

 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE Maintaining Logs- Dissemination of Criminal History Record Information		NO. 2009
			DATE 05/26/2015
SUPERSEDES DIR# 2009 Dtd. 10/11/2013	DISTRIBUTION A	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directives #0401 & #2010; Federal Regulations; Title 7 NYCRR, Part 8 and Section 5.16	APPROVING AUTHORITY 		

- I. **PURPOSE:** To establish procedures for maintaining logs on the dissemination of criminal history record information and recording requests for the Division of Criminal Justice Services (DCJS) Summary Case History (“rap” sheet).
- II. **DEFINITION:** Criminal history record information consists of identifiable descriptions and notations of arrests, indictments, or other formal criminal charges, and any dispositions arising therefrom.
- III. **BACKGROUND:** Federal Regulations and Section 5.16 of Title 7 NYCRR require that the Department maintain logs which show each time externally generated (non-Departmental)* criminal history record information on an inmate or former inmate is disseminated outside the Department. Each unit of the Department which disseminates such information is responsible for maintaining its own log.

The Federal Regulations require that this log contain, at a minimum, the date of dissemination and the name of the person and/or agency to whom the information was disseminated. The name of the record subject (inmate or former inmate) and a brief description of the information disseminated should also be included.

The Regulations require also that if data that was disseminated is later found to be incorrect, the corrected data must be sent to all persons and agencies who had received the incorrect data. The dissemination of this corrected data must also be noted on the log.

*Note: Federal Regulations do not prohibit the Department from disclosing to the public criminal history record information related to an offense for which an individual inmate is currently incarcerated or from confirming prior criminal history information upon specific inquiry. In addition, Federal Regulations do not apply to Department generated inmate record information which may be disclosed to the news media and the public pursuant to Part 8 of Title 7 NYCRR (see also Directive #0401, “Release of Information to the News Media”).

IV. **FORM #1078, “DISSEMINATION LOG - CRIMINAL HISTORY INFORMATION”**

Any person disseminating criminal history record information shall complete the log entries by entering the following on [Form #1078](#), “Dissemination Log - Criminal History Information:”

- Name and location of office disseminating the information
- Date of dissemination
- Subject of record (inmate’s name), if feasible
- NYSID number of record subject, if feasible
- Description of material and/or information disseminated, if feasible

- Name of requester
- Name of agency requesting the information

If the information being disseminated is a correction of previously disseminated information, re-enter the information listed above and enter a “✓” in the last column of [Form #1078](#).

- V. REQUESTS FOR NYS RAP SHEETS:** DCJS Summary Case History forms (“rap” sheets) shall only be requested and printed for the purposes of official Departmental business. All requests by facility personnel for “rap” sheets must be processed through the facility Inmate Records Coordinator (IRC). Facility IRCs shall request “rap” sheets via e-form from a designated reception center. A request for a copy of a “rap” sheet from any other person should be referred to DCJS. A “rap” sheet should not be distributed to or shared with any party except for the purposes of official Departmental business.