



STATE OF MICHIGAN
JAMES J. BLANCHARD
GOVERNOR

EXECUTIVE ORDER

1990-10

PROVISION FOR DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION

WHEREAS, the Policy Council of the Law Enforcement Information Network (LEIN) has adopted the Code of Federal Regulations, Title 28, Chapter I, Part 20 within administrative rule R28.5105 to regulate access and dissemination of criminal history record information (CHRI) available within this network; and

WHEREAS, Section 20.21b(2) of Title 28 states that non-criminal justice agencies and individuals may obtain nonconviction information for purposes "authorized by statute, ordinance, executive order, or court rule, decision, or order..."; and

WHEREAS, there are non-criminal justice agencies with a defined responsibility needing access to nonconviction data, whether directly or through an intermediary; and

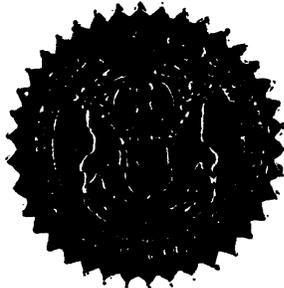
WHEREAS, these non-criminal justice agencies must have authority to access the criminal history record data base, whether directly or through an intermediary;

NOW, THEREFORE, I, JAMES J. BLANCHARD, Governor of the State of Michigan, pursuant to the powers vested in me by the Michigan Constitution of 1963 and the laws of the State of Michigan, do hereby Order that the non-criminal justice agencies listed in Appendix A shall have authority to receive conviction and nonconviction criminal history record information whether directly or through an authorized intermediary.

IT IS FURTHER ORDERED that before any information is released, user agreements which establish requirements and procedures for accessing the criminal history record information must be entered into with the Michigan Department of State Police.

IT IS FURTHER ORDERED that the use of the criminal history record information shall be limited to the purposes stated in the aforementioned appendix. Each agency shall also have the authority to require fingerprinting for the purpose of checking the state offender file to meet the required responsibility.

IT IS FURTHER ORDERED that this Executive Order shall take effect 60 days from the date of signing hereof.



Given under my hand and the Great Seal of the State of Michigan, this 30th day of May in the Year of Our Lord, One Thousand Nine Hundred Ninety, and of the Commonwealth, One Hundred Fifty-Four.

James J. Blanchard

 GOVERNOR

BY THE GOVERNOR:

Richard H. Austin

 SECRETARY OF STATE



STATE OF MICHIGAN
JAMES J. BLANCHARD
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APPENDIX A

The following is a list of non-criminal justice agencies and their responsibility for which nonconviction data is required. These agencies are provided with the authority to receive nonconviction criminal history record information pursuant to Executive Order 1990-10.

- I. Authorized persons within the Office of the Governor who are responsible for determining the propensity on the part of a person to serve the public in a fair, honest, and open manner.
- II. Authorized persons within the Department of Social Services who are responsible for the licensing and regulation of child or adult care homes, facilities or institutions.
- III. Authorized persons within the Department of Social Services who are responsible for the protection, care, or placement of children in the custody of the court or the state.
- IV. Authorized persons within the Department of Education who are responsible for the issuance of teacher's certificates.
- V. Authorized persons within any