



DEPARTMENT NOTICE

24-122

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JUSTIFICATION Enhancement on the RAPS Masks

(Update to DB 17-088, DN 22-077)

Complying with “Need to Know” and Use of RAPS Masks

As a result of the recent Criminal Offender Record Information audit by the California Department of Justice, and to reinforce the compliance issues involved with the use of the state criminal history masks in Level II, users are reminded of the following:

It is imperative that any investigatory units using state rap sheets, which do **not** have a particular CAD or incident number, input any internal case tracking numbers in the “Comments” field of the mask, with a correlating explanation in the “Justification” field.

As an alternative to the highly regulated rap sheet, it is recommended that a local QRAP mask be used to check any recent criminal history whenever possible.

Members of the Background Unit are also specifically reminded that agencies are prohibited from using rap sheets or making any inquiries into the automated criminal history system (“ACHS”) for recruit or civilian employment, firearm licensing or certification purposes; as part of Title 11, sections 703 (d) and 707 (b) of the California Code of Regulations (CCR) which requires agencies to conduct record clearances on all personnel who have access to criminal offender information strictly via the submission of fingerprints to the DOJ for processing.

Members occasionally run a criminal history (290 registrants, CI status, etc.) where an actual police case number or CAD incident number does not exist.

To assist users in articulating the “need to know” when using the criminal history mask in these cases, a JUSTIFICATION field is included in the RAPS mask. The JUSTIFICATION field allows a maximum of 100 alphanumeric characters.

The JUSTIFICATION field is conditionally mandatory; **if no data is entered in the CASE#/CAD# field you must complete the JUSTIFICATION field.**

These two fields are shown in yellow below:

RAPSNEW (v5.02)

Criminal History Inquiry

Route Data (Name or Initials or ID # and Reason)

Requester Initials Operator Initials

Subject's Role

Type of Investigation / Inquiry

Case # / CAD # Comments

Justification

ACHS On-Line Criminal History Transcript (QH):

CII (Record) # - or - DSP #

CLETS users are again reminded of the regulations placed on the use of criminal history information. During a recent audit it was discovered that some users are still not complying with the required regulations. Access to CLETS information is only allowed upon a verified “right to know” with correlating “need to know” justification. Any misuse of CLETS will be investigated and, if sustained, the employee may be disciplined up to and including termination from employment and/or be subject to criminal and civil action.

Restrictions have been placed on CLETS users to ensure that the rights of all citizens of California are properly protected. Article 1, Section 1 of the California Constitution grants California citizens an absolute right to privacy. Individuals or agencies violating these privacy rights place themselves at both criminal and civil liability.

Members who have questions pertaining to this order, or any other issues related to the proper use of any of the Level II masks, please do not hesitate to contact Hilarie Coby, SFPD CLETS Coordinator administrator, at (415) 837-7336 or hilarie.coby@sfgov.org for any questions regarding the handling of this new field or any remaining concerns on the use of criminal history.


WILLIAM SCOTT
Chief of Police

Per DN 23-152, all sworn & non-sworn Members shall electronically acknowledge this Department document in PowerDMS within (30) thirty calendar days of issuance. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be sent to sfpd.writtendirectives@sfgov.org, who will provide additional information.