

**ILLINOIS STATE POLICE DIRECTIVE
OPS-023, CRIMINAL HISTORY AND UNIFORM CRIME REPORTING INFORMATION
DISSEMINATION**

RESCINDS: OPS-023, 2016-011, revised 02-17-2016.	REVISED: 03-10-2022 2022-128
RELATED DOCUMENTS: ADM-102	RELATED CALEA STANDARDS (6th Edition): 40.2.3, 42.1.3, 42.2.2, 42.2.3, 43.1.1, 43.1.2, 81.2.12, 82.1.1, 82.1.3, 82.1.4, 82.3.2, 82.3.3, 82.3.6

I. POLICY

The Illinois State Police (ISP) will:

- I.A. Disclose Criminal History Record Information (CHRI) and Illinois Uniform Crime Reporting (I-UCR) Program data to authorized personnel only as defined in Illinois Compiled Statutes, authorized pursuant to the Department of Justice, Code of Federal Regulations, or as authorized by the Freedom of Information Act (FOIA) in response to requests submitted pursuant to the act.
- I.B. Upon official release of the annual *Crime in Illinois* publication, make the publication and supporting agency-level I-UCR data publicly available on the Department's website.
- I.C. Provide procedures for requesting and disseminating CHRI and I-UCR data.

II. AUTHORITY

- II.A. 20 ILCS 2630/0.01, et seq. - "Criminal Identification Act"
- II.B. 20 ILCS 2635/1, et seq. – "Illinois Uniform Conviction Information Act"
- II.C. Title 42, United States Code (USC), Section 3789g - "Confidentiality of Information"
- II.D. 28 C.F.R. part 20 et seq. (1975) - "Criminal Justice Information Systems"
- II.E. 5 ILCS 140/1.1, et seq. - "Freedom of Information Act"

III. DEFINITIONS

- III.A. CHRI - data relevant to an individual's criminal activity and consisting of:
 - III.A.1. Descriptions or notations of arrests
 - III.A.2. Descriptions or notations of criminal charges (including criminal violations of local ordinances) and the nature of any disposition arising therefrom, including:
 - III.A.2.a. Court or correctional supervision
 - III.A.2.b. Rehabilitation
 - III.A.2.c. Release
 - III.A.2.d. Sentencing
 - III.A.3. Detentions
 - III.A.4. Indictments
 - III.A.5. Information
 - III.A.6. Pretrial proceedings
 - III.A.7. Trials or other formal events in the criminal justice system

NOTE: The term does not apply to statistical records and reports in which individuals are not identified and from which their identities are not ascertainable or to information that is for criminal investigative or intelligence purposes.

III.B. I-UCR Program

III.B.1. I-UCR is the reporting system that collects:

III.B.1.a. Index Crime arrest totals

III.B.1.b. Index Crime offense totals

III.B.1.c. Drug arrest totals

III.B.1.d. Selected detailed data concerning:

III.B.1.d.1) School Incidents

III.B.1.d.2) Domestic Offenses

III.B.1.d.3) Supplemental Homicide Reporting

III.B.1.d.4) Police Related/Custodial Deaths

III.B.1.d.5) Law Enforcement Employees

III.B.2. These statistics provide information on the nature and extent of crime for research and planning for criminal justice agencies, the academic community, and the general citizenry of Illinois.

III.C. Secondary Dissemination - the release or transmission of CHRI by an agency, other than the state central repository, to another agency or individual.

IV. RESPONSIBILITY

Each department employee is responsible, within the scope of their assigned duties, to prevent unauthorized disclosure or dissemination of CHRI and I-UCR data.

V. PROCEDURES

V.A. CHRI

V.A.1. The Bureau of Identification (BOI), Division of Justice Services (DJS) is the state central repository of criminal history records and is responsible for the collection, maintenance, and dissemination of the information contained therein.

V.A.2. The BOI will:

V.A.2.a. Disseminate CHRI only to those agencies authorized by statute to receive such information.

V.A.2.b. Log CHRI disseminations. In the event the record is in error or is the subject of a court order to expunge, the BOI will provide required notification to all agencies listed as receiving the record.

V.A.2.c. Disseminate CHRI to an individual under the rules governing the Right of Access and Review.

V.A.2.d. Disseminate conviction CHRI under the rules governing the access to uniform conviction information.

V.A.2.e. Disseminate appropriate CHRI in response to FOIA requests.

