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# **EFFECTIVE ... FRIDAY – JANUARY 1, 2016**

## **Department of Public Safety and Correctional Services**

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### MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS (MPCTC) REQUIRED PROCEDURES FOR OBTAINING A CRIMINAL HISTORY BACKGROUND REPORT ON AN APPLICANT TO BE CERTIFIED AS A

- **POLICE OFFICER**
- **CORRECTIONAL OFFICER; OR**
- DEPARTMENT OF JUVENILE SERVICES MANDATED EMPLOYEE

#### CRIMINAL HISTORY RECORDS BACKGROUND REPORT

Effective January 1, 2016, an applicant to be certified as a police officer by the Police Training Commission, or correctional officer or Department of Juvenile Services employee mandated to be certified by the Correctional Training Commission is required to be fingerprinted for the purpose of the criminal history records being forwarded to the MPCTC.

A hiring Agency <u>must notify</u> a pending applicant that, within 20 days but no longer than 30 days, of the Agency submitting an Application For Certification (AFC), either paper form or electronically, to MPCTC, the applicant must be fingerprinted for the purpose of MPCTC receiving a copy of the applicant's Criminal History Records. The applicant (not the hiring agency) is to apply for his or her full (State and FBI) criminal history records background report through the Criminal Justice Information System Central Repository of the Maryland Department of Public Safety and Correctional Services. (Applicant instructions/directions attached)

A list of private and government facilities in Maryland that provide fingerprinting may be found at: <u>http://www.dpscs.state.md.us/publicservs/fingerprint.shtml</u>

The applicant <u>must</u> request that their criminal history records information report be sent to:

- 1. The Md. Police and Correctional Training Commissions using Originating Identifier (ORI) <u>MD920524Z</u> and authorization number <u>1500002464</u>; and
- 2. The applicant, at the same time, may request a copy of their record be forwarded to themselves.

#### APPLICANTS MUST BE ADVISED OF THEIR RIGHT TO CHALLENGE ERRONEOUS INFORMATION

At the time an agency requests that an applicant obtain a criminal history records background report be submitted to MPCTC, it shall notify the applicant that when the applicant receives a copy of their records background report, the applicant may challenge the completeness, contents, and accuracy of the information in the records as provided by Criminal Procedures Article, § 10-223 of the Annotated Code of Maryland. The agency shall provide to the applicant a copy of Criminal Procedures Article, § 10-223. (A copy is included in the "Instructions to an Applicant" document for convenient reference)

#### MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS CERTIFICATION UNIT PROCESSING AND MAINTAINING CRIMINAL HISTORY RECORDS

When the Certification Unit of the Police and Correctional Training Commissions receives a criminal history background report on an applicant, such records will be segregated in a secure and dedicated electronic file with all other criminal history background reports on pending applicant certifications.

A criminal history background report will be maintained in MPCTC's secure and dedicated electronic file <u>no longer than 90 days</u>. All criminal history background reports, not connected with a "complete AFC request, will be destroyed 90 days after it is received. Therefore, it is imperative that the applicant's Agency submit an AFC no later than 30 days following the applicant submitting his/her fingerprints.

Should a submitted AFC be incomplete, inaccurate, missing information, etc., any of which prevents the MPCTC Certification Unit from processing the AFC, the AFC along with an explanation will be returned to the requesting Agency within 20 days of receipt. The Agency then must return the AFC along with any necessary additional and/or corrected information within the 90 day period of receipt of the applicant's criminal history report received at MPCTC.

If the corrected AFC is submitted after 90 days of when MPCTC received the applicant's criminal history report another fingerprint submission will need to be completed by the applicant for his/her criminal history report.

The submitting Agency will be notified by the MPCTC Certification Unit when an AFC has been correctly submitted and the AFC was approved for the requested officer certification.