



Department Source: Police

To: City Council

From: City Manager & Staff

Council Meeting Date: December 5, 2022

Re: An ordinance to authorize fingerprinting of CPRB applicants for the purpose of providing Council with any convictions for violations of federal, state or local law

Executive Summary

This ordinance allows the police department to establish a fingerprinting terminal in order to obtain criminal histories through CJIS for the reporting of convictions of CPRB applicants to the City Council as mandated in Chapter 21, Article III of City of Columbia Code of Ordinance.

Discussion

Section 21-469(c) of the city code provides appointees to the Citizens Police Review Board (CPRB) "have no serious criminal record". The same section requires the Chief of Police to "obtain a criminal history of all applicants for membership on the board and advise the city council of any convictions for violations of federal, state or local law".

The process by which accurate criminal histories are obtained requires fingerprinting of applicants and submission of the fingerprints to the Missouri State Highway Patrol, Criminal Justice Information Services (CJIS) Division. Utilization of the CJIS system is prohibited for non-law enforcement use unless there is an ordinance enacted by the governing body. The use of the system for the CPRB is considered a non-law enforcement use by the Missouri State Highway Patrol, thus an ordinance is required if the Council wants to continue to receive a records of convictions of applicants to this board. This ordinance satisfies the requirements of CJIS to ensure the police department is in compliance with the regulations established for access of the database needed to provide the information regarding convictions required by the city code.

The police department only disseminates the conviction information contained within the criminal history to the City Council. Anyone accessing the criminal record check information is required to keep the information confidential and is prohibited from disclosing the information to any person beyond the scope necessary to perform their duties.

The processing time for a fingerprint-based background search is generally seven to ten business days after the fingerprints are submitted. Once the criminal history report is returned, the police department advises the city clerk of any convictions contained within the report. The Council is provided that information by the city clerk and may use it to determine whether there is a "serious criminal record" which would disqualify the applicant. Whether or not the applicant's criminal history should affect the appointment is a determination that is made by the individual Council members during the appointment process and not a collective decision of the Council. Although the record is confidential, the applicant is



City of Columbia

701 East Broadway, Columbia, Missouri 65201

allowed by the ordinance to receive a copy of the applicant's criminal history record from the police department upon request.

Fiscal Impact

Short-Term Impact: There is a cost of \$33.25 per applicant/submission. Currently this cost is being paid from Police Operating budget.

Long-Term Impact: Will be handled in Police Operating budget.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Passage of ordinance described and recommended. If the Council chooses not to authorize the fingerprinting of applicants, the requirement to obtain a criminal history of all applicants for membership on the CPRB and advise the Council of any convictions for violations of federal, state or local law should be removed from Section 21-46 of the city code.