

IOWA DIVISION OF CRIMINAL INVESTIGATION

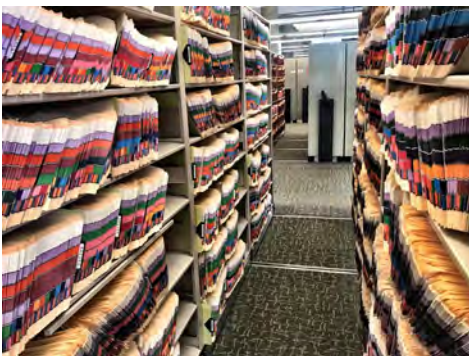
RECORDS AND IDENTIFICATION UNIT

Volume 1 / Issue 2.1

IN THIS ISSUE

- [New Final Disposition Report \(green sheets\)](#)
- [Corrections / Modifications](#)
- [Iowa Code 690.2](#)
- [Unintended Consequences of Cite and Release](#)
- [Training](#)
- [What is a compliance review?](#)

April 15, 2021



OVERVIEW OF RECORDS AND IDENTIFICATION UNIT

The Records and Identification Unit is the central criminal history repository for all Iowa criminal history records. The Records Team maintains the information and the integrity of the criminal history record while also educating law enforcement agencies throughout the State on the importance of fingerprints and criminal history records as a whole. The data maintained by the Records Team is always based on fingerprints and on the data that is provided at the time of booking/fingerprinting.

Criminal justice agencies utilize these records to assess potential danger for themselves and the public. Inaccurate and incomplete data could result in injury or making a decision that could have a negative result. Members of the public utilize this information in hiring employees, volunteers, others who have access to children/vulnerable populations, and for positions of authority and trust. Homeland Security utilizes this information as well in making decisions concerning national security. The accuracy, completeness, and timeliness has never been as important as it is now.

Who is the Records and Identification Unit?

The Records and Identification Team consists of a Supervisor, Criminal History Records Specialists, and Criminal History Auditors.

The Criminal History Records Specialists are in charge of the overall maintenance of Iowa criminal history records. They are responsible for making sure Iowa criminal histories are accurate, complete, and for preserving the integrity of those records by modifying, verifying, and analyzing criminal history data using various databases.

The Criminal History Auditors are the Team Members out on the front lines working with the law enforcement agencies. These positions are split into the Western Region, Central Region, and Eastern Region with each having thirty-three counties they are responsible for. The Auditors are the point of contact for all law enforcement agencies in their designated counties and are responsible for training/educating all law enforcement agencies on the importance of fingerprint and the importance of criminal history records as a whole. The Criminal History Auditor is also designated to verify compliance with the Code of Iowa, Chapter's 690, 692, and 232, by criminal justice agencies throughout the State pursuant to the Code of Iowa, Chapter 692.13.

New electronic final disposition report (green sheet)

The Records and Identification Unit will no longer be providing hard copies of the final disposition reports as a new electronic template has been created. The new electronic template will be implemented effective April 2021. Along with this new electronic template, each agency needing final disposition reports and tracking numbers will receive a list/range of tracking numbers assigned to them. It will be up to the agency to find an area in their department to keep track of these tracking numbers that have been assigned. Another agency, already utilizing this new form, has imported all the tracking numbers assigned to them into an excel spreadsheet to easily and efficiently keep track of the offender that is given a tracking number upon fingerprints being taken and submitted.

Reminder: a final disposition report should never be filled out and filed with the court pursuant to Iowa Code Chapter 692.15(3) until fingerprints have been taken and submitted to the Department of Public Safety.

This new process has been implemented in an effort to become more electronic at the central repository along with becoming more electronic at the court level. Also, this affects those agencies ink-rolling only as livescan agencies should not be filling out manual final disposition reports unless their machine goes down.

*Before the electronic final disposition report and new tracking numbers are sent out, the Records and Identification Team want to make sure that all hardcopies and current tracking numbers assigned have been used in your county. Once all hardcopies have been used, please reach out and the Records Team can start the new process by providing the new electronic final disposition report template and a list/range of tracking numbers.

How to request a final disposition report (green sheet) electronic template and tracking numbers?

- An email can be sent to the Records and Identification Unit's team email at: cchrecordsmods@dps.state.ia.us or vanous@dps.state.ia.us
- A phone call can also be placed using any of the phone numbers for the Criminal History Records Specialist's, Records and Identification Unit general number, or Supervisor listed below.
- Fingerprint envelopes will still be available. If additional envelopes are needed, please follow the steps in the first two bullets.
- Upon request of the electronic final disposition report, when all of the agencies hard-copies have been used, additional information will be provided as items within the form have changed / updated.

New corrections process

A recent change regarding the handling of corrections/modifications that law enforcement agencies submit has just been implemented. Going forward, please submit any and all corrections to the shared email address for the Records and Identification Team at cchrecordsmods@dps.state.ia.us

Types of corrections

Corrections that should be submitted:

- Addition of charges that were forgotten or added after lab tests
- Deletion of tracking number due to submission error (duplicate arrest / fingerprinting)
- Correction or deletion of an arrest charge code
- Correction or deletion of a name or alias (only if an error was made on the arrest card submission)
 - If the subject knowingly used alias information (name, DOB, SSN), that information should remain on the record
- Addition of alias names, dates of birth, places of birth, citizenship, or social security numbers

- Incorrect date of birth and/or SSN
- Incorrect date of arrest and/or date of offense
- Incorrect sex, race, height, weight, eyes, hair
- Incorrect ORI
- Addition, deletion, or correction of SMT's

Corrections that should not be submitted:

- To add charges not stemming from the original arrest offense/incident
 - A new fingerprint arrest card should be submitted in this instance

What Iowa Code mandates fingerprints to be taken?

