

# 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.

## Criminal History Record Retention

Wyoming's adult criminal histories are maintained forever. A case's final disposition does not play a role in determining if a charge will be maintained on an individual's criminal history. Once a subject is arrested for a trackable charge, the Division will maintain their criminal history, even if prosecution was declined. If prosecution is declined, the verdict for that charge will state no charges filed on their criminal history. The same goes for dismissals. There is often a lot of confusion pertaining to dismissals. Some defendants believe dismissals will not display on their criminal history, but it does.

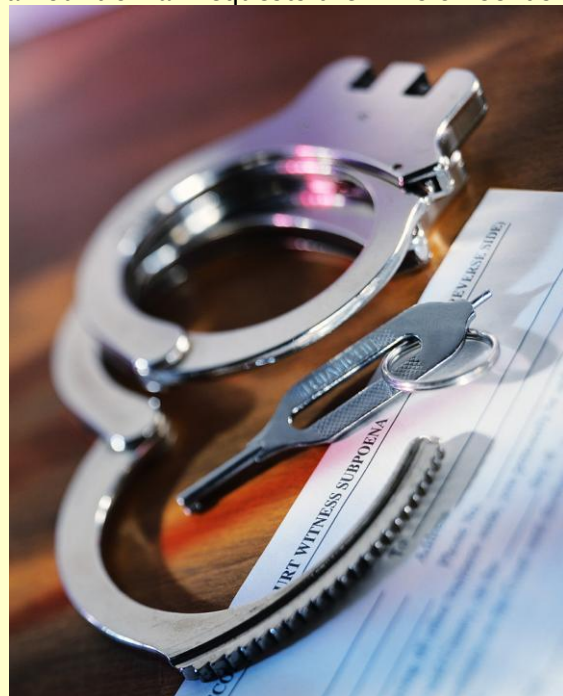
The only way a charge will not appear on a criminal history is if an expungement was granted. Expunged records are viewable for criminal justice purposes only. Therefore if an individual has received an expungement and is trying to get a non-law enforcement job, the expunged charge will not be available.

## Disposition Information

Each month, the Division mails out criminal disposition forms. These forms are used to update Wyoming's criminal histories. The charges printed on DCI's criminal disposition forms originates from arrest fingerprint cards submitted by Wyoming's law enforcement agencies. Charges may be listed on DCI's criminal disposition forms that were never filed with the court. In these instances, please note the charge was not filed or no record was found. On the other hand, there may be instances where more charges were filed than what is listed on the criminal disposition form. In these instances, please write the disposition information for the additional charges on the bottom of DCI's criminal disposition form or on an additional sheet of paper. Attaching the information sheet, all amended information sheets, Judgment & Sentence, and dismissals is another easy way to ensure DCI receives the disposition information needed.

Since charges filed do not always match charges defendants were arrested for, it can difficult for the Division to update criminal history records. If the Division receives a Judgment & Sentence that states counts one and three are dismissed, but

does not provide a state statute or verbal description of the dismissed charges, the Division will have to send a fax requesting the information sheet to determine the offense being dismissed. Attaching the information sheet with the dismissal will help decrease the amount of fax requests the Division sends.



## Re-Filed Charges

It is essential for the Division to receive dismissals. There is one exception; if a charge is dismissed because it is being re-filed, the Division requests agencies keep the criminal disposition form until a finding is entered on the re-filed charge.

One of the reasons inaccurate criminal histories can exist is when the Division receives dismissals on charges being re-filed. If DCI receives a criminal disposition form showing a charge is dismissed, that verdict is entered into the

defendant's criminal history. Once a verdict is entered into a criminal history, DCI will no longer print a disposition form for that charge and it will show that charge is dismissed when a conviction may have been entered. If a misdemeanor charge is being re-filed as a felony, please forward the disposition form to either district court or the county attorney's office.

## 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.

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

There are counties DCI would like to recognize for their hard work. Over the past six months, 14 counties: Converse, Fremont, Goshen, Hot Springs, Lincoln, Natrona, Niobrara, Park, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston all increased the percent of dispositions they mailed back to DCI. There are also 11 counties that have been returning over 85% of the dispositions they receive. These counties are Campbell, Converse, Goshen, Hot Springs, Laramie, Lincoln, Platte, Sublette, Sweetwater, Teton, and Uinta.

*All The Hard Work  
You Do Is  
Very Much  
Appreciated!*

## Contact Information

If you have any questions, feel free to contact any of the Division's Criminal History Records Analysts listed below.

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