

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 9: CRIMINAL JUSTICE SYSTEM COMPONENTS

§ 9212. Accuracy and Completeness.

Each criminal justice agency shall maintain criminal history record information in such a manner as to ensure that the criminal history record information is accurate and complete, and shall adopt the following policies and procedures, which are reasonably calculated to produce the highest quality of criminal history record information:

(a) Ensure that disposition and other additional or corrective information pertinent to original arrest records are promptly reported for inclusion on such records;

(b) Ensure that the following records are made and maintained for a period of at least three years:

(1) The source of arrest record information and criminal offender record information; and

(2) The identity of other agencies or person to whom criminal history record information is disseminated, together with the date of the dissemination, the authority of the requester, the purpose of the request, and the nature of any information provides;

(c) Ensure that information and formats are standardized for reporting and entering information into criminal history record system throughout the Commonwealth;

(d) Ensure that procedures are in place to systematically and in detail review and verify entries in criminal history record;

(e) Ensure that a tracking and linking system is used to match disposition entries with charges entries and to match other types of subsequent entries with original entries;

(f) Ensure that disposition monitoring system has been implemented which flags aged arrest entries and provides for procedures to obtain dispositions for these entries;

(g) Ensure that the central repository is queried prior to making criminal history record information available, unless the information in question was originating from the disseminating agency or the agency knows that the central repository does not maintain such information or the central repository is incapable of responding within the necessary time period.

(h) Whenever possible, implement automated systems which include data quality protocols of the type identified in this Act;

(i) Implement policies and procedures which promote and facilitate communication with the courts and other parts of the criminal justice system in order to maximize the sharing of disposition and other relevant information; and

(j) Ensure that a criminal history record information sheet (rap sheet) clearly indicates that linkage among arrest, charge and disposition information and bears a conspicuous legend which states the date on which the rap sheet is issued and a warning that the rap sheet information is current only as of the date of issuance.

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(k) Information entered into information systems prior to the adoption of this Act shall be exempt from compliance with this section.

Such records are not the exclusive information to be maintained and each criminal justice agency may add or remove such records as it deems appropriate in its exercise of discretion.

Source: PL 13-53, § 3 (112), modified.

Commission Comment: See the comment to 6 CMC § 9201 regarding PL 13-53.