 - (d) Description of data
 - (e) Date created
 - (f) Expiration of retention period

(Optimum controls could be achieved by having several listings sorted by (a), (b), (c), and (f) above.)
7. Is there a tape retention plan (security) which permits the reconstruction of the tape file in the event that the file is inadvertently destroyed?

Not Applicable	Satisfactory	Unsatisfactory	Scheduled for Implementation On:	Comments:

TAPE AND DISK LIBRARY (continued)

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

cells containing information supported by approvals from both Using and Programming Department Managers? (Generally there is little reason why this information has to be removed from the computer facility.)

- 15. Review the procedure for shipments to other locations to determine if:
 - (a) The shipment is sufficiently protected from damage? Insured?
 - (b) Interlocation billing is rendered if shipping is on a nonreturn basis?
 - (c) Shipments are sent directly to corresponding Tape Library?
 - (d) Return due date indicated?
- 16. Is there an effective procedure for following up "delinquent" returns of borrowed material?
- 17. Is there a documented and implemented data retention system to ensure that obsolete material is not needlessly retained?
- 18. Determine whether tape reserves or stockpiling of "scratch" tapes by individuals or departments is adequately controlled. (Weaknesses in 14, 15 and 16 could lead to a shortage of tapes for use by the Tape.)

PHYSICAL DISASTERS

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

1. Are there adequate floor security posts?
 2. Are there closed circuit TV's? Monitors?
 3. Are the building and equipment correctly grounded for protection from damage by lightning?
 4. Will the computer room ceiling protect the room from flood water on the floor above?
 5. Are overhead water and steam pipes eliminated (except for sprinklers)? Are the computers excluded from basement areas which might flood?
 7. Will the drainage system take away from the computers?
 8. Is there drainage under the raised floor?
 9. Is there a backup air-conditioning system?
 10. Are the air intakes covered with protective screening, and are they well above the street level?
 11. Is mob action or sabotage a probability?
 12. Does the installation have a "shop window," and if so, can the glass be broken?
 13. Have steps been taken to give the installation "low visibility"?
 14. Is the computer room visible from the street? Other building?
- Does the computer room have self-locking doors with "panic bars" on the inside?

PHYSICAL DISASTERS (continued)

- 16. Is access to the building controlled by guards or other means?
- 17. Does the installation have good liaison with the local police?
- 18. Do the computer room personnel know how to handle unauthorized intruders?
- 19. Do the personnel know how to handle telephone bomb threats and other disturbances?
- 20. Is an electronic system used to detect intruders, flood water, etc.
- 21. Is protection needed from power failures and "brownouts," and if so, is it adequate?
- 22. Is the voltage monitored with a recording voltmeter?
- 23. Is protection needed from communication line failures, and if so, are the alternate means of transmission (usually public dial lines) adequate?
- 24. If the main telecommunication cable to the building fails, will this remove the alternate transmission capability also?
- 25. Are the communication lines monitored for noise, errors, and drop-outs?
- 26. Is there adequate insurance against:
 - (a) Fire?
 - (b) Natural disaster?
 - (c) Water damage?
 - (d) Power failure?

Not Applicable

Satisfactory

Unsatisfactory

Scheduled for Implementation On:

Comments:

PHYSICAL DISASTERS (continued)

- (e) Fraud?
- (f) Crime?
- (g) Sabotage?
- (h) Errors?

Not Applicable

Satisfactory

Unsatisfactory

Scheduled for
Implementation On:

Comments:

FIRE PRECAUTIONS

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

1. Do the computer room operators know exactly what to do when the different types of fire emergencies occur?
2. Do the library personnel know exactly what to do when fire emergencies occur?
3. Are clear and adequate fire instructions posted in all locations?
4. Are the fire alarm pull boxes and emergency power switches clearly visible and unobstructed?
5. Are there enough fire alarm pull boxes in the computer area?
6. Are the machine operators familiar with the different levels of power-off procedure?
7. Are the operators trained periodically in fire fighting?
8. Are the operators assigned individual responsibilities in case of fire?
9. How frequently are fire drills held?
10. Does the machine room have automatic extinguishers of the following types:
 - (a) Sprinkler?
 - (b) Carbon dioxide flooding?
 - (c) Halon flooding?
11. Does the computer room also have portable extinguishers in suitable locations? Are these extinguishers immediately accessible and vividly marked?

FIRE PRECAUTIONS (continued)

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

- 12. If carbon dioxide or halon flooding is used, are the personnel safety precautions adequate?
- 13. If sprinklers are used, is a "dry-pipe" arrangement employed coupled to an appropriate fire detection system? And can the operator preempt the sprinkling while he extinguishes the fire manually (to prevent machine damage)?
- 14. Is the water supply adequate?
- 15. Is the fire detection system adequate?
- 16. Are smoke detectors used:
 - (a) In the ceiling?
 - (b) In the air ducts?
 - (c) Under the raised floor?
- 17. Are the smoke detectors tested sufficiently frequently?
- 18. Are the extinguishers checked sufficiently frequently?
- 19. Does the emergency power shutdown switch off the air conditioning?
- 20. Is there emergency (battery operated) lighting in the computer room?
- 21. Does the fire alarm sound:
 - (a) Outside the computer area?
 - (b) At a guard station?
 - (c) At a headquarters location?
 - (d) At the local fire station?
- 22. Is there 24-hour coverage of alarm stations?

FIRE PRECAUTIONS (continued)

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

- 23. Can emergency crews gain access to the installation without delay?
- 24. Is smoking prohibited in the computer area?
- 25. Are the following combustible materials avoided in the computer area:
 - (a) Combustible curtains and rags?
 - (b) Flammable cleaning fluids?
 - (c) Paper and other supplies?
- 26. Are the raised floors and hung ceiling noncombustible?
- 27. Is the space under the raised floor cleaned regularly to remove fluff?
- 28. Is the cleanliness of the computer area adequate?
- 29. Are areas adjoining the computer area suitably protected from fire?
- 30. Is the computer housed in a suitable building?
- 31. Can the walls, doors, partitions, and floors in the computer area resist the spread of fire?
- 32. Are tapes and other data storage media stored away from the computer room?
- 33. Are duplicate copies of all programs and important records stored away from the computer center?
- 34. Is the fire insurance adequate?

COMPUTER CENTER OPERATIONS

Not Applicable

Satisfactory

Unsatisfactory

Scheduled for Implementation On:

Comments:

1. Have computer center operating procedures been written?
 - (a) Are they sufficiently descriptive in detail to guide the organization and operation?
 - (b) Are they kept up-to-date?
 - (c) Does the computer center operate independent of the programming area?

2. Do operators' instructions for running each job include:
 - (a) Identification of all machine components used and purpose?
 - (b) Identification of all input/output forms?
 - (c) Explanation of purpose of run?
 - (d) Detailed input and output disposition instructions?
 - (e) Identification of all possible programmed halts and prescribed restart instructions?

3. Is an operating log maintained to record any significant events and action taken by the operator? (Proper recording would indicate whether operators were following instructions for halts in programs, etc.)

4. Is the operator log inspected daily by management?

5. Are the pages of the operator log prenumbered, or is some other method used to ensure total accountability?

COMPUTER CENTER OPERATIONS (cont'd)

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

6. Are data control center personnel and operators' assignments rotated? (This not only aids in cross-training, it helps avoid fraudulent manipulation of jobs.)
7. Are logs maintained to record the CPU meter readings (for both customer and CE meters) at the start and end of each shift? Are variances explained?
8. Are CE maintenance logs kept current? (These logs are especially important when recording reruns caused by machine failures. This time should be claimed against any additional billable time.)
9. Are trouble reports prepared when processing is interrupted because of operator or program(mer) error or machine failure? (The reports should indicate what caused the problem and what action was taken.)
10. Are computer room personnel the only individuals allowed to operate the machines?
11. If programmers operate the machine, is this time controlled?
 - (a) Are programmers required to obtain written permission from their department manager for all "hands on" time?
 - (b) Is management able to determine whether programmers are making excessive tests and assemblies due to poor programming techniques? Is control adequate?
 - (c) Are targets for reasonable "hands on" time rerun due to operator or programmer error established?

