

# Noncriminal Justice Agency User Agreement for Release of Criminal History Record Information

Between the

## Arkansas Crime Information Center and Arkansas State Police

This agency hereinafter shall be known as **ACIC** and **ASP**

And

Agency Name		
Address		
City	State	ZIP Code
Contact Name ( First, Middle, Last, Suffix) and Title		
Telephone Number	Fax	Email Address
Email Address for Criminal History responses. If different from contact email address		

This agency hereinafter shall be known as “Agency”

### I. Purpose

This User Agreement is used to provide criminal history record information (CHRI) to Employers, Licensing Agencies, and other Agencies needing fingerprint-based criminal background checks.

Fingerprint-based criminal background checks must be explicitly mandated or allowed by law. National background checks must be authorized by Federal Law or a State Statute approved by the U.S. Attorney General.

The Applying User is seeking background checks for:

Description of background check purpose (if employment or licensing, description of job and customers/clients served)	
If school: grades included	If private security, private detective, or burglar company: License Number

## II. THE PARTIES AGREE AS FOLLOWS

The **ASP and ACIC** will:

1. Provide criminal history record information (CHRI) in response to fingerprint-based background checks, either to the Agency or the appropriate agency that reviews criminal histories for the Agency.
2. Provide assistance to the Agency in interpreting CHRI.
3. **ACIC** will conduct audits to assure compliance with this Agreement.
4. Work to ensure the completeness and accuracy of the CHRI.
5. Cease providing information to the Agency if this Agreement is violated or if the Agency is suspected of violating this Agreement.

The Agency will:

1. Abide by the terms and conditions identified in this Agreement.
2. Comply with state and federal laws, rules, procedures, and policies, including those adopted by the state Criminal Justice Information System (CJIS) Board and national CJIC Policy Council regarding the use and dissemination of CHRI.
3. Use CHRI only for the purpose requested.
4. Provide for the security of any criminal history record information received. This includes, but not limited to:
  - a. Ensure that all personnel with access to criminal history information are aware of rules and responsibilities with regard to CHRI.
  - b. Designate a Local Agency Security Officer (LSAO) who is responsible for ensuring compliance with security procedures and this User Agreement.
  - c. Restricted access to physical of CHRI to authorized personnel, Physical copies shall be maintained in a controlled, secure environment such as a locked cabinet in a room not accessible to all staff and visitors.
  - d. Share CHRI only when explicitly allowed by law and log any CHRI Sharing (either sending or receiving). Logs shall include, at a minimum, the date, sending, and receiving agencies, record shared, statutory authority to share CHRI, means of transmission, and person who disseminated.
  - e. Track and report information security incidents such as the theft/loss of physical records or the penetration of electronic systems.
  - f. Dispose of records securely. Physical media should be cross-shredded at a minimum.
5. Understand that this data is based on CHRI received at the state repository. If a person could be adversely affected by this data, the person must be given the opportunity to challenge and correct a record before it is disseminated.
6. Retain audit records for at least 365 days, once the minimum retention time period has passed, the agency shall continue to retain audit records until they are no longer needed for administrative, legal, audit, or other operational purposes such as Freedom of Information Act requests or legal actions.
7. Allow **ACIC** to conduct audits to assure compliance with this Agreement.

### III. CRIMINAL HISTORY RECORD INFORMATION LIMITATION

The User understands the Criminal History Record Information (CHRI) has the following limitation:

1. CHRI is defined and has three parts as follows:
  - a. The arresting agency's name and crime class under which the person was arrested. The arrest data submitted includes the mandatory field of name, race, sex, and date of birth. All arrests are accompanied by fingerprints.
  - b. The charge (s) issued by the prosecutor.
  - c. The name of the court that tried the case and the ultimate disposition of the case. The arrest warrant file, sex offender file, or other databases maintained by **ACIC** are not part of the CHRI record search.
2. CHRI is compiled from information submitted to the **ACIC** from Law Enforcement Agencies, Prosecutors, and Courts (hereinafter referred to as contributing agencies). Although the **ACIC** makes reasonable efforts to ensure all information is submitted as required by law, it is not responsible for omissions from contributing agencies.
3. Before releasing information on individuals or taking adverse action against an individual listed on the CHRI, the person in question must be afforded the opportunity to dispute and correct the record.
4. CHRI is constantly being updates as new arrests and other information are entered into the system by contributing agencies. The record released is only valid as of the record check was performed.
5. Certain statues allow for the suppression or deletion of records, and this information is not provided.
6. Most fingerprinting reasons include a check through the Federal Bureau of Investigation, which the **ASP** will request on the User's behalf as a normal part of the criminal background check, if allowed by law.

This Agreement commences on the date the last signature is obtained below and continues until terminated by either party. This Agreement may be terminated sooner by one or both parties upon 14-days written notice or immediately upon violation of the terms of the Agreement.

**NONCRIMINAL JUSTICE AGENCY**

Signature Director of Agency	Date
Print or Type Name	

**Arkansas Department of State Police**

Signature of Director, Arkansas State Police	Date
Print or Type Name	

**Arkansas Crime Information Center**

Signature of Director, Arkansas Crime Information Center	Date
Print or Type Name	

Submit Completed Agreement via United States mail as followed:

Arkansas Crime Information Center  
332 South Main Street, Suite 615  
Little Rock, AR 72201