The Code of Iowa, Chapter 690.2 requires the Sheriff and Chief of Police to submit fingerprint records and to submit those records within two working days after the fingerprints are taken, to the Department of Public Safety for inclusion in the central criminal history repository. Fingerprints shall be taken on all serious and above charges and may be taken on simple misdemeanor charges subject to an enhanced penalty. For simple misdemeanors subject to an enhanced penalty for a second or subsequent offense, fingerprints are required and shall be submitted upon conviction.

What are the unintended consequences of Cite and Release?

- Fingerprints and photographs are typically not obtained.
- Without a complete set of fingerprints, few state criminal history record repositories (including Iowa) and the FBI create or update criminal history records based on citation information.
 - Fingerprints are needed to create an Iowa criminal history record.
- Inability to link court disposition information to arrests.
- Increased failure to appear rate.
- Incomplete and inaccurate rap sheets.

Cite and release policies are handled and created at the local level.

The Code of Iowa, Chapter 805.1(4) states that the issuance of a citation in lieu of arrest or in lieu of continued custody does not affect the officer's authority to conduct an otherwise lawful search. The issuance of a citation in lieu of arrest shall be deemed an arrest for the purpose of the speedy indictment requirements of rule of criminal procedure 2.33(2)(a).

- The Code of Iowa, Chapter 690.2 would still apply requiring the Sheriff and Chief of Police to fingerprint all persons who are taken into custody for the commission of a serious and above crime if given a cite and release citation.

Reminder: *If fingerprints are not taken upon being taken into custody, fingerprints shall be taken upon conviction pursuant to Iowa Code Chapter 690.2 for serious and above charges and simple misdemeanors subject to an enhanced penalty.*

Training?

Training is available for both criminal history records and fingerprinting requirements. Training, assistance, and educational meetings are at no-cost to your agency and are designed to assist the agency with any questions, recommendations, best practices, learning the ropes of the cardscan/livescan machines, while also hitting on the importance of criminal history records as a whole and the role fingerprints play.

- **Types of training conducted by the Criminal History Auditor:**
 - Mock Arrest Training
 - Informal Q and A sessions
 - Formal presentation on criminal history records and fingerprinting
 - Rap sheet overview and how to read an Iowa rap sheet

To schedule a training conducted by the Criminal History Auditor, please contact the Criminal History Auditor assigned to your region or the Records and Identification Supervisor. All contact information is below on contact sheet of this newsletter. To obtain more information related to fingerprinting itself, such as information on livescan and cardscan machines, please contact ABIS Fingerprint Unit Supervisor Anna Wesselink at 515-725-6054 or wesselin@dps.state.ia.us

What is a compliance review?

The Code of Iowa, Chapter 692.13, gives authority to the Commissioner of the Department of Public Safety, the responsibility of periodically verifying the compliance of Chapter's 690, 692, and 232 by criminal justice agencies throughout the State of Iowa. The purpose of the review conducted is not to impose criticism or penalties, but to assist in improving efficiency and to identify problems within the agency's fingerprints and disposition reporting process. In turn, this will ensure the agencies understand the importance of their submitted information in regards to the criminal and noncriminal background check systems as well as creating accurate complete criminal history records. However, when determining compliance with the chapters listed above, the Department of Public Safety may restrict or deny criminal history access until an agency complies with reporting requirements laid out in the Code of Iowa, Chapter's 690, 692, and 232.148(2).

Reminder: *The results of all compliance reviews are considered public information and will be posted on the Department of Public Safety's website in the near future.*

Why an informational newsletter?

This informational newsletter is to keep our local stakeholders informed of the importance of criminal history records, the importance of fingerprinting, the role criminal history records play in our day to day lives, law and code changes, among other items of importance. The goal is to keep everyone informed and to share consistent information.

Please reach out to us if there is anything specific you would like to see in future issues of this informational newsletter.

CONTACT INFORMATION

Scott Lamp, Special Agent in Charge
515-725-6025
selamp@dps.state.ia.us

Ethan Vanous, Supervisor
515-725-6072
vanous@dps.state.ia.us

Shelley Herbst, East Region Criminal History Auditor
319-834-9840
herbst@dps.state.ia.us

Sharon Kerrigan, West Region Criminal History Auditor
402-658-2032
kerrigan@dps.state.ia.us

Heather St.Ores, Central Region Criminal History Auditor
515-343-4703
stores@dps.state.ia.us

Pierre Lanham, Criminal History Records Specialist
515-725-1147
lanham@dps.state.ia.us

Darin Horgen, Criminal History Records Specialist
515-725-1152
horgen@dps.state.ia.us

Noah Edelnant, Criminal History Records Specialist
515-725-1144
edelnant@dps.state.ia.us

Kelly Nolan, Criminal History Records Specialist
515-725-1146
knolan@dps.state.ia.us

Contact Us

Records and Identification Unit
215 East 7th Street
Des Moines, Iowa 50319
General Number: 515-725-6074
Fax: 515-725-6073
<https://dps.iowa.gov/>