COMPUTER CENTER OPERATIONS (cont'd)

Not Applicable

Satisfactory

Unsatisfactory

Scheduled for Implementation On:

Comments:

- 12. Are operators denied access to program flow charts, source decks, program listings, etc.? (The operator does not need access to these items to perform his duties. Consequently these items should be maintained outside of the computer room to prevent changes to programs or operation by computer operators.)
- 13. Do programmers test their programs with "live data"? Are there procedures in effect to control this?
- 14. Are adequate safeguards exercised to ensure that only authorized persons are permitted in computer or machine areas? Are these safeguards effective in practice?
- 5. Do operators know what to do when an unauthorized person does come into the machine room and is intent upon stealing something or doing harm?
- 16. Do the operators know what to do in the event of fire or other emergency?
- 17. Is there a surveilling escort for all visitors?
- 18. Are demonstrations controlled?
- 19. Are computer operating staff adequately screened before hiring?
- 20. Are all computer runs supported by a work request or other written authorizations? (This includes scheduled and nonscheduled production assemblies and tests.)
- 21. Are the above approved by management? If not, are there other controls to ensure that all computer runs are justified?

COMPUTER CENTER OPERATIONS (cont'd)

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

22. Are there provisions for scheduling of jobs on the system? These provisions would include:

- (a) Due dates of input and output
- (b) Records covering delays in receipt of input; processing of data; delivery of output
- (c) Establishment and adherence to priorities

23. Is all input data accompanied by control totals, or other control information (such as number of cards, reels of tape and records per tape, etc.)?

24. Are control totals produced independently by the tape/disk/drum loading program?

25. Are input, load, and output totals reconciled after processing?

26. Input errors; Are the users provided with data error listings that report on the accuracy of their input data?

27. Are there procedures to extend document control to such items as blank checks, stock certificates, etc.?

28. Is adequate control maintained over the input and output data? (Trace the flow of operational data through the computer and/or machine room.)

29. Are system utilization and usage reports distributed to management for their review of:

- (a) Operating system reporting
- (b) Productive time
- (c) Program test and assembly

Not Applicable
 Satisfactory
 Unsatisfactory
 Scheduled for Implementation On:
 Comments:

- (d) Operating system generation (Sysgen)
- (e) CE maintenance time
- (f) Programmer time
- (g) Demonstration time
- (h) Rerun time
- (i) Idle time
- (j) Power off time
- (k) Other (other location backup, etc.)

30. Is "productive time" broken down into scheduled and nonscheduled production? (Periodic comparison of productive to nonproductive time and scheduled to nonscheduled production is necessary to ensure reasonability. The Utilization Reports are also needed to evaluate system effectiveness and profitability; help plan manpower and hardware work loads; provide a basis for scheduling new job capacity.)

31. Are "turn-around" (time on and time off the system) reports distributed for Management review?

32. Are procedures for billing charges for computer usage and/or cost allocations, if applicable, based upon operating records?

(a) Can departmental charges be reconciled back to the usage/utilization reports or turn-around reports?

(b) Is rerun time caused by programmer, operator, systems personnel or machine error segregated and

COMPUTER CENTER OPERATIONS (cont'd)

charged to overhead rather than to the using department?

(c) If using departments are not charged for computer time, is there a procedure to ascertain the need for regularly scheduled production jobs?

Not Applicable

Satisfactory

Unsatisfactory

Scheduled for Implementation On:

Comments:

APPENDIX E

HB 1030

111th GENERAL ASSEMBLY,
REGULAR SESSION,
1975-1976

H. B. No. 1030

MESSRS. NADER-BATCHELDER

A BILL

To enact sections 123.81 to 123.94 of the Revised Code to provide for a statewide Criminal Justice Information system and the creation of a Criminal Justice Information System Board.

Be it enacted by the General Assembly of the State of Ohio:

2 SECTION 1. That sections 123.81, 123.82, 123.83, 123.84,
3 123.85, 123.86, 123.87, 123.88, 123.89, 123.90, 123.91, 123.92, 123.93,
4 and 123.94 of the Revised Code be enacted as follows:

5 Sec. 123.81. AS USED IN SECTIONS 123.81 TO 123.94 OF
6 THE REVISED CODE:

7 (A) "CRIMINAL JUSTICE AGENCY" MEANS STATE
8 AND LOCAL GOVERNMENTAL OFFICES AND AGENCIES
9 THAT PERFORM AS THEIR PRINCIPAL FUNCTION THE
10 DETECTION, IDENTIFICATION, APPREHENSION, PROSECU-
11 TION, ADJUDICATION, INCARCERATION, OR REHABILITA-
12 TION OF CRIMINAL OFFENDERS.

13 (B) "CRIMINAL HISTORY DATA" MEANS DATA, REC-
14 ORDS, AND OTHER INFORMATION COMPILED BY CRIM-
15 INAL JUSTICE AGENCIES, INCLUDING COMPUTERIZED
16 DATA, RECORDED IN THE OHIO CRIMINAL JUSTICE INFOR-

17 MATION SYSTEM AS THE RESULT OF THE INITIATION OF
18 CRIMINAL PROCEEDINGS OR RELATED PROCEEDINGS,
19 IDENTIFYING CRIMINAL OFFENDERS AND SUMMARIZING
20 ARRESTS, PRETRIAL PROCEEDINGS, THE NATURE AND
21 DISPOSITION OF CRIMINAL CHARGES, SENTENCING, RE-
22 HABILITATION, AND RELEASE OF OFFENDERS. "CRIMINAL
23 HISTORY DATA" DOES NOT INCLUDE INTELLIGENCE,
24 ANALYTICAL, AND INVESTIGATIVE REPORTS AND FILES,
25 NOR STATISTICAL RECORDS AND REPORTS IN WHICH IN-
26 DIVIDUALS ARE NOT IDENTIFIED.

27 (C) "UNIFORM CRIME REPORTS DATA" MEANS DATA
28 RELATING TO THE NUMBER AND KINDS OF CRIMINAL
29 ACTS KNOWN TO LAW ENFORCEMENT AGENCIES, NUM-
30 BER OF CRIMES CLEARED BY ARREST, PERSONAL CHAR-
31 ACTERISTICS OF INDIVIDUALS ARRESTED, AND THE DIS-
32 POSITION OF CHARGES AGAINST SUCH PERSONS.

33 (D) "INTERSTATE SYSTEMS" MEANS ALL AGREE-
34 MENTS, ARRANGEMENTS, AND SYSTEMS FOR THE INTER-
35 STATE TRANSMISSION AND EXCHANGE OF CRIMINAL HIS-
36 TORY DATA.

37 Sec. 123.82. THERE IS HEREBY CREATED IN THE DE-
38 PARTMENT OF ADMINISTRATIVE SERVICES THE OHIO
39 CRIMINAL JUSTICE INFORMATION SYSTEM BOARD CON-
40 SISTING OF ELEVEN MEMBERS APPOINTED AS FOLLOWS:

41 (A) EIGHT MEMBERS SHALL BE APPOINTED BY THE
42 GOVERNOR TO REPRESENT EACH OF THE FOLLOWING
43 AGENCIES AND ORGANIZATIONS:

44 (1) THE STATE HIGHWAY PATROL;

45 (2) THE DIVISION OF CLASSIFICATION AND RE-
46 SEARCH OF THE DEPARTMENT OF REHABILITATION AND

47 CORRECTION;

48 (3) THE DATA PROCESSING CENTER OF THE DEPART-
49 MENT OF ADMINISTRATIVE SERVICES;

50 (4) THE DIVISION OF ADMINISTRATION OF JUSTICE
51 IN THE DEPARTMENT OF ECONOMIC AND COMMUNITY
52 DEVELOPMENT;

53 (5) THE BUCKEYE STATE SHERIFFS ASSOCIATION;

54 (6) THE OHIO ASSOCIATION OF CHIEFS OF POLICE;

55 (7) THE OHIO PROSECUTING ATTORNEYS ASSOCIA-
56 TION;

57 (8) THE CRIMINAL JUSTICE COORDINATING COUN-
58 SELS ESTABLISHED IN THIS STATE UNDER THE "CRIME
59 CONTROL ACT OF 1973," 87 STAT. 197, 42 U.S.C.A. 3701 AS
60 AMENDED, OR REENACTED.

