



SHP-662 08-2020

Department of Public Safety  
**MISSOURI STATE HIGHWAY PATROL**  
 Colonel Eric T. Olson, Superintendent



An  
 Internationally  
 Accredited  
 Agency

**Michael L. Parson**  
 Governor

**Sandra K. Karsten**  
 Director

**Missouri and National Rap Back Programs**  
**Terms and Conditions - Criminal Justice Agencies**

Last updated: March 15, 2019

Please read these Terms and Conditions carefully before subscribing to the Missouri or Missouri and National Rap Back Programs operated by the Missouri State Highway Patrol (MSHP), Criminal Justice Information Services Division, hereinafter referred to as "CJIS."

Access to and use of the Rap Back service is conditioned on acceptance of and compliance with the Terms and Conditions. The Terms and Conditions apply to all qualified entities and users of the Missouri or Missouri and National Rap Back Programs.

**Purpose:**

Qualified entities, as defined by Sections 43.539 and 43.540 RSMo, may conduct Missouri and National criminal record reviews on applicants and participate in the Missouri or Missouri and National Rap Back Programs for licensing or employment purposes, or other authorized benefit. The purpose of the Rap Back program is to allow qualified entities to receive updated Missouri and National fingerprint based criminal arrest information on individuals who are employed or otherwise under the purview of the qualified entity. By accessing or using the Missouri or Missouri and National Rap Back Programs the qualified entity agrees to abide by the Terms and Conditions. If the qualified entity disagrees with any part of the Terms and Conditions, the qualified entity may not utilize this service.

**Agency Obligations:**

By signing these Terms and Conditions, the qualified entity certifies that:

1. The qualified entity will notify applicants subject to a criminal record review that the applicant's fingerprints shall be retained by the state central repository and the Federal Bureau of Investigation (FBI) and shall be searched against other fingerprints on file, including latent fingerprints.
2. The qualified entity will notify applicants subject to enrollment in the Missouri or Missouri and National Rap Back program that the applicant's fingerprints, while retained, may continue to be compared against other fingerprints submitted or retained by the FBI, including latent fingerprints.
3. The qualified entity understands that the criminal record review and Rap Back process described is voluntary and conforms with the requirements established pursuant to Public Law 92-544 and other applicable state or federal laws.
4. The qualified entity understands that the failure to obtain the information authorized with respect to an applicant shall not be used as evidence in any negligence action against a qualified entity. The state, any political subdivisions of the state, or any agency, officer, or employee of the state or political subdivision will not be liable for damages for providing the information requested.

5. The qualified entity understands that to participate in the Missouri and National Rap Back Programs, the original and subsequent arrest updates are required to be received electronically through the Missouri Automated Criminal History System (MACHS).
6. The qualified entity will ensure that all user-profile information associated with user accounts in MACHS are kept up-to-date.
7. The qualified entity will ensure any user accounts belonging to individuals that are no longer employed with the qualified entity are promptly removed from MACHS.
8. The qualified entity understands that Missouri and National Rap Back subscriptions will only be set on individuals that complete a fingerprint-based background check for the qualified entity after the activation of the qualified entity into the Rap Back Programs.
9. The qualified entity understands that any individual that completed a fingerprint-based background check prior to the activation of the qualified entity by CJIS will not be enrolled in the program and must complete a new fingerprint-based background check to enroll in the Rap Back Programs.
10. The qualified entity understands that the Rap Back Programs are a fingerprint-based system. Therefore, only fingerprint-based criminal arrest information that is received by CJIS on or after the Rap Back activation date will be forwarded to the qualified entity via these programs.
11. Upon receiving the Rap Back notification, if the qualified entity deems the applicant is still serving in an active capacity, the qualified entity may request and receive the individual's updated criminal history record only if:
  - a. The qualified entity has abided by all procedures and rules promulgated by the MSHP and FBI regarding the Missouri and National Rap Back programs;
  - b. The individual upon whom the Rap Back notification is being made has previously had a Missouri and National criminal record review completed for the qualified entity within the previous six (6) years;
  - c. The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.
12. The qualified entity understands that since the Rap Back Programs only track subsequent arrest information, the qualified entity will be responsible for researching and/or monitoring any actions that occur after arrest (i.e. charges filed/court dispositions).
13. The qualified entity understands that if a Rap Back event occurs, the qualified entity will have thirty (30) days to request the criminal history information associated with the Rap Back event. If the qualified entity fails to request the information within thirty (30) days, the Rap Back subscription for the individual will be automatically removed.
14. The qualified entity understands that triennial validation is required to verify that Rap Back subscriptions are still valid and that the subscribed individuals are still employed or otherwise still under the purview of the qualified entity. Individuals for which a triennial validation is not completed will have their Rap Back subscriptions removed.

15. The qualified entity understands that triennial audits will verify that the qualified entity is meeting the Terms and Conditions of Rap Back participation.

CJIS reserves the right to modify or replace the Terms and Conditions at any time. If a revision is made, CJIS will attempt to provide at least thirty (30) days' notice prior to any new terms taking effect.

The MSHP shall have no liability and shall be held blameless if the qualified entity fails to abide by the Terms and Conditions.

Check the appropriate box(es) for participation or to decline participation. Signature is required and must be an authorized representative or Local Agency Security Officer (LASO) of the qualified entity.

- YES -- I have read and agree to the Terms and Conditions. As a qualified entity, we request participation in the following program(s):
- MISSOURI ONLY Rap Back Program
  - MISSOURI AND NATIONAL Rap Back Programs
- NO -- As a qualified entity, we decline participation in the Rap Back programs.

QUALIFIED ENTITY NAME: COLUMBIA MO POLICE DEPARTMENT

QUALIFIED ENTITY ORI/OCA: MO0100200

AUTHORIZED ENTITY REPRESENTATIVE:

Geoffrey Jones  
(Print Name)

Chief of Police  
(Title)

\_\_\_\_\_  
(Signature)

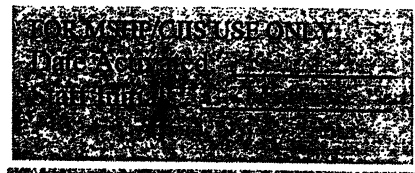
\_\_\_\_\_  
(Date)

*Return completed form to:*


Missouri State Highway Patrol  
Access and Integrity Unit  
P.O. Box 9500  
Jefferson City, MO 65102

OR

FAX:  
(573) 526-6290



**CITY OF COLUMBIA, MISSOURI**

By: \_\_\_\_\_   
John Glascock, City Manager

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Sheela Amin, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Nancy Thompson, City Counselor / MDB 