



State of Florida  
Department of Children and Families

Rick Scott  
Governor

David E. Wilkins  
Secretary

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**DATE:** November 3, 2011

**TO:** Regional Directors

**THROUGH:** John Cooper, Assistant Secretary for Operations  
Jamie Self, Ed.D., Executive Director Family and Community Services

**FROM:** Christie Ferris, Director of Child Welfare

**SUBJECT:** Criminal History Record Check Procedure for Adoptions

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**PURPOSE:** This memo provides instructions to all child welfare staff regarding the appropriate procedures for conducting criminal history record checks for adoptions.

**BACKGROUND:** The Department must maintain compliance with the Florida Department of Law Enforcement (FDLE)/Federal Bureau of Investigation (FBI) user agreement pertaining to criminal history checks for adoptions and planned placements. According to the agreement, placements other than emergency placements are considered Planned Placements and therefore adoptions are planned placements.

**ACTION REQUIRED:** In order to ensure compliance with our FDLE Agreement current practices in some DCF regions need to be discontinued immediately and all staff must adhere to the following procedures when a planned placement is made:

1. Criminal history records checks for adoptions shall always be conducted utilizing fingerprint submission, by livescan.
2. Name-based checks are not statutorily authorized for adoptions. While it is understood that local, state and federal criminal history records are obtained as a part of completing the initial adoption home study, it should also be noted that both State and Federal criminal history records via a fingerprint-based process by livescan are required **again** when the adoptive placement occurs more than 90 days from the date of the prior criminal history checks. Therefore, regional background screening staff will no longer conduct name-based checks for adoptions.
3. The Florida Abuse Hotline's Crime Intelligence Unit (CIU) will conduct name-based "prescreen" checks for investigators and CBC staff for the purposes of a planned placement excluding adoptions. The "prescreen" name-based checks are not a substitute for the statutorily required fingerprint-based checks needed for non-licensed placements. Fingerprinting is required immediately upon placement of a child in accordance with previously issued policy.

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Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Please disseminate this memorandum to all child welfare staff with the Department, Sheriffs, and CBCs. Local operating procedures must be immediately revised as needed to ensure full compliance with state and federal law and the Department's user agreement with FDLE. The Child Welfare Office will revise DCF Operating Procedure 175-94 to reflect this policy.

**CONTACT INFORMATION:** For additional information, please contact Diane Harris at (850) 717.4636 or via email at [diane\\_harris@dcf.state.fl.us](mailto:diane_harris@dcf.state.fl.us) or Travis Paulk, Terminal Agency Coordinator at (850) 487.6159 or via email at [travis\\_paulk@dcf.state.fl.us](mailto:travis_paulk@dcf.state.fl.us); or Kathy Waters, Adoptions Policy Manager at (850) 717.4686 via email at [Kathleen\\_waters@dcf.state.fl.us](mailto:Kathleen_waters@dcf.state.fl.us)

cc: Sheriffs' Offices  
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