61 (B) TWO MEMBERS SHALL BE APPOINTED BY THE
62 CHIEF JUSTICE OF THE SUPREME COURT OF OHIO TO
63 REPRESENT BOTH OF THE FOLLOWING:

64 (1) THE OFFICE OF THE ADMINISTRATIVE DIRECTOR
65 OF THE SUPREME COURT OF OHIO;

66 (2) THE OHIO JUDICIAL CONFERENCE.

67 (C) ONE MEMBER SHALL BE APPOINTED BY THE AT-
68 TORNEY GENERAL TO REPRESENT THE BUREAU OF IDEN-
69 TIFICATION AND INVESTIGATION.

70 THE GOVERNOR SHALL APPOINT THE MEMBERS REP-
71 RESENTING THE BUCKEYE STATE SHERIFFS ASSOCIA-
72 TION, THE OHIO ASSOCIATION OF CHIEFS OF POLICE, THE
73 OHIO PROSECUTING ATTORNEYS ASSOCIATION, AND THE
74 CRIMINAL JUSTICE COORDINATING COUNSELS AND THE
75 CHIEF JUSTICE SHALL APPOINT THE MEMBER FROM THE
76 OHIO JUDICIAL CONFERENCE FROM LISTS CONTAINING

77 NOT FEWER THAN THREE NAMES OF POTENTIAL AP-
78 PPOINTEES SUBMITTED BY THE RESPECTIVE ORGANIZA-
79 TIONS NOT LATER THAN THIRTY DAYS AFTER THE EF-
80 FECTIVE DATE OF THIS SECTION OR AFTER A VACANCY
81 OCCURS ON THE BOARD. IF THE ORGANIZATION FAILS TO
82 SUBMIT SUCH A LIST WITHIN THE TIME DESIGNATED BY
83 THIS SECTION, THE GOVERNOR OR CHIEF JUSTICE SHALL
84 MAKE THE APPOINTMENT WITHOUT SUCH A LIST, BUT
85 THE APPOINTEE SHALL BE A MEMBER OF THE APPRO-
86 PRIATE ORGANIZATION.

87 OF THE INITIAL APPOINTMENTS MADE TO THE
88 BOARD, THE APPOINTMENTS FROM THE BUCKEYE STATE
89 SHERIFFS ASSOCIATION, THE OHIO ASSOCIATION OF
90 CHIEFS OF POLICE, THE OHIO PROSECUTING ATTORNEYS
91 ASSOCIATION, THE CRIMINAL JUSTICE COORDINATING
92 COUNSELS, AND THE OHIO JUDICIAL CONFERENCE SHALL
93 BE FOR TERMS ENDING ONE YEAR AFTER THE EFFEC-
94 TIVE DATE OF THIS SECTION, THE APPOINTMENTS FROM
95 THE DIVISION OF CLASSIFICATION AND RESEARCH OF
96 THE DEPARTMENT OF REHABILITATION AND CORREC-
97 TION, THE DIVISION OF ADMINISTRATION OF JUSTICE OF
98 THE DEPARTMENT OF ECONOMIC AND COMMUNITY DE-
99 VELOPMENT, AND THE OFFICE OF THE ADMINISTRATIVE
100 DIRECTOR OF THE SUPREME COURT OF OHIO SHALL BE
101 FOR TERMS ENDING TWO YEARS AFTER THAT DATE, AND
102 THE APPOINTMENTS FROM THE STATE HIGHWAY PA-
103 TROL, THE DATA PROCESSING CENTER OF THE DEPART-
104 MENT OF ADMINISTRATIVE SERVICES, AND THE BUREAU
105 OF CRIMINAL IDENTIFICATION AND INVESTIGATION
106 SHALL BE FOR TERMS ENDING THREE YEARS AFTER

107 THAT DATE. THEREAFTER, TERMS OF OFFICE SHALL BE
108 FOR THREE YEARS, EACH TERM ENDING ON THE SAME
109 DAY OF THE SAME MONTH OF THE YEAR AS DID THE
110 TERM THAT IT SUCCEEDS. ANY MEMBER APPOINTED TO
111 FILL A VACANCY OCCURRING PRIOR TO THE EXPIRATION
112 OF THE TERM FOR WHICH HIS PREDECESSOR WAS AP-
113 POINTED SHALL HOLD OFFICE FOR THE REMAINDER OF
114 SUCH TERM. ANY MEMBER SHALL CONTINUE IN OFFICE
115 SUBSEQUENT TO THE EXPIRATION DATE OF HIS TERM
116 UNTIL HIS SUCCESSOR TAKES OFFICE, OR UNTIL A PERIOD
117 OF SIXTY DAYS HAS ELAPSED, WHICHEVER OCCURS
118 FIRST. HOWEVER, MEMBERS APPOINTED FROM THE
119 STATE AGENCIES SHALL NOT REMAIN MEMBERS OF THE
120 BOARD AFTER THEIR TERM OF OFFICE OR EMPLOYMENT
121 WITH THE STATE AGENCY FROM WHICH THEY WERE AP-
122 POINTED HAS ENDED. SUCH VACANCIES SHALL BE
123 FILLED AS OTHER VACANCIES.

124 THE GOVERNOR SHALL DESIGNATE A CHAIRMAN OF
125 THE BOARD FOR A ONE YEAR TERM AS CHAIRMAN. NO
126 MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE
127 TERMS AS CHAIRMAN.

128 THE BOARD SHALL HOLD ITS FIRST MEETING WITHIN
129 THIRTY DAYS OF THE DAY ON WHICH THE LAST OF THE
130 INITIAL APPOINTMENTS TO THE BOARD IS MADE. THERE-
131 AFTER, THE BOARD SHALL MEET BIMONTHLY AT THE
132 CALL OF THE CHAIRMAN, OR WITHIN THIRTY DAYS OF
133 THE SUBMISSION TO THE CHAIRMAN OF WRITTEN RE-
134 QUESTS FOR A MEETING FROM THREE MEMBERS.

135 SIX MEMBERS CONSTITUTE A QUORUM OF THE BOARD,
136 AND SIX VOTES ARE REQUIRED TO VALIDATE AN ACTION.

137 EACH MEMBER NOT EMPLOYED BY A STATE AGENCY
138 SHALL RECEIVE ACTUAL AND NECESSARY EXPENSES IN-
139 CURRED IN SERVICE OF THE BOARD.

140 Sec. 123.83. (A) THE OHIO CRIMINAL JUSTICE IN-
141 FORMATION BOARD SHALL PROVIDE AN ANNUAL REPORT
142 TO THE GOVERNOR, ATTORNEY GENERAL, CHIEF JUSTICE
143 OF THE SUPREME COURT OF OHIO, AND THE GENERAL AS-
144 SSEMBLY, CONCERNING THE COLLECTION, STORAGE, DIS-
145 SEMINATION AND USE IN THIS STATE OF CRIMINAL JUS-
146 TICE INFORMATION DATA IN THE OHIO CRIMINAL JUSTICE
147 INFORMATION SYSTEM. IT MAY MAKE SUCH ADDITIONAL
148 REPORTS AND RECOMMENDATIONS AS IT CONSIDERS AP-
149 PROPRIATE TO CARRY OUT ITS FUNCTIONS UNDER SEC-
150 TIONS 123.81 TO 123.94 OF THE REVISED CODE.

151 (B) THE BOARD MAY CONDUCT INQUIRIES AND IN-
152 VESTIGATIONS TO CARRY OUT ITS FUNCTIONS UNDER
153 SECTIONS 123.81 TO 123.94 OF THE REVISED CODE. IT MAY
154 FOR THIS PURPOSE REQUIRE ANY AGENCY THAT MAIN-
155 TAINS, OR HAS RECEIVED, OR THAT IS ELIGIBLE TO MAIN-
156 TAIN OR RECEIVE CRIMINAL HISTORY DATA FROM THE
157 OHIO CRIMINAL JUSTICE INFORMATION SYSTEM, TO PRO-
158 DUCE FOR INSPECTION, STATISTICAL DATA, REPORTS,
159 AND OTHER INFORMATION CONCERNING THE COLLEC-
160 TION, STORAGE, DISSEMINATION AND USE OF THE DATA.
161 EACH SUCH AGENCY SHALL PROVIDE SUCH DATA, RE-
162 PORTS, AND OTHER INFORMATION ON THE REQUEST OF
163 THE BOARD.

