



Department of Public Safety and Correctional Services

Office of Government & Legislative Affairs

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BILL: HOUSE BILL 550

POSITION: LETTER OF INFORMATION

EXPLANATION: The bill repeals the prohibition on expungement of a charge within a “unit” of charges unless all of the charges in the unit are eligible for expungement and authorizes a person to file a petition for partial expungement of eligible charges when two or more charges arise from the same incident, transaction, or set of facts, and one or more of the charges are not eligible for expungement .

COMMENTS:

- The Department of Public Safety and Correctional Services (DPSCS) houses the Criminal Justice Information System (CJIS) which is the repository for law enforcement to access criminal history record information, fingerprints, etc., and provides background checks to statutorily authorized entities.
- HB 550 allows for an individual to petition for partial expungement for an eligible offense even if another charge or conviction out of the same incident is not eligible for expungement.
- Currently, CJIS does not have the capability to perform a partial expungement in unit cases. Attempts to expunge a charge from the unit will cause a deletion of the entire record and all attached charges.
- The Computerized Criminal History (CCH) system, which is the interface for CJIS, must be modernized before partial expungement can be implemented. Once the modernization has occurred, the Department’s Information, Technology and Communications Division (ITCD) can begin to develop and deploy the technological solutions necessary for the CJIS system to accommodate a partial expungement.
- The CCH modernization project is currently in the procurement phase. Once awarded, the project is estimated to take at least 18 months. In addition, ITCD estimates it will take over 3 years to complete the technological upgrades to the CCH to allow CJIS the ability to

implement partial expungement functionality. There will be a substantial cost for the additional technology and staffing required by ITCD to complete the technological upgrades to the CCH.

CONCLUSION: The Department of Public Safety and Correctional Services respectfully asks this Committee to consider this information as it deliberates on House Bill 550.