

DCI NEWSLETTER

The Division of Criminal Investigation, 208 S College Drive, Cheyenne, WY 82002, (307) 777-7181

Criminal History Records Act

In 1987, the Wyoming legislature passed the Wyoming Criminal History Record Act. In addition to the existing duties to establish and maintain a system for the identification of criminals, the Act delegated the Division the authority to promulgate rules and regulations concerning access and dissemination of criminal history information, audit practices, and sanctions. The Act also stipulated those agencies required to report to the division.

§ 7-19-107

(a) The division of criminal investigation within the office of the attorney general is designated as the central repository for criminal history record information.

(b) For the purpose of maintaining complete and accurate criminal history record information at the central repository, all city, county and state

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law enforcement agencies, district courts, courts of limited jurisdiction, district attorneys, the department of corrections, state juvenile correctional institutions and local probation and parole agencies shall submit the criminal history record information required under this section for which they are responsible to the division for filing at the earliest time possible following the occurrence of the reportable event.

Creation of Criminal History Records

Wyoming's criminal history records are created with a submission of an arrest fingerprint card (FPC). Pursuant to §7-19-107 (c) all felonies, high misdemeanors, and other misdemeanor arrests deemed necessary by the Division are maintained. FPC's can be submitted to DCI with the live scan machines that electronically sends the FPC to DCI's terminal or by mailing arrest FPC's to DCI. Once a FPC is received, the automated fingerprint identification system (AFIS) examiners verify the prints, electronically sends the information to the FBI where an FBI number is assigned if the prints are classifiable, then the record is inserted

into Wyoming's Criminal History Record Information System (WYCHRIS) database. Each month DCI sends out disposition forms to the allocated District or County Attorney offices and courts of jurisdiction.

If an arrest FPC is not submitted to DCI, that arrest will not be available on the subject's criminal history to be retrieved through the state or FBI. Every arrest record maintained at the Division must have a FPC. DCI cannot create an arrest event based off of court documents.

Receiving Dispositions

It is essential for DCI to receive criminal disposition information. This information is used across the United States. When law enforcement agencies run an FBI search on a subject, the criminal history information they receive comes from DCI.

Disposition information is used for many reasons. Unreported dispositions can have consequences to citizens civil rights. Disposition information determines if a subject is able to vote or purchase a firearm. For example, if a subject is arrested for a DWUI and DCI does not have any disposition information, that individual will have an unknown firearm rights status that can hinder their ability to purchase a firearm. Disposition information is also used for applicant background checks mandated by state statute. DCI conducts background checks for DFS, first responders, employment, housing, entities in contact with children, and others as established by state statute.

DCI will attempt to retrieve disposition information when criminal justice agencies request the information. If DCI does not receive



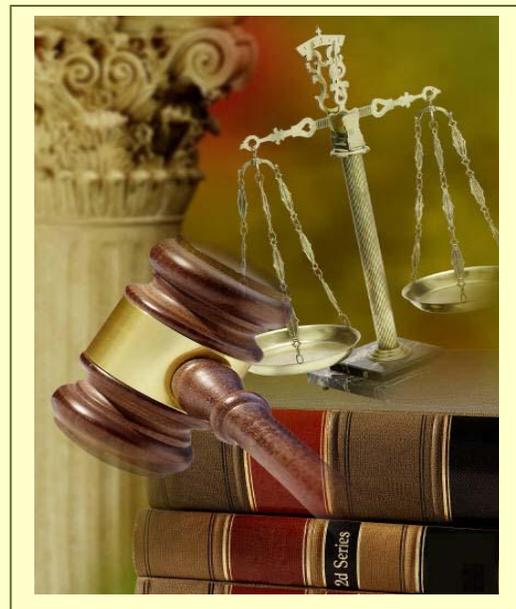
The Combined Laboratories Building

this information, agencies will be referred to the court of jurisdiction. The Division's goal is to have complete and accurate information to assist criminal justice agencies perform their job without delay.

Wyoming §7-19-107 (d) & (e) requires District and County Attorneys and Courts to provide disposition information to DCI in a timely manner. It is also important for DCI to receive sentence reductions and modifications, probation violations, reversals or remands on a previous conviction, dismissals, warrants issued, and any decisions not to file charges.

Retention Schedules

Please e-mail Vanessa Romero, Vanessa.romero@wyo.gov your agency's retention schedule. DCI would like to compose an updated retention schedule for each agency to ensure agencies are not bothered for information they do not have. Also include any charges that your agency does not hear. For instance, some courts do not hear drug charges.



