

IOWA DIVISION OF CRIMINAL INVESTIGATION

RECORDS AND IDENTIFICATION UNIT

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OVERVIEW OF RECORDS AND IDENTIFICATION UNIT

The Records and Identification Unit is the central repository for all Iowa criminal history records. The Records and Identification Team is responsible for making sure criminal history records are accurate and current. The team maintains the information and the integrity of the criminal history record while also educating law enforcement agencies throughout Iowa on the importance of fingerprints and criminal history records.

Criminal history data is used in a variety of critical areas, including:

- sentencing determinations
- parole and probation recommendations
- issuance of weapon permits
- decisions by prosecutors
- enhancing charges

Noncriminal justice agencies also use criminal history record information when performing background checks for industries such as day care centers, nursing homes, hospitals, schools, etc.

Who is the Records and Identification Unit?

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

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 current and preserve the integrity of those records by adding, deleting, modifying, verifying, and analyzing criminal history databases.

Criminal History Auditors are on the front lines working with the law enforcement agencies. These positions are split into the Western, Central and Eastern regions, each region is 33 counties. The auditors are the point of contact for all law enforcement agencies in their designated counties. They are responsible for training/educating all law enforcement agencies on the importance of fingerprints and the importance of criminal history records. The auditors are 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.

How are Iowa criminal history records created?

All criminal history records in Iowa begin with a fingerprint card. If fingerprints are not taken and submitted to the Division of Criminal Investigation (DCI) on a particular incident, there will be no record of that incident on a criminal history record. All information (charges/dispositions and biographical information) on a criminal history record are backed by a set of fingerprints.

What Iowa code mandates fingerprints be taken?

The Code of Iowa, Chapter 690.2 mandates that the sheriff of every county and the chief of police of each city shall take the fingerprints of all persons who are taken into custody for the commission of a serious misdemeanor, aggravated misdemeanor, or felony and shall forward those fingerprints within two working days after the fingerprint records are taken to the Department of Public Safety. The Code of Iowa, Chapter 232.148 indicates that fingerprints of a child who has been taken into custody shall be taken other than a simple misdemeanor and shall forward the fingerprints to the department of public safety.

Upon Conviction if fingerprints have not been taken, the court shall order that the defendant be fingerprinted and those prints submitted to the Department of Public Safety. The court shall also order that a juvenile adjudicated delinquent be fingerprinted if fingerprints not already taken.

Reminder: for adults, fingerprints of a simple misdemeanor subject to an enhanced penalty may be taken upon arrest/taken into custody and shall be taken upon conviction.

“We could build the best IT system money can buy – the fastest, most efficient ... in the end, it is only as good as the information that is fed into it. Like they say: Garbage in, garbage out.” – Stephan Morris, former Assistant FBI Director

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 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 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).

Pursuant to the Code of Iowa, Chapter 690.5(3), the state court administrator shall develop a policy to ensure that court personnel understand and comply with the fingerprinting and disposition requirements and shall also develop sanctions for court personnel who fail to comply with the requirements.

Reminder: the results of all compliance reviews are considered public information.

Disposition Reporting

After fingerprinting, a final disposition report (FDR or green sheet), which has the DPS tracking number attached, is completed by the arresting/booking agency and submitted to the county attorney or the clerk of district court on behalf of the county attorney per Iowa Code. For juveniles, the FDR is submitted to the juvenile court office. This is an important step as this process allows for the arrest charge and court disposition to match, allowing for the disposition to add to an individual's criminal history record.

If a court case is missing a DPS tracking number, communication with the charging/booking agency and/or county attorney should be had. Either fingerprints were not taken and will need to be taken or the FDR was not submitted. Also, an FDR should never be filled out without fingerprints being taken. If an FDR is filled out and no fingerprints taken, the disposition (conviction or deferred judgment) will not be added to the criminal history record.

Reminder: without fingerprints, there will be no record of an incident on a criminal history record, even if there is a conviction. Fingerprints and the DPS tracking number are required for the disposition to be added to a criminal history record.

Why a newsletter?

This newsletter is to help keep you, our local stakeholders, informed about the importance of the following:

- Criminal history records
- Fingerprinting
- Disposition reporting
- Role criminal history records play in our day to day lives
- Law and code changes

The goal is to share consistent information on a quarterly bases.

WE'RE HERE TO HELP

Do not hesitate to reach out to anyone of us regarding questions on fingerprinting requirements, what should be on a fingerprint card, criminal history records, discrepancies, future items to highlight in newsletter, etc.

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