The bill makes some changes in the dissemination of juvenile records and provides for Minnesota to enter a national compact on the noncriminal justice use of criminal history records.

1 **Records of findings.** Amends the statute on data the juvenile court forwards to the Bureau of Criminal Apprehension (BCA) from juvenile petitions involving gross misdemeanor and felony level offenses. If the juvenile was adjudicated delinquent, requires the court to indicate whether the offense would have been a felony or a gross misdemeanor if committed by an adult.

2 **Peace officer records of children.** Amends current law that allows law enforcement agencies to exchange records on juveniles for law enforcement purposes. Authorizes sharing with federal agencies and agencies in other states.

3 **Access.** Provides for the BCA to release juvenile records in connection with a background check authorized under the children's service provider statute.

4 **Information furnished to peace officer.** Requires the BCA to inform the arresting officer of any juvenile disposition data on an arrestee that are not in the criminal history system (so-called "suspense" data).

5 **Report by the court.** Requires the court to determine the level of offense for each convicted individual and report it to the BCA.

6 **Citation.** The next two sections may be called the National Crime Prevention and Privacy Compact.

7 **Compact.** Defines various terms, including the following. The compact uses "attorney general" to mean the attorney general of the United States. A "compact officer" for the federal government is someone designated by the FBI director. In a state that person is the chief administrator of the state's criminal history record repository, or a designee. The "council" is the compact council established under the compact.
Defines criminal history; excludes from this term identification information, like fingerprints, that do not indicate involvement with the criminal justice system.

Defines Interstate Identification Index System (III System) to mean the cooperative federal-state system to exchange criminal history records, including the National Identification Index and the National Fingerprint File, and the criminal history records repositories of the states and FBI, to the extent of their participation in the system.

Article II states that the compact purposes are to (1) provide a legal framework for interstate and federal-state exchange of criminal history records for noncriminal justice uses; (2) require the FBI to permit use of the National Identification Index and the National Fingerprint File by each party state and to provide federal and state criminal history records to requesting states according to the compact; (3) require party states to provide information and records to the National Identification Index and the National Fingerprint File and to provide criminal history records in a timely fashion to other states and the federal government for noncriminal justice purposes, according to the compact; (4) establish a council to monitor III System operations and prescribe system rules and procedures; and (5) require the FBI and each party state to adhere to III System standards on records dissemination and use, response times, system security, data quality, and other duly established standards, including those on accuracy and privacy of records.

Article III lays out responsibilities of compact parties.

Article IV covers authorized record disclosures. Provides that consistent with the 1974 federal privacy act, the FBI will give (1) state criminal history records repositories and (2) criminal justice agencies and other governmental and nongovernmental agencies: criminal history records that are not sealed, to be used for noncriminal justice purposes allowed by federal statute, federal executive order, or a state statute that authorizes national indexes checks and has been approved by the U.S. attorney general.

Lets records obtained under this article be used only for the official purposes for which the record was requested. Requires each compact officer to establish procedures to protect records accuracy and privacy, including (1) requiring subsequent records checks to obtain current information whenever a new need arises and (2) ensure that records that may not be used for a particular noncriminal justice purpose are deleted, and if no releasable records remain, a "no record" response is communicated to the requesting official.

Article V covers records request procedures.

Article V covers records request procedures. It requires fingerprints or other approved positive identification be submitted with all criminal history records requests. It allows the state or FBI to charge a fee for a request involving fingerprint processing, but prohibits a fee in response to an electronic request for a record that does not involve fingerprint processing.

Provides procedures when a state cannot positively identify a search subject.

Article VI establishes a compact council to establish rules and procedures and sets out the membership, terms, officers, and meeting schedule of the council.

Article VII provides that the compact takes effect when ratified by two or more states, as between those states and the federal government. Adds other states to the compact as they ratify it.

Article VIII covers miscellaneous issues: the compact (1) does not interfere with the FBI director's control over the agency's collection and dissemination of criminal history records, or the role of the FBI's advisory policy board for all purposes other than noncriminal justice; (2) does not requires the FBI to spend funds beyond those appropriated to it; and (3) does not
change responsibilities under Public Law Number 92-544.

Article IX provides that a compact is in effect for a given state unless renounced by the state. Provides that a state may leave the compact through the same kind of mechanism it used to ratify the compact.

Article X provides that if any part of the compact is found unconstitutional, parts that can continue in effect will do so.

Article XI deals with adjudication of disputes between compact parties.

Powers with relation to compact. Authorizes the commissioner of public safety or a designee to carry out the compact in this state.