

Right of Access and Review
Questionnaire

1) Can your Uncle Bob view a copy of their entire criminal history transcript?

 Yes No

2) Must Uncle Bob be fingerprinted in order to process an Access and Review?

 Yes No

3) Check the appropriate entities listed below that have the authorization to forward an Access and Review request to the Department of State Police?

 Chicago Police
Department DCFS Sangamon
County Sheriff's Department of
Corrections Uncle Bob

4) Can any agency other than the Department of State Police respond to an Access and Review request?

 Yes No

5) Can the facility where the request originated charge a fee?

 Yes No

6) Upon request to the facility to process the request, how long does this facility have to forward the request to the Department of State Police?

 24 Hours 30 Days 6 months Whenever they want

7) Can Uncle Bob challenge the data contained in his criminal history transcript?

 Yes No

8) What agency regulates the administrative appeal process for an individual that feels they have received an unsatisfactory response from the Department of State Police?

Right of Access and Review
Questionnaire (Answer Sheet)

1) Can your Uncle Bob view a copy of their entire criminal history transcript?

Yes

Utilizing the Access and Review process per the Illinois Administrative Code Title 20 Chapter II Part 1210

2) Must Uncle Bob be fingerprinted in order to process an Access and Review?

Yes

Access and Review must be a fingerprint based transaction

3) Check the appropriate entities listed below that have the authorization to forward an Access and Review request to the Department of State Police?

Access and Review requests shall be reported from law enforcement or correctional facilities

Chicago Police Department

DCFS

Sangamon County Sheriff's

Department of Corrections

Uncle Bob

4) Can any agency other than the Department of State Police respond to an Access and Review request?

Yes

Both the State Police and FBI shall respond

5) Can the facility where the request originated charge a fee?

Yes

A fee for the actual processing of the request may be charged

6) Upon request to the facility to process the request, how long does this facility have to forward the request to the Department of State Police?

24 Hours

30 Days

6 months

Whenever they want

7) Can Uncle Bob challenge the data contained in his criminal history transcript?

Yes

The Department of State Police provides a record challenge form along with the criminal history transcript to the requesting agency

8) What agency regulates the administrative appeal process for an individual that feels they have received an unsatisfactory response from the Department of State Police?

Illinois Criminal Justice Information Authority

Appendix E 20 I.A.C. 1210, Right of Access and Review

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER II: DEPARTMENT OF STATE POLICE
PART 1210 INDIVIDUAL'S RIGHT TO ACCESS AND REVIEW CRIMINAL HISTORY RECORD INFORMATION

Section 1210.10 Definitions

"Criminal History Record Information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, information, pretrial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court of correctional supervision, rehabilitation and release.

"Criminal History Transcript" means a printed record of criminal history record information maintained by the Department with respect to a particular individual.

"Department" means the Illinois Department of State Police.

Section 1210.20 Procedures

- a) Any individual may approach any Illinois law enforcement or correctional facility during regular business hours for the purpose of obtaining the individual's criminal history transcript.
- b) In response to a request for a criminal history transcript, the facility shall obtain fingerprints from the individual and other identification information.
- c) Within 30 days after the request, the facility shall forward to the Department the fingerprints and identifying information.
- d) Within 60 days after receiving the fingerprints and identifying information, the Department shall provide the facility with the individual's criminal history transcript or, if no criminal history is found, a written statement so stating.
- e) The facility shall contact the individual and allow the individual to view the criminal history transcript at the facility.

Section 1210.30 Fee

The facility where the request is made may charge a fee of up to the actual cost of processing the request. This fee may be waived.

Section 1210.40 Challenges

- a) An individual who believes his or her criminal history transcript is inaccurate may request a correction by submitting a written explanation to the Department.

Criminal History Record Information User's Manual

- b) In the event the Department's response is not satisfactory to the individual, the individual may further pursue the matter using the administrative appeal procedures established by the Illinois Criminal Justice Information Authority (see 20 Ill. Adm. Code 1510).

(Source: Amended at 26 Ill. Reg. 12638, effective August 2, 2002)

AUTHORITY: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Adopted at 25 Ill. Reg. 12859, effective October 1, 2001; amended at 26 Ill. Reg. 12638, effective August 2, 2002.

(20 ILCS 2630/7) (from Ch. 38, par. 206-7)_____

Sec. 7. No file or record of the Department hereby created shall be made public, except as provided in the "Illinois Uniform Conviction Information Act" or other Illinois law or as may be necessary in the identification of persons suspected or accused of crime and in their trial for offenses committed after having been imprisoned for a prior offense; and no information of any character relating to its records shall be given or furnished by said Department to any person, bureau or institution other than as provided in this Act or other State law, or when a governmental unit is required by state or federal law to consider such information in the performance of its duties. Violation of this Section shall constitute a Class A misdemeanor.

However, if an individual requests the Department to release information as to the existence or nonexistence of any criminal record he might have, the Department shall do so upon determining that the person for whom the record is to be released is actually the person making the request. The Department shall establish reasonable fees and rules to allow an individual to review and correct any criminal history record information the Department may hold concerning that individual upon verification of the identity of the individual. Such rulemaking is subject to the provisions of the Illinois Administrative Procedure Act. (Source: P.A. 85-922.)

(All fields marked in **BOLD>** are mandatory)

ACCESS AND REVIEW CARD

Document Control Number

L31520396

Submitting Agency ORI - NCIC

IL

Transaction Control Number



FRM1630L31520396

Subjects Last Name

First Name

Middle Name/Suffix

Date of Birth

Place of Birth

State Identification Number

IL

Chicago IR #

FBI #

Sex

Race

Height

Weight

Hair

Eye

Skin

Social Security Number

Drivers License Number

DL State

Alias Last Name

First Name

Middle Name/Suffix

Alias Date of Birth

Agency Case Number

Date Fingerprinted: / /

Requesting Officers Name

Fingerprint Images

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE
6. L. THUMB	7. L. INDEX	8. L. MIDDLE	9. L. RING	10. L. LITTLE
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		L. THUMB	R. THUMB	RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

PLEASE MAIL THIS COPY TO:

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