New Disposition Forms

In January 2011, DCI implemented the Wyoming Criminal History Record Information System (WYCHRIS). This system allows DCI to maintain more criminal history information. New disposition forms have been created. Below is a reference to what information should be provided in each section. If your agency does not want to fill out the disposition, feel free to attach the court documents to the disposition form. When including court documents, please attach the information sheet, Judgment & Sentence, and dismissals. Often times an individual is arrested for more charges than what is filed. Having the information sheet allows DCI to determine if no charges were filed on some of the charges a subject was arrested for. This will help DCI from faxing your agency to find out what happened to these charges.

Docket number: Enter the docket number.

Disposition Offense: Enter the verbal offense charge.

Statute: Enter the statute number of the offense. While entering the statute number, also include the subsection. For example, instead of entering 35-5-233 for a DWUI of a .08 or higher, enter 31-5-233 (b)(i)

Fel. Or Misd.: Either circle if the charge is a felony or misdemeanor or write felony or misdemeanor.

Verdict Code: Enter the numeric code for the verdict.

Fines & Costs: Enter all costs **excluding** restitution, victim's compensation, and attorney fees.

Fines & Costs Amount Suspended: Enter the suspended amount.

Victims Compensation: Enter the victim's compensation amount.

Restitution: Enter the restitution amount.

Confinement Term (Min/Max): Enter the confinement term. If a split sentence is entered, please write the original term in this section. Then enter "split sentence" and the confinement term.

Confinement Term Suspended: Enter the suspended confinement term.

Jail/Prison: Either circle or write if the confinement is being served at jail or prison.

Probation Term: Enter the probation term.

Disposition Date: Enter the date the case was done in court.

Comments: Note if no records were found in your agency or any additional sufficient information.

Agency Name: Enter your agency name. This is helpful so DCI knows who filled out the disposition, especially if no records were found at your agency. DCI will send the disposition form to multiple agencies to ensure another court did not hear the case.

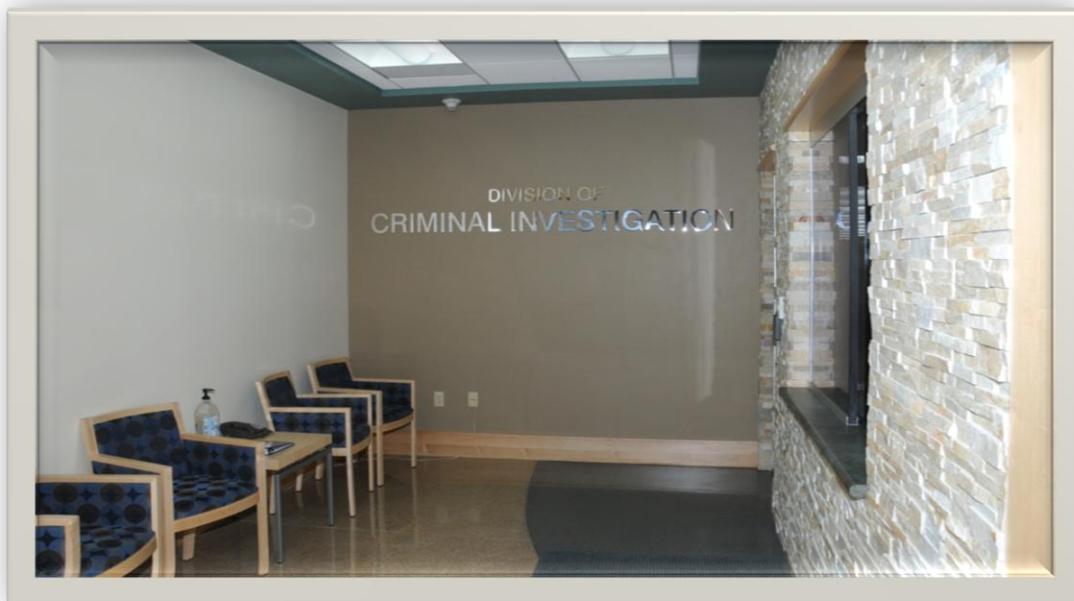
Agency Signature: The signature of the employee filling out the disposition form.

Statistical Information

Disposition forms are mailed out monthly to the designated agencies. As of June 2011, audit dispositions are also mailed out monthly for arrests that occurred 5 years prior in which DCI has no disposition. Due to the implementation of WYCHRIS, audits were not mailed out until June.

The Division would like to take this time to thank all agencies that forward disposition information to DCI. This is time consuming, but is essential to allow Wyoming to maintain complete and accurate criminal history information. All the hard work you do is very much appreciated.

*Thank you for
your continued
time and effort in
ensuring
Wyoming has
accurate and
complete criminal
histories!*



Inside DCI Headquarters