



DEPARTMENT MEMORANDUM

1-27-11

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SUBJECT

NCIC Requirements for Criminal History Inquiries

AMENDS

REFERENCE

RESCINDS
DM 09-4

I. INTRODUCTION

The Privacy Act of 1974 requires that the FBI's Criminal Justice Information Services Division (CJIS) maintain an audit trail of the purpose of each disclosure of a criminal history record and the recipient of that record. Therefore, all National Crime Information Center (NCIC) QH and NCIC QR transactions must include the purpose for which the criminal history record information is to be used. In addition to the purpose code requirement for each transaction, all users are required to provide the reason for all transactions. Requiring the reason for all transactions assists in ensuring that they are run for authorized purposes and that purpose codes are used correctly.

II. PROCEDURE

A. When members complete a transaction in the /FOR CCH menu, the following authorized purpose codes will be used:

1. **Purpose Code C (Criminal Justice)**--Used in connection with the administration of criminal justice. The following examples provide clarification of authorized uses of this code in situations that are not part of a criminal justice investigation but are duties of the agency where a criminal record check is necessary to accomplish the agency's mission. These examples are not all encompassing.
 - a. Vendors or contractors at criminal justice agencies who are not involved with the actual administration of criminal justice; e.g., carpet cleaners, individuals responsible for maintaining vending machines, janitors, and cooks.
 - b. Volunteers at criminal justice agencies who are not involved with the actual administration of criminal justice; e.g., volunteers at a confinement facility who are providing social or community services rather than rehabilitative services.
 - c. Confinement facility visitors, e.g., jail tours.
 - d. Inmates of a confinement facility, e.g. attorneys visiting clients.
 - e. Participants attending and handling firearms during a law enforcement-sponsored firearms training classes held at a public firing range or law enforcement facility.

2. **Purpose Code F (Weapons-Related Background Checks)**--Used by criminal justice agencies for returning firearms to their lawful owners and enforcing federal and state laws prohibiting certain persons with criminal records from possessing firearms in circumstances in which firearms have been pawned.
3. **Purpose Code J (Criminal Justice Employment)**--Unless restricted or prohibited by state statute, state common law, or local ordinance, this code is used when the transaction involves employment with a criminal justice agency or the screening of employees of other agencies required to have management control. Such screening may include the use of the criminal history background checks of friends, relatives, and associates of the employee or applicant. This code is also used for initial background checks of agency personnel as well as the following:
 - a. Non-criminal justice agencies involved with the administration of criminal justice on behalf of the criminal justice agency.
 - b. Vendors or contractors involved with the administration of criminal justice, e.g., personnel involved with maintenance of computer systems, upgrading records systems, data entry clerks, etc.
 - c. Volunteers at the criminal justice agency who are involved with the administration of criminal justice, e.g., volunteer dispatchers, volunteer data entry clerks, volunteers at a confinement facility who are providing inmate rehabilitation.
4. **Purpose Code X (Exigent Procedures)**--Used when a QH query is executed during an emergency situation in which the health and safety of a specified group of individuals may be endangered. Following a QH query, a QR query may be used to review the individual's record. All requests for background checks for exigent purposes must be accompanied by fingerprints. This purpose code will only be used when directed by the Information Services Division Commander.

B. The following codes are **not** for use by members of the Kansas City, Missouri Police Department:

1. **Purpose Code A (Administrative File Maintenance)** Used by state law enforcement agencies.
2. **Purpose Code D (Domestic Violence and Stalking)** Used by the court system.
3. **Purpose Code H (Housing)** Used by public housing authorities.

4. **Purpose Code I (Interstate-Approved Noncriminal Justice)** Used by state law enforcement agencies.
5. **Purpose Code R (Departmental Order 556-73)** Used by the FBI only.
6. **Purpose Code S (National Security)** Used by federal agencies only.
7. **Purpose Code V (Visa Applicants)** Used by the Department of State.

James D. Corwin
Chief of Police

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