

# EAST RANGE POLICE DEPARTMENT

## Criminal History Record Information

POLICY  
114

REV 03/10/2025

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### I. PURPOSE AND SCOPE

This policy provides guidelines for the release of criminal offender data, security of that data and person authorized to release that data.

### II. AUTHORITY

This policy is established pursuant to Minn. Stat. 13.87, which delineates who has access to state Criminal History Record Information (CHRI) and establishes penalties for the improper use of state criminal history records.

### III. DEFINITIONS

Definitions related to this policy include:

- A. **Authorized Recipient**- Any person or agency authorized by court order, statute or decisional case law to receive CHRI.
- B. **Criminal History Records Information (CHRI)**-All data maintained in criminal history records compiled by the Bureau of Criminal Apprehension (BCA), including, but not limited to, fingerprints, photographs, identification data, arrest data, prosecution data, criminal court data, custody and supervision data (Minn. Stat. 13.87 Subd. 1).
- C. **Criminal Justice Agency** - Means a public agency or component thereof that performs a criminal justice activity as its principal function.
- D. **Need to Know** - Arises when a necessity exists to obtain CHRI in order to execute official responsibilities.
- E. **Right to Know** - Persons or agencies authorized by court order, statute or decisional case law to receive data.

### IV. AUTHORIZED RECIPIENTS OF CHRI

CHRI may be released only to authorized recipients who have both a right to know and a need to know. All law enforcement personnel with proper identification are authorized recipients, if they have an official need to know.

### V. DATA PRACTICES COMPLIANCE OFFICIAL

The Information Specialist Supervisor is the Chief of Police for the East Range Police Department. The supervisor is responsible for ensuring compliance with this procedure and with applicable records, security regulations and requirements imposed by federal and state law (Minn. Stat. 13.05 Subd. 13). The Data Practices Compliance Official will resolve specific questions that arise regarding authorized recipients of CHRI.

## **VI. REALEASE OF CHRI**

- A.** Only the persons listed below are authorized to release. Each authorized person releasing CHRI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.
1. Information Specialist Supervisor/ Chief of Police.
  2. St. Louis County Attorney or East Range Police Department City Attorney.
  3. Personnel specifically designate in writing by the Chief of Police.

## **VII. RELEASE OF CHRI TO FIELD PERSONNEL**

Personnel shall not have access to CHRI until a background investigation has been completed and approved.

CHRI shall not generally be transmitted by radio, cellular telephone or through computer terminals to field personnel ort to vehicles except for official purposes.

## **VIII. JUVENILE RECORDS**

Nothing in this procedure is intended to alter existing statutes, case law or the policies and orders of both the county's juvenile board and the designated juvenile court regarding the release of juvenile offender records. Juvenile records and information are confidential and may only be disclosed pursuant to state law.

Records regarding juveniles who are, or may be, delinquent or who may be engaged in criminal acts shall be kept separate from records of persons 18 years of age or older and shall be private data unless ordered released pursuant to an order of the juvenile court or as otherwise provide by state law (Minn. Stat. 260B171 Subd. 5 and Minn. Stat. 299C.095).

The Office shall implement procedures that keep juvenile records in a separate place in computer storage and that comply with the special data retention and other requirements associated with protecting data on juveniles.

## **IX. REVIEW OF CRIMINAL OFFENDER RECORD**

Employees of this office shall refer members of the public seeking access to CHRI to the Minnesota BCA (Minn. Stat. 13.87 Subd. 1 (b)).

**X. PROTECTION OF CHRI**

CHRI shall be stored in such a manner and location as to keep it reasonably secure and protected from unauthorized access

Direct access to CHRI stored shall be restricted to the Chief of Police. Bureau personnel are authorized to release it. Direct access to CHRI stored in desks, file cabinets and room outside control of the Chief of Police shall be restricted to those persons who possess both the right to know and the need to know the information.

**XI. COMPUTER TERMINAL SECURITY**

Computer terminal equipment capable of providing access to automated criminal offender record information is located in the Records Bureau, 9-1-1 Emergency Communications Center and in the Criminal Investigations Division to preclude access by unauthorized persons.

No employee shall be authorized to operate computer terminal equipment with access to CHRI until the operator has completed the appropriate training.

**XII. DESTRUCTION OF CHRI**

When any document providing CHRI has served the purpose for which it was obtained, it shall be destroyed by shredding at such time its destruction is permitted by the organization's records retention schedule.

Each employee shall be responsible for destroying the CHRI documents he/she receives.

**XIII. PENALTIES FOR MISUSE OF RECORDS**

It is a crime to obtain CHRI criminal history data in an unauthorized manner, to use the data for an unauthorized purpose, or to disclose the data to a person who is not entitled to the data (Minn. Stat. 13.09).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Conduct Policy.

Employees who obtain, or attempt to obtain, information from the Office files, other than that to which they are entitled in accordance with their official duties, is a violation of the Conduct Policy.

**XIV. REFERENCES AND REVISIONS**

**a. REFERENCES**

- i. Minn. Stat. 13.87

**b. REVISIONS**

- i. 04/19/2016 – Initial Policy
- ii. 03/10/2025 – ERPSB Approval Date