CRIMINAL HISTORY INFORMATION
GENERAL ORDER #16.00

Adopted: 06/01/05
Revised 09/13/05
Replaces: Stanford G.O. #3.1.7

POLICY

Sworn members of the Stanford University Department of Public Safety shall obtain and use criminal history and other confidential computerized information only for official business of the Department. Any employee who violates this policy will be subject to disciplinary action and may be subject to criminal prosecution.

PROCEDURE

A. USE OF CLETS

1. The California Department of Justice is responsible for the California Law Enforcement Telecommunications System (CLETS). This computerized system provides criminal history information and communications with state, federal and international law enforcement agencies.

2. All information accessed through CLETS is strictly confidential and is to be used for law enforcement purposes only. Access to this information is authorized only for personnel who have a legal right to know and a need to know.

3. The use of the CLETS system is governed by the provisions of the CLETS User’s Agreement. The Sheriff’s Office records manager is the Criminal Records Security Officer as required under the agreement. The Criminal Records Security Officer shall ensure that all CLETS access equipment is installed and maintained as required by the agreement.
4. The use of the CLETS system also is governed by applicable provisions of criminal law, including Penal Code sections 182.1, 502, 11140-11143, and 13301-13304, and Vehicle Code section 1808.45. The use of CLETS for other than authorized law enforcement purposes can be prosecuted criminally if the conduct violates the provisions of the criminal law.

5. Sworn members of the Stanford University Department of Public Safety shall use the CLETS system in compliance with applicable law and agreements. Sworn members of the Stanford University Department of Public Safety shall obtain and use information from the CLETS system only for official business of the Department.

B. SECURITY OF CRIMINAL HISTORY INFORMATION

1. Criminal offender record information, also known as criminal history information, is not public information, and is subject to the provisions of sections 11075-11081 of the California Penal Code. This information includes arrest summaries, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release.

2. Criminal offender record information is maintained in the Sheriff’s Office in various forms. It includes information maintained in the CLETS system as well as information contained in the non-public access section of the Santa Clara County Criminal Justice Information Control (CJIC) system.

3. Access to criminal offender record information is restricted by law to those who have both the right to know and the need to know. Employees with access to criminal offender record information shall comply with all applicable laws and agreements regarding confidentiality of the information obtained. Sworn members of the Stanford University Department of Public Safety shall obtain and use criminal offender record information only for official business of the Department. Sworn members of the Stanford University Department of Public Safety shall document the use and disclosure of all criminal history information as provided in the applicable law and agreements regarding confidentiality of the information obtained.

4. Only personnel specifically designated by the Director of Public Safety are authorized to release or photocopy criminal offender record information. No other personnel shall release criminal offender record information except as specifically authorized in a direct or written order and then only to persons who are authorized to receive such information.
5. The District Attorney’s Office will be provided with criminal offender record information at the time that criminal charges are requested based on a criminal investigation conducted by the Stanford University Department of Public Safety.

6. Sworn members of the Stanford University Department of Public Safety authorized to release or photocopy criminal offender record information shall determine whether the person receiving the information has a right to know and a need to know, except when the release of information is pursuant to a court order or other legal process. The fact that the person making the request is a peace officer does not relieve the employee of his or her responsibility to maintain the confidentiality of the information.

7. No employee shall destroy criminal offender record information except in compliance with the procedures specified in the CLETS User’s Agreement and the applicable provisions of law and agreement.

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DIRECTOR