V.A.3. All other department entities will:

V.A.3.a. Encourage requesters of CHRI information from outside of the Department to contact the BOI to ensure they receive the most complete and accurate information possible.

V.A.3.b. Forward requests received for CHRI from another agency to the BOI.

V.A.3.c. Disseminate CHRI to authorized agencies or individuals if the circumstances warrant such release. Under no circumstances will department entities other than

BOI disseminate CHRI for non-criminal justice purposes. Circumstances that may warrant secondary dissemination include:

- V.A.3.c.1) Investigators involved in multi-agency investigations
 - V.A.3.c.2) Investigators performing background investigations for another agency
 - V.A.3.c.3) Services provided to other agencies pursuant to contractual or other agreements
 - V.A.3.c.4) A proper FOIA request
- V.A.3.d. Maintain dissemination logs for every instance of secondary dissemination. The dissemination log will include the following:
- V.A.3.d.1) Name of requesting agency having access to CHRI
 - V.A.3.d.2) Name of individual receiving CHRI (i.e., the person representing the authorized agency)
 - V.A.3.d.3) The authority of the requester
 - V.A.3.d.4) The purpose of the request
 - V.A.3.d.5) The identity of the individual to whom CHRI relates
 - V.A.3.d.6) The date of dissemination.

NOTE: State and federal law requires the dissemination log to be retained for a period of three years.

- V.A.4. In addition to processing authorized requests for inquiries, ISP Telecommunicators are authorized to initiate CHRI inquiries when they suspect a criminal history record exists. Situations that may warrant telecommunicator-initiated CHRI inquiries include:
- V.A.4.a. Data indicating prior criminal arrest information
 - V.A.4.b. Field notification hits believed to be valid
 - V.A.4.c. Officer request for CHRI
 - V.A.4.d. Prerequisite inquiries on Law Enforcement Agencies Data System (LEADS) Computerized Hot Files (CHF) wanted/missing person entries
 - V.A.4.e. Prisoners
 - V.A.4.f. Pursuit of suspects
 - V.A.4.g. Suspects in criminal acts broadcasts
 - V.A.4.h. Suspended or revoked drivers
 - V.A.4.i. Violent Crime Information Tracking and Linking (VITAL) related request
 - V.A.4.j. Wanted person hits that are believed to be valid by the telecommunicator
 - V.A.4.k. Situations not identified above in which the presence of criminal history information is possible (i.e., a suspicious vehicle near prior criminal activity, an individual possessing false, multiple IDs or no ID, or any other subject who arouses suspicion of criminal activity or background that may affect officer safety).

V.B. I-UCR

- V.B.1. All requests for statistical information from the I-UCR database will be submitted to the I-UCR Program Manager.
- V.B.2. Statistical information obtained from the current year I-UCR files will not be disseminated outside of the Department, except to the agency reporting the data, without authorization from the Deputy Director of DJS.
- V.B.3. After the official release of the *Crime in Illinois* publication, the previous year's published data may be disseminated to the public without restriction; however, unpublished data may only be disseminated as authorized by the FOIA.

VI. RULES AND REGULATIONS

- VI.A. All employees will treat department business as confidential.

- VI.B. No employee will confirm the existence or non-existence of any intelligence, investigative, criminal, or any other department record or information to any person or agency not specifically authorized to receive such information.
- VI.C. Employees will not knowingly communicate in any manner, directly or indirectly, any information in possession of the Department that might assist persons guilty or suspected of criminal acts to escape detection, arrest, prosecution, or punishment, or that may enable them to dispose of or to conceal evidence of unlawful activity or money, merchandise, or other property unlawfully obtained.
- VI.D. Employees will not interfere with or interrupt any investigatory or legal process, nor without authorization, discuss the content of any on-going investigation other than as may be required in the performance of their official duties.
- VI.E. Within the scope of their employment, employees receiving or possessing facts or information relative to a real or alleged criminal offense will not withhold such facts or information, but will immediately report the facts or information to appropriate supervisory or command personnel.
- VI.F. Except on written authorization from the Director to support covert operations and to protect witnesses, no employee will:
 - VI.F.1. Make false, inaccurate, or deliberately misleading official reports.
 - VI.F.2. Knowingly enter, or cause to be entered in any department book, record, or report, any inaccurate, false, or deliberately misleading information.

| Indicates new or revised items.

-End of Directive-