164 (C) THE BOARD MAY ADOPT RULES TO CARRY OUT
165 ITS FUNCTIONS UNDER SECTIONS 123.81 TO 123.94 OF THE
166 REVISED CODE. SUCH RULES HAVE THE EFFECT OF LAW

167 AS TO CRIMINAL JUSTICE AGENCIES.

168 (D) THE BOARD MAY CREATE COMMITTEES AND
169 THE CHAIRMAN OF THE BOARD SHALL APPOINT COMMIT-
170 TEE CHAIRMEN FOR THE PURPOSE OF DELEGATING FUNC-
171 TIONS TO COMMITTEES. HOWEVER, THE SECURITY AND
172 PRIVACY COMMITTEE, CREATED IN SECTION 123.84 OF
173 THE REVISED CODE, SHALL BE A PERMANENT STANDING
174 COMMITTEE, AND SHALL REPORT TO THE CHAIRMAN ON
175 A REGULAR BASIS CONCERNING ITS AREA OF RESPONSI-
176 BILITY.

177 (E) THE BOARD MAY COORDINATE ITS ACTIVITIES
178 WITH THOSE OF ANY INTERSTATE SYSTEMS FOR THE EX-
179 CHANGE OF CRIMINAL HISTORY DATA BETWEEN THE
180 INTERSTATE SYSTEMS AND THE OHIO CRIMINAL JUSTICE
181 INFORMATION SYSTEM.

182 Sec. 123.84. (A) THE OHIO CRIMINAL JUSTICE INFOR-
183 MATION SYSTEM SECURITY AND PRIVACY COMMITTEE IS
184 HEREBY ESTABLISHED AS A PERMANENT STANDING
185 COMMITTEE OF THE OHIO CRIMINAL JUSTICE INFORMA-
186 TION SYSTEM BOARD, TO CONDUCT A CONTINUING RE-
187 VIEW AND STUDY OF QUESTIONS RELATING TO SYSTEM
188 SECURITY AND INDIVIDUAL PRIVACY IN CONNECTION
189 WITH THE COLLECTION, STORAGE, DISSEMINATION, AND
190 USE OF CRIMINAL HISTORY DATA IN THE CRIMINAL THE
191 CRIMINAL JUSTICE INFORMATION SYSTEM. THE COMMIT-
192 TEE SHALL BE COMPOSED OF BOARD PERSONNEL REPRESENTING THE FOLLOWING AGENCIES AND ORGANIZA-
193 TIONS:
194 TIONS:

195 (1) THE BUREAU OF CRIMINAL IDENTIFICATION AND
196 INVESTIGATION;

197 (2) THE OFFICE OF THE ADMINISTRATIVE DIRECTOR
198 OF THE SUPREME COURT;

199 (3) THE STATE HIGHWAY PATROL;

200 (4) THE DATA PROCESSING CENTER OF THE DE-
201 PARTMENT OF ADMINISTRATIVE SERVICES;

202 (5) THE DIVISION OF ADMINISTRATION OF JUSTICE
203 OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY
204 DEVELOPMENT;

205 (6) THE BUCKEYE STATE SHERIFFS ASSOCIATION;

206 (7) THE OHIO ASSOCIATION OF CHIEFS OF POLICE.

207 (B) THE COMMITTEE SHALL MEET BIMONTHLY AT
208 THE CALL OF THE COMMITTEE CHAIRMAN, OR UPON
209 WRITTEN REQUEST TO THE COMMITTEE CHAIRMAN BY
210 ANY THREE OF ITS MEMBERS, TO CARRY OUT ITS RE-
211 SPONSIBILITIES. FOUR MEMBERS OF THE COMMITTEE
212 CONSTITUTE A QUORUM FOR CONDUCTING ITS BUSINESS,
213 AND FOUR VOTES ARE REQUIRED TO VALIDATE AN
214 ACTION OF THE COMMITTEE.

215 Sec. 123.85. IN THE PERFORMANCE OF THEIR CRIM-
216 INAL JUSTICE FUNCTIONS AS PRESCRIBED BY THE RE-
217 VISED CODE, THE FOLLOWING AGENCIES ARE HEREBY
218 ASSIGNED OPERATIONAL AND MAINTENANCE RESPONSI-
219 BILITIES WITHIN THE OHIO CRIMINAL JUSTICE INFORMA-
220 TION SYSTEM AS INDICATED:

221 (A) BUREAU OF CRIMINAL IDENTIFICATION AND
222 INVESTIGATION — OFFENDER BASED TRANSACTION SYS-
223 TEM/COMPUTERIZED CRIMINAL HISTORY AND UNIFORM
224 CRIME REPORTING;

225 (B) THE DIVISION OF ADMINISTRATION OF JUSTICE
226 OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY

227 DEVELOPMENT — MANAGEMENT AND ADMINISTRATIVE
228 STATISTICS SYSTEM;

229 (C) STATE HIGHWAY PATROL — COMMUNICATION
230 SERVICES;

231 (D) THE DATA PROCESSING CENTER OF THE DE-
232 PARTMENT OF ADMINISTRATIVE SERVICES — COMPUTER
233 SERVICES;

234 (E) CRIMINAL JUSTICE AGENCIES — DIRECT ENTRY
235 AND ACCESS OF CRIMINAL HISTORY DATA AS PRESCRIBED
236 BY THE BOARD, OR ENTRY AND ACCESS OF CRIMINAL HIS-
237 TORY DATA VIA THE BUREAU OF CRIMINAL IDENTIFICA-
238 TION AND INVESTIGATION.

239 Sec. 123.86. (A) CRIMINAL HISTORY DATA SHALL BE
240 COLLECTED AND ENTERED IN THE OHIO CRIMINAL JUS-
241 TICE INFORMATION SYSTEM, EXCEPT AS LIMITED BY SEC-
242 TION 2151.313 OF THE REVISED CODE, FOR ALL ARRESTS
243 PERTAINING TO THE FOLLOWING CRIMINAL OFFENSES:

244 (1) ALL FELONIES;

245 (2) ALL NONTRAFFIC MISDEMEANORS INCLUDED IN
246 EITHER THE REVISED CODE OR LOCAL ORDINANCES, EX-
247 CEPT MINOR MISDEMEANORS THAT DO NOT INCLUDE PRO-
248 VISIONS FOR AN INCREASED PENALTY UPON CONVIC-
249 TION FOR A SUBSEQUENT OFFENSE;

250 (3) THE FOLLOWING MOTOR VEHICLE CRIMES:

251 (a) A VIOLATION OF SECTIONS 4549.02, 4509.021, OR
252 4549.03 OF THE REVISED CODE OR ANY SUBSTANTIALLY
253 SIMILAR LOCAL ORDINANCE;

254 (b) A VIOLATION OF SECTION 4511.19 OF THE RE-
255 VISED CODE, OR ANY SUBSTANTIALLY SIMILAR LOCAL
256 ORDINANCE;

257 (c) A VIOLATION OF ANY STATE STATUTE OR LOCAL
258 ORDINANCE, THE GIST OF WHICH IS A REGULATION OF OR
259 PROHIBITION AGAINST TRANSPORTING DANGEROUS MA-
260 TERIALS OF WHATEVER TYPE OR DESCRIPTION.

261 (4) ALL OFFENSES WHERE A JUVENILE IS TRIED
262 AS AN ADULT, UNLESS OTHERWISE ORDERED BY THE
263 COURT HAVING JURISDICTION OF THE CASE.

264 (B) SHERIFFS, CHIEFS OF POLICE OF CITIES, THE
265 SUPERINTENDENT OF THE STATE HIGHWAY PATROL,
266 CLERKS OF COURTS, AND THE PERSON IN CHARGE OF A
267 STATE CORRECTIONAL INSTITUTION SHALL FURNISH TO
268 THE BUREAU OF CRIMINAL IDENTIFICATION AND IN-
269 VESTIGATION AND THE OHIO CRIMINAL JUSTICE INFOR-
270 MATION SYSTEM ALL DATA DESCRIBED IN DIVISION (C)
271 TO (G) OF THIS SECTION FOR THE OFFENSES LISTED IN
272 DIVISION (A) OF THIS SECTION.

