



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: October 22, 2021

TO: Regional Managing Directors
Community-Based Care Lead Agency CEOs

THROUGH: Taylor Hatch, Deputy Secretary

FROM: Stefanie Camfield, Assistant Secretary for Child Welfare *SC*
Sharron Washington, Assistant Secretary for Operations *SW*

SUBJECT: Hotline Crime Intelligence Unit Access to the Florida Crime Information Center and National Crime Information Center

PURPOSE: The purpose of this memorandum is to clarify the situations in which the Hotline's Crime Intelligence Unit (CIU) is authorized to access the Florida Crime Information Center (FCIC) and National Crime Information Center (NCIC).

BACKGROUND: The Department has entered into both Criminal Justice and non-Criminal Justice User Agreements with the Florida Department of Law Enforcement (FDLE) for obtaining Florida and National criminal history records for screening purposes as authorized and required in Florida Statute.

The Department's Criminal Justice User Agreement authorizes the Hotline's CIU to access the FCIC and NCIC to conduct name based criminal history record checks for two specific purposes: **Protective Investigations and Emergency Placements.**

Emergency Placements are those situations in which a child must be placed within 72 hours due to an exigent circumstance which may include a child in a placement that has disrupted needs to be placed in a relative/non-relative household. For emergency placement requests received from Case Management, the Hotline's CIU conducts a review of both FCIC and NCIC criminal history record results and provides a Criminal History Record Review Letter indicating if there is an offense that prohibits an individual from being considered for placement per section 39.0138 Florida Statutes. All adult household members in the placement household must submit fingerprints within 10 calendar days following the criminal history record review conducted by the Hotline's CIU. Once record results are obtained following fingerprint submission, the Department's Background Screening Program conducts a review of the Florida and national criminal history records and provides: 1) a Criminal History Record Review Letter indicating if there is an offense that prohibits an individual from being considered for placement per section 39.0138, Florida Statutes, and 2) a copy of the public record version of the Florida records.

Procedures for obtaining criminal history records for all other purposes are detailed in the Department's non-Criminal Justice User Agreements. Non-criminal justice purposes include, but are not be limited to: non-emergency placements such as planned placements, reunifications, licensing, and employment.

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The method for accessing criminal history records for all non-criminal justice purposes is by fingerprint submission; results are initially obtained and reviewed by the Department's Background Screening Program. For non-emergency planned placements and reunifications, the Background Screening Program will conduct a review of the Florida and National criminal history records obtained from the fingerprint submission results and provides 1) a Criminal History Record Review Letter indicating if there is an offense that prohibits an individual from being considered for placement per section 39.0138, Florida Statutes., and 2) a copy of the public record version of the Florida records.

ACTION REQUIRED: To ensure the Department is in compliance with User Agreements with FDLE, the Hotline CIU shall only access FCIC and NCIC for the purposes of protective investigations and emergency placements. Any request for Florida and national criminal history records for non-criminal justice purposes shall be accomplished via the submission of fingerprints to be processed by the Department's Background Screening Program. CFOP 170-1, Chapter 6, Requesting and Analyzing Background Records, shall be updated to reflect this procedure. Please disseminate this guidance to all Department, Community-Based Care lead agency, and case management organization staff.

CONTACT INFORMATION: If you have questions or need clarification regarding this memorandum, please contact RaeJohne Peterson, Chief of Operations, CIU/Background Screening Program, at RaeJohne.Peterson@myflfamilies.com or 850-519-7637, or Diane Harris, Chief of Policy and Public Relations, Background Screening Program, at Diane.Harris@myflfamilies.com or 850-717-4636.

cc: Regional Family and Community Services Directors
Center for Child Welfare