273 (C) SHERIFFS, CHIEFS OF POLICE OF CITIES, AND
274 THE SUPERINTENDENT OF THE STATE HIGHWAY PATROL
275 SHALL, IMMEDIATELY UPON THE ARREST OF ANY PER-
276 SON FOR OFFENSES LISTED IN DIVISION (A) OF THIS SEC-
277 TION, TAKE HIS FINGERPRINTS ACCORDING TO THE
278 FINGERPRINT SYSTEM OF IDENTIFICATION ON THE FORMS
279 FURNISHED BY THE SUPERINTENDENT OF THE BUREAU
280 AND FORWARD THEM WITH SUCH OTHER DESCRIPTION
281 AS MAY BE REQUIRED AND WITH THE HISTORY OF THE
282 OFFENSE COMMITTED, TO THE BUREAU TO BE CLASS-
283 IFIED, FILED, AND ENTERED INTO THE CRIMINAL JUSTICE
284 INFORMATION SYSTEM.

285 (D) EVERY SHERIFF AND CHIEF OF POLICE AND THE
286 SUPERINTENDENT OF THE STATE HIGHWAY PATROL

287 SHALL SUBMIT TO THE BUREAU UNIFORM CRIME RE-
288 PORTS DATA DESCRIBING THEIR ACTIVITIES IN CONNEC-
289 TION WITH LAW ENFORCEMENT. THE UNIFORM CRIME
290 REPORTS DATA SHALL CONFORM TO THE RULES AND
291 PROCEDURES SET FORTH BY THE BUREAU.

292 (E) EVERY CLERK OF A COURT OF RECORD SHALL
293 SEND TO THE BUREAU, ON A DAILY BASIS, INDIVIDUAL
294 REPORTS REFLECTING THE FINAL DISPOSITIONS IN
295 EVERY CASE INVOLVING OFFENSES LISTED IN DIVISION
296 (A) OF THIS SECTION. FORMS SUPPLIED BY THE BUREAU
297 SHALL BE INITIATED AT TIME OF ARREST BY THE LAW
298 ENFORCEMENT AGENCY AND TRANSMITTED TO THE
299 APPROPRIATE COURT WHERE THEY SHALL BE COM-
300 PLETED AND FORWARDED TO THE BUREAU.

301 (F) THE PERSON IN CHARGE OF ANY STATE CORREC-
302 TIONAL INSTITUTION AND THE PERSON IN CHARGE OF
303 ANY STATE INSTITUTION HAVING CUSTODY OF A PERSON
304 SUSPECTED OF HAVING COMMITTED ANY OF THE OF-
305 FENSES LISTED IN DIVISION (A) OF THIS SECTION SHALL
306 FURNISH INFORMATION MENTIONED IN DIVISION (G) OF
307 THIS SECTION TO THE SUPERINTENDENT OF THE BUREAU
308 UPON REQUEST.

309 (G) THE SUPERINTENDENT OF THE BUREAU SHALL
310 PROCURE AND FILE FOR RECORD PHOTOGRAPHS, PIC-
311 TURES, DESCRIPTIONS, FINGERPRINTS, MEASUREMENTS,
312 CRIMINAL HISTORY DATA, HABITUAL SEX OFFENDER
313 REGISTRATION, AND SUCH OTHER INFORMATION AS MAY
314 BE RECEIVED FROM LAW ENFORCEMENT OFFICIALS OF
315 THE STATE AND ITS SUBDIVISIONS. SUCH CRIMINAL HIS-
316 TORY DATA SHALL BE SUPPORTED BY FINGERPRINT

317 CARDS FOR EACH ARREST.

318 (H) INFORMATION SUBMITTED TO THE SUPERINTEN-
319 DENT OF THE BUREAU UNDER SECTIONS 123.81 TO 123.94
320 OF THE REVISED CODE ARE NOT PUBLIC RECORDS UNDER
321 SECTION 149.53 OF THE REVISED CODE, EXCEPT AS PRO-
322 VIDED IN SECTION 123.90 OF THE REVISED CODE.

323 (I) THE SUPERINTENDENT OF THE BUREAU SHALL
324 CORRELATE UNIFORM CRIME REPORTS DATA AND COM-
325 PILE AND SUBMIT TO THE GOVERNOR AND THE GENERAL
326 ASSEMBLY ANNUAL REPORTS BASED ON SUCH REPORTS.
327 COPY OF THESE ANNUAL REPORTS SHALL BE FURNISHED
328 TO LAW ENFORCEMENT AGENCIES IN THIS STATE.

329 (J) ALL STATISTICS REQUIRED AND COLLECTED AS
330 UNIFORM CRIME REPORTS DATA SHALL BE FURNISHED
331 WITH ALL OTHER STATISTICS REQUIRED TO THE FED-
332 ERAL BUREAU OF INVESTIGATION FOR ITS UNIFORM
333 CRIME REPORTING PROGRAM.

334 (K) THE BOARD SHALL PROVIDE, UNLESS OTHER-
335 WISE PROVIDED, THE TRAINING TO MANAGEMENT, SUPER-
336 VISORY, AND SUPPORT PERSONNEL, INCLUDING TERMI-
337 NAL OPERATORS OF LOCAL LAW ENFORCEMENT AGEN-
338 CIES, COURTS, AND STATE AND LOCAL CORRECTION
339 FACILITIES IN THE OPERATION AND USE OF THE OFFEN-
340 DER BASED TRANSACTION SYSTEM/COMPUTERIZED CRIM-
341 INAL HISTORY AND UNIFORM CRIME REPORTING FUNC-
342 TIONS OF THE CRIMINAL JUSTICE INFORMATION SYSTEM.

343 Sec. 123.87. (A) THE SUPERINTENDENT OF THE
344 BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGA-
345 TION SHALL COMPARE THE DESCRIPTIONS AND OTHER
346 INFORMATION RECEIVED UNDER SECTION 123.86 OF THE

347 REVISED CODE WITH THAT ON FILE AT THE BUREAU, AND
348 IF HE FINDS THAT THE PERSON ARRESTED HAS A CRIM-
349 INAL RECORD, OR IS A FUGITIVE FROM JUSTICE, OR IS
350 WANTED BY ANY JURISDICTION IN THIS OR ANY OTHER
351 STATE OR A FOREIGN COUNTRY FOR ANY OFFENSE, HE
352 SHALL IMMEDIATELY INFORM THE ARRESTING OFFICER
353 AND GIVE APPROPRIATE NOTICE TO THE PROPER AU-
354 THORITY IN THE JURISDICTION BY WHICH THE PERSON
355 IS WANTED, OR IF THE JURISDICTION IS A FOREIGN
356 COUNTRY, GIVE APPROPRIATE NOTICE TO FEDERAL AU-
357 THORITIES FOR TRANSMISSION TO THE FOREIGN COUN-
358 TRY. THE NAMES UNDER WHICH EACH PERSON WHOSE
359 IDENTIFICATION IS FILED IS KNOWN, SHALL BE INDEXED
360 BY THE SUPERINTENDENT. THE SUPERINTENDENT SHALL
361 ALSO VERIFY AND VALIDATE ALL CRIMINAL HISTORY
362 DATA ENTERED INTO THE CRIMINAL JUSTICE INFORMA-
363 TION SYSTEM FROM TERMINAL AGENCIES. VALIDATION
364 SHALL BE BASED UPON FINGERPRINTS.

365 (B) IF THE ACCUSED IS ACQUITTED, CHARGES ARE
366 DROPPED OR THE PROSECUTOR DECLINES PROSECUTION,
367 OR IF NO DISPOSITION IS RECEIVED WITHIN ONE HUN-
368 DRED EIGHTY DAYS AFTER THE RECEIPT BY THE
369 BUREAU, FINGERPRINTS SHALL BE RETURNED TO THE
370 SUBMITTING AGENCY AND ALL REFERENCE SHALL BE
371 STRICKEN FROM THE CRIMINAL JUSTICE INFORMATION
372 SYSTEM. THIS DIVISION DOES NOT APPLY TO A DISPOSI-
373 TION PENDING FURTHER ACTION.

374 (C) INFORMATION PERTAINING TO JUVENILE OFFEN-
375 DERS SHALL BE RETURNED TO THE SUBMITTING AGENCY,
376 EXCEPT INFORMATION PERTAINING TO THOSE JUVENILES

377 TRIED AS ADULTS, OR INFORMATION OTHERWISE DI-
378 RECTED TO BE KEPT BY THE COURT HAVING JURISDIC-
379 TION.

380 Sec. 123.88. (A) CRIMINAL HISTORY DATA SHALL BE
381 DISSEMINATED, WHETHER DIRECTLY OR THROUGH AN
382 INTERMEDIARY, TO CRIMINAL JUSTICE AGENCIES.

383 (B) THE OHIO CRIMINAL JUSTICE INFORMATION SYS-
384 TEM BOARD SHALL DETERMINE WHETHER EACH AGENCY
385 REQUESTING ACCESS TO CRIMINAL HISTORY DATA IS
386 AUTHORIZED SUCH ACCESS UNDER SECTIONS 123.81 TO
387 123.94 OF THE REVISED CODE. THE BOARD SHALL MAKE
388 A FINDING IN WRITING OF EACH REQUESTING AGENCY'S
389 ELIGIBILITY FOR SUCH ACCESS.

390 (C) EACH AGENCY HOLDING OR RECEIVING CRIMI-
391 NAL HISTORY DATA SHALL MAINTAIN, FOR SUCH PERIOD
392 AS IS FOUND BY THE BOARD TO BE APPROPRIATE, A
393 LISTING OF THE AGENCIES TO WHICH IT HAS RELEASED
394 OR COMMUNICATED SUCH DATA. SUCH LISTINGS, OR
395 REASONABLE SAMPLES THEREOF, MAY FROM TIME TO
396 TIME BE REVIEWED BY THE BOARD, SECURITY AND
397 PRIVACY COMMITTEE, OR ANY OF THEIR STAFF MEMBERS
398 TO DETERMINE WHETHER SECTIONS 123.81 TO 123.94 OF
399 THE REVISED CODE OR ANY APPLICABLE REGULATIONS
400 HAVE BEEN VIOLATED.

401 (D) THE BOARD SHALL PERMIT DISSEMINATION OF
402 CRIMINAL HISTORY DATA FROM ANY AGENCY IN THIS
403 STATE ONLY IF THE INQUIRY IS BASED UPON NAME,
404 FINGERPRINTS OR OTHER PERSONAL IDENTIFYING
405 CODES.

406 Sec. 123.89. (A) THE OHIO CRIMINAL JUSTICE INFOR-

407 MATION SYSTEM BOARD SHALL ADOPT REGULATIONS TO
408 ASSURE THE SECURITY OF CRIMINAL HISTORY DATA
409 FROM UNAUTHORIZED ACCESS AND DISCLOSURES AT ALL
410 LEVELS OF OPERATION IN THIS STATE.

411 (B) THE BOARD SHALL INITIATE AND MAINTAIN FOR
412 EMPLOYEES OF ALL AGENCIES THAT MAINTAIN, RECEIVE,
413 OR ARE ELIGIBLE TO MAINTAIN OR RECEIVE CRIMINAL
414 HISTORY DATA A CONTINUING EDUCATIONAL PROGRAM
415 IN THE PROPER USE AND CONTROL OF SUCH INFORMA-
416 TION.

417 (C) ANY VIOLATION OF REGULATIONS ADOPTED UN-
418 DER DIVISION (A) OF THIS SECTION SHALL BE BROUGHT
419 TO THE IMMEDIATE ATTENTION OF THE BOARD, WHICH
420 SHALL TAKE APPROPRIATE ACTION, INCLUDING BUT NOT
421 LIMITED TO DISCONTINUING SERVICE TO THE AGENCY
422 IN VIOLATION, TO ENFORCE COMPLIANCE WITH THE
423 REGULATIONS.

424 Sec. 123.90. (A) ANY PERSON MAY INSPECT COM-
425 PUTERIZED CRIMINAL HISTORY DATA THAT REFERS TO
426 HIM AND IS LOCATED WITHIN THIS STATE. CRIMINAL
427 JUSTICE AGENCIES, AT WHICH APPLICATION TO REVIEW
428 CRIMINAL HISTORY DATA SHALL BE MADE, MAY PRE-
429 SCRIBE REASONABLE HOURS AND PLACES OF INSPECTION,
430 AND SHALL REQUIRE FINGERPRINTING AND SUCH ADDI-
431 TIONAL RESTRICTIONS, INCLUDING A FEE NOT TO EX-
432 CEED TEN DOLLARS, AS ARE REASONABLY NECESSARY
433 BOTH TO ASSURE THE RECORD'S SECURITY AND TO
434 VERIFY THE IDENTITIES OF THOSE WHO SEEK TO INSPECT
435 THEM. THE FEE SHALL BE CREDITED TO THE GENERAL
436 FUND OF THE AGENCY ORIGINATING THE REQUEST.

437 (B) IF THE PERSON BELIEVES HIS CRIMINAL HIS-
438 TORY DATA TO BE INACCURATE OR INCOMPLETE, HE
439 MAY REQUEST THE AGENCY ORIGINATING THE DATA TO
440 DELETE, MODIFY, OR CHANGE THE RECORD. SHOULD THE
441 AGENCY DECLINE TO SO ACT, OR SHOULD THE PERSON
442 BELIEVE THE AGENCY'S DECISION TO BE OTHERWISE
443 UNSATISFACTORY, THE PERSON MAY REQUEST THE
444 AGENCY IN WRITING TO ADD A CHALLENGE TO HIS
445 CRIMINAL HISTORY DATA. THAT THIS DATA IS CHAL-
446 LENGED SHALL BE DISSEMINATED AS PART OF THE
447 CRIMINAL HISTORY DATA UNTIL THE CHALLENGE IS
448 RESOLVED.

449 Sec. 123.91. (A) THE OHIO CRIMINAL JUSTICE INFOR-
450 MATION SYSTEM BOARD SHALL ADOPT RULES TO GOVERN
451 THE USE IN THIS STATE OF CRIMINAL HISTORY DATA
452 FOR PURPOSES OF PROGRAMS OF RESEARCH. THE RULES
453 SHALL REQUIRE PRESERVATION OF THE ANONYMITY OF
454 THE PERSON TO WHOM THE DATA RELATES, SHALL RE-
455 QUIRE THE COMPLETION OF NONDISCLOSURE AGREE-
456 MENTS BY ALL PARTICIPANTS IN SUCH PROGRAMS, AND
457 SHALL IMPOSE ADDITIONAL NECESSARY REQUIREMENTS
458 AND CONDITIONS TO ASSURE SECURITY AND THE PRO-
459 TECTION OF PRIVACY.

460 (B) THE BOARD MAY MONITOR ANY SUCH PROGRAMS
461 TO ASSURE SATISFACTION BOTH OF THE REQUIREMENTS
462 OF SECTIONS 123.81 TO 123.94 OF THE REVISED CODE AND
463 OF ANY APPLICABLE RULES. THE BOARD MAY, IF IT
464 DETERMINES EITHER THAT SUCH REQUIREMENTS HAVE
465 NOT BEEN SATISFIED OR THAT A PROGRAM'S CONTINU-
466 ANCE OTHERWISE THREATENS PRIVACY OR SECURITY

467 INTERESTS, PROHIBIT ACCESS ON BEHALF OF ANY SUCH
468 PROGRAM TO CRIMINAL HISTORY DATA.

469 (C) ANY CRIMINAL JUSTICE AGENCY MAY REQUEST
470 THE BOARD TO EVALUATE ANY PROPOSED PROGRAM OF
471 RESEARCH AND TO OFFER RECOMMENDATIONS CONCERN-
472 ING ITS CONSISTENCY WITH THE PURPOSES AND REQUIRE-
473 MENTS OF SECTIONS 123.81 TO 123.94 OF THE REVISED
474 CODE.

475 Sec. 123.92. (A) THE OHIO CRIMINAL JUSTICE SYS-
476 TEM INFORMATION BOARD SHALL MONITOR AND REGU-
477 LATE, IN CONFORMANCE WITH REGULATIONS OF THE
478 NATIONAL CRIME INFORMATION CENTER, ESTABLISHED
479 PURSUANT TO THE ACT OF AUGUST 31, 1964, 78 STAT. 717,
480 28 U.S.C.A., 534, THE PARTICIPATION BY ALL CRIMINAL
481 JUSTICE AGENCIES IN ANY INTERSTATE SYSTEM FOR
482 THE EXCHANGE OF CRIMINAL HISTORY DATA FROM THE
483 OHIO CRIMINAL JUSTICE INFORMATION SYSTEM, AND
484 SHALL ASSURE THE CONSISTENCY OF SUCH PARTICIPA-
485 TION WITH THE TERMS AND PURPOSES OF SECTIONS 123.81
486 TO 123.94 OF THE REVISED CODE. THE BOARD SHALL NOT
487 COMPEL ANY AGENCY TO PARTICIPATE IN ANY INTER-
488 STATE SYSTEM.

489 (B) DIRECT ACCESS TO ANY INTERSTATE SYSTEM
490 SHALL BE LIMITED TO CRIMINAL JUSTICE AGENCIES EX-
491 PRESSLY DESIGNATED FOR THAT PURPOSE BY THE
492 BOARD. WHERE ANY SUCH SYSTEM EMPLOYS TELECOM-
493 MUNICATIONS ACCESS TERMINATES, THE BOARD SHALL
494 LIMIT THE NUMBER AND PLACEMENT OF SUCH TERMI-
495 NALS TO THOSE FOR WHICH ADEQUATE SECURITY MEA-
496 SURES EXIST AND AS TO WHICH THE BOARD MAY IMPOSE

497 APPROPRIATE SUPERVISORY REGULATIONS.

498 Sec. 123.93. WHOEVER VIOLATES SECTIONS 123.81 TO
499 123.94 OF THE REVISED CODE SHALL BE LIABLE TO ANY
500 PERSON INJURED BY THE VIOLATION FOR ACTUAL DAM-
501 AGES AND FOR EXEMPLARY DAMAGES OF NOT LESS THAN
502 ONE HUNDRED NOR MORE THAN ONE THOUSAND DOL-
503 LARS FOR EACH SUCH VIOLATION, TOGETHER WITH COSTS
504 AND REASONABLE ATTORNEYS' FEES INCURRED BY THE
505 PERSON INJURED, AND THE VIOLATOR MAY NOT CLAIM
506 ANY PRIVILEGE AS A DEFENSE.

507 Sec. 123.94. IN CASE OF CONFLICT BETWEEN SEC-
508 TIONS 123.81 TO 123.94 OF THE REVISED CODE OR REGULA-
509 TIONS ADOPTED THEREUNDER WITH OTHER STATUTES
510 THAT REGULATE, CONTROL OR OTHERWISE RELATE,
511 DIRECTLY OR BY IMPLICATION, TO THE COLLECTION,
512 STORAGE, DISSEMINATION OR USE OF CRIMINAL HISTORY
513 DATA, SECTIONS 123.81 TO 123.94 OF THE REVISED CODE OR
514 REGULATIONS ADOPTED THEREUNDER PREVAIL.

APPENDIX F

LOCAL LEVEL INDIVIDUAL ACCESS
AND REVIEW POLICY

GENERAL ORDER

SUBJECT: Police Records Release Policy

This order supersedes all previous General Orders, Memoranda, old Manual of Procedure, and any procedure developed through unofficial sources, regardless of origin, pertaining to Police Records Release Policy.

In order that the department fulfill its responsibilities with respect to the collection, preservation, and release or review of records, and so as to implement and protect constitutional guarantees of privacy, the following policy is adopted.

I. Adults

- A. Unless provided for in this order, NO departmental records of fingerprints, photographs, or previous criminal or traffic activity are to be released or reviewed by ANYONE other than sworn members of THIS department.
- B. Release or review of records can only be accomplished as authorized below:
 - 1. AN INDIVIDUAL, WHO PERSONALLY APPEARS at the Information Counter, properly identifies himself, and signs a Records Review Request form, may REVIEW his own personal record. He may make notes of its contents, but may NOT remove the record from the Information Counter or purchase copies of it. The record is to remain in the custody of the Department of Police.
 - 2. PERSONS WHO SUBMIT WRITTEN REQUESTS OR WAIVERS by mail, seeking release of their records are to be advised that such requests or waivers cannot be honored. These persons are to be advised by mailing them a 3" x 5" card entitled DAYTON POLICE DEPARTMENT'S RECORDS POLICY. This card is available at the Information Counter.
 - 3. PURSUANT TO A REQUEST FROM A PUBLIC LAW ENFORCEMENT AGENCY, (e.g. Police Departments, Ohio State Patrol, F.B.I., Corrections or Courts Agencies) for purposes of prosecution, building a criminal case leading to a prosecution, or conducting an investigation for probation consideration.
 - 4. Governmental and law enforcement agencies seeking records checks of persons they are considering for employment, IN THE ABSENCE OF A NOTARIZED WAIVER FROM THE PERSON BEING INVESTIGATED are to receive ONLY records of CONVICTIONS and NOT records of arrests where NO CONVICTION was obtained. For purposes of this policy, bail forfeitures are to be considered as convictions.

Records of arrests which have no disposition are to be released ONLY to public agencies such as those listed in Paragraph B-3 above, and THEN ONLY for those reason listed in B-3.
 - 5. EXCEPTIONS TO PARAGRAPHS B-1, 2, 3, and 4, are where the release of records is required by LAW. (e.g. Visa, Passports, Immigration, Prison Visits, Used Car Salesmen, etc.). In these cases the Release WAIVER OR REQUEST must be NOTARIZED.

If records section personnel receive a request that appears to fall within this exception clause, but not specifically mentioned herein, they are to obtain clearance from the Supervisor of the Records Section prior to honoring the request.
- C. Members of THIS department, as well as members of ANY law enforcement agency, as described in paragraph B-3, who receive departmental records as described in this order, ARE NOT TO PASS them on to persons NOT AUTHORIZED to receive them under the provisions of this order.

D. In those instances where persons appear at the Information Counter with a request to review their personal record of arrests and convictions, the Information Counter personnel are to respond as follows:

1. CAREFULLY check the identification offered to ascertain that it matches the person presenting it.
2. Produce the Records Review Request form for that person's signature, and sign as a witness to the signature.
3. EXPLAIN to the individual that the record MUST be reviewed at the Information Counter, and no part of it may be removed or copies purchased.

Counter personnel are NOT TO VERIFY, in any way, ANY INFORMATION the person may elect to copy from this record.

4. After the individual has reviewed the record it is to be returned to the jacket (felony records) or the envelope (misdemeanor/traffic records), and the signed and witnessed Records Review Request form is to be placed in the jacket or envelope with the record.

E. EXCEPT WHERE VALID LAW ENFORCEMENT PURPOSES DICTATE TO THE CONTRARY, NO PICTURES OF SUBJECTS ARE TO BE RELEASED TO THE NEWS MEDIA. This is to include arrested persons, police officers or applicants, taxi drivers or applicants, or any other persons whose pictures may be in departmental files.

DIVISION COMMANDERS may make exceptions to this rule when they feel a compelling need to do so, but in each instance where exception is made, the Commander making it is to cause a report to be forwarded to the Director of Police explaining the action and the reason such action was deemed necessary.

II. Juveniles

Juvenile police records are NOT for public use and are to be released only to police, Courts, and Corrections agencies as defined in Section I, paragraph B-3 of this order.

III. Requests by Telephone from Police, Courts, and Corrections Agencies

A. Police, Courts, or Corrections personnel, as described in Section I, Paragraph B-3 of this order, who request records by telephone are to be required to identify themselves by NAME, AGENCY, PURPOSE FOR THE CHECK, AND THE TELEPHONE NUMBER OF THEIR AGENCY.

Records personnel, taking the call, are to advise such agency they will be called back with the information after the check has been made. The "call back" is to be to the telephone number of the agency requesting the information and to NO OTHER PHONE NUMBER.

B. Records personnel, taking this type call, are to check for the record requested and if the subject has a record they are to do as follows:

1. Execute a Records Review Request form and print the words "Requested by Telephone" on the agency signature line, and the phone number which was left for the "call back." Fill in specific purpose the information was requested. Make the "call back to the agency of the requesting officer, and give the information to HIM.
2. Upon completion of the call the Records Review Request form is to be placed in the felony jacket, or misdemeanor/traffic envelope along with the record and returned to file. The Records Section employee making this call is to sign the form on the witness line to show WHO executed the form and made the "call back."
3. If the subject checked has no record with this department, the "call back" is to be made anyhow, but execution of a Records Review Request form will not be necessary.

IV. Requesting Authority's Certification of Necessity and Purpose:
Indemnification

Any person or interests authorized by these rules to receive arrest and conviction records shall be furnished such records upon application, IN WRITING, accompanied by the following certification signed by the following; certification signed by the requesting authority or executed in the manner described under Section III, paragraphs B-3, 2, & 3 of this order. CITY OF DAYTON POLICE OFFICERS ARE TO BE EXEMPT FROM THE ABOVE PROVISIONS OF THIS ORDER.

RECORDS REVIEW REQUEST FORM

The undersigned wishes to examine the record of:

PRINT: Last Name First Middle

_____. "I certify that the information applied for is necessary in the
AGE/SEX/RACE
interest of the due administration of the law, and not for the purposes of
assisting any persons or any private or government interests to use such infor-
mation for their own benefit or in harassing, degrading or humiliating any per-
son; nor shall the information be used by non-governmental agencies for employ-
ment or related purposes. The specific purpose for which the information is
requested is _____. The
information released shall be used for that purpose only and the requesting
authority hereby indemnified the Department for any liability arising out of the
improper use of that information.

Signature of Agency Representative

Signature Witnessed by
(Person witnessing signature signs
here).

(Issued 5-73)

V. Responses to Requests for Records Made by Unauthorized Persons or for
Unauthorized Purposes

In responding to a request for records made by a person or interest which is not authorized to receive them or to a request for records made for an unauthorized purpose, the following response is to be made:

"The arrest and conviction records of the Dayton Police Department are not public records and, therefore, are not open to public inspection. As a matter of department policy, dissemination of such records is limited almost exclusively to law enforcement agencies and criminal justice personnel. The purpose of this policy is to protect the privacy of citizens. Accordingly, the department has not conducted a search of its records for information relating to your request."

When a request to check records has to be executed by mail, County Personnel are to mail the above statement to the requesting person, agency or interest. This statement has been provided on 4" x 5" cards for this purpose and a supply is available at the Information Center.

It is hoped that this posture with regards to records will protect citizen's rights and, at the same time, protect our own law enforcement needs to maintain records on persons not convicted of a crime but who have been arrested.

J. W. O'Connor

DIRECTOR OF POLICE

GWO'C/lph

APPENDIX G

CJIS STEERING COMMITTEE ROSTER

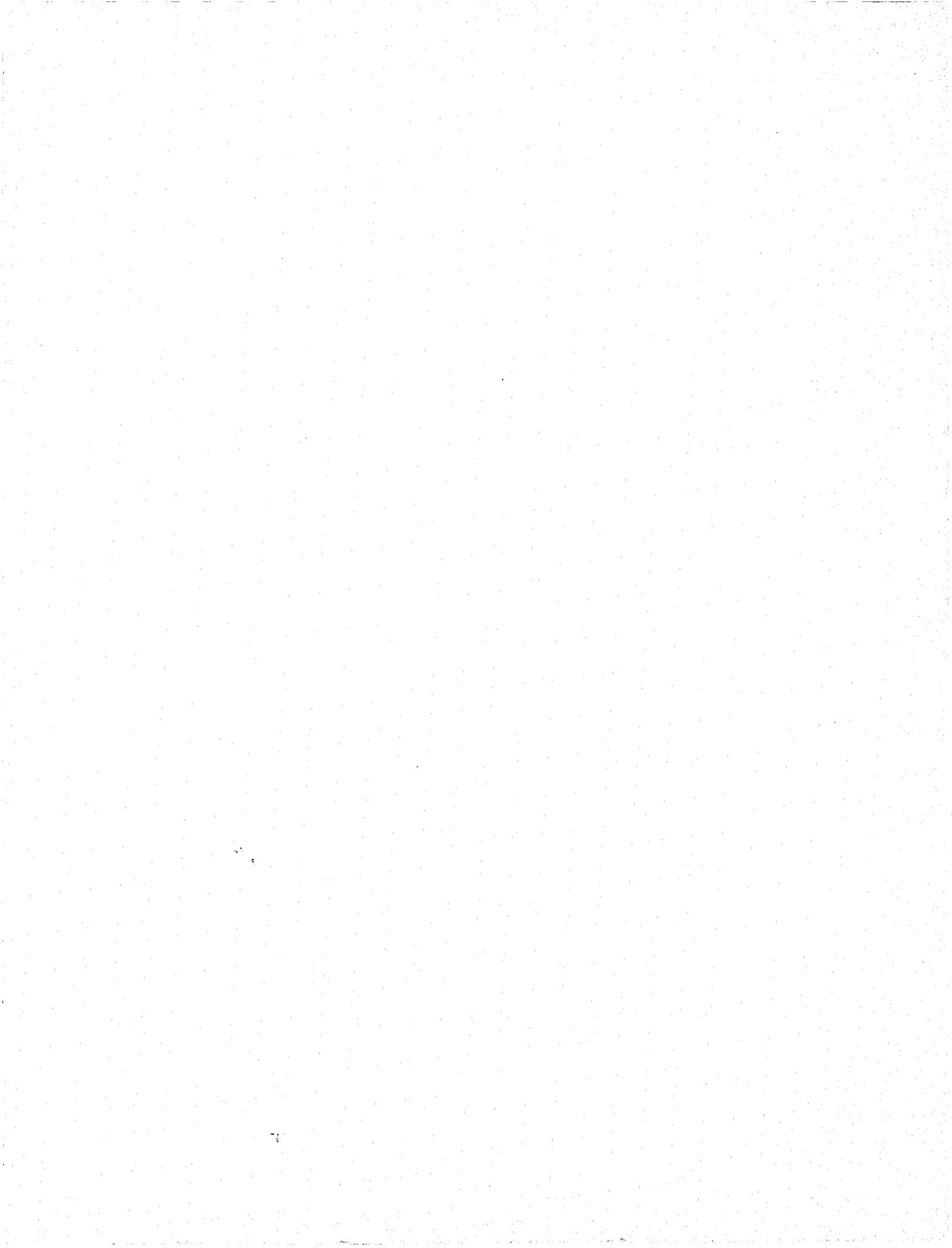
CJIS STEERING COMMITTEE ROSTER

<u>Name</u>	<u>Representing</u>
* Herman Slonecker	Attorney General (BCI&I)
** Charles Oldham	Attorney General (BCI&I)
* Fred Drenkhan	Cuyahoga County Planning Unit
** Fred S. Szabo C.J. Coordinating Council of Greater Cleveland	Cuyahoga County Planning Unit
* Dwight Radcliff, Sheriff	Buckeye State Sheriff's Association
* P.K. Gramkow, Chief	Ohio Association of Chiefs of Police
* Earl O. Smith Ohio Association of Chief's of Police	Columbus/Franklin Co. C.J. Coordinating Council
* Coit Gilbert	Supreme Court of Ohio
** Doug Somerlot	Supreme Court of Ohio
* Major G.T. Gentry	Dept. of Highway Safety (OSHP)
** Lt. R.D. Fleming	Dept. of Highway Safety (OSHP)
* Jerry Hammett State Data Center	Administrative Services
** Gene Potter State Data Center	Administrative Services

* John Canney	Dept. of Rehabilitation and Correction
** John R. Beach	Dept. of Rehabilitation and Correction
* Dale Little Columbus Police Dept.	Columbus/Franklin Co. RPU
* William R. Bracke, Lt. Col. Cincinnati Police Dept.	Cincinnati/Hamilton County C.J. Planning Unit
** Sgt. Tom Brockman Cincinnati Police Dept.	Cincinnati/Hamilton County C.J. Planning Unit
* Wayne Vetter, Service Director Summit County Auditor's Office	Akron/Summit Co. RPU
** Don McHugh	Akron/Summit Co. RPU
* Clyde Givens, Director NORIS	Toledo/Lucas County RPU
* Don Tobias, Major Dayton Police Dept.	Dayton/Montgomery County RPU
* Bennett J. Cooper Deputy Director	Administration of Justice
* J.R. Wogaman Chairman, CJIS Steering Committee	Administration of Justice
** Al Brockhurst	Cuyahoga County Planning Unit

* Member

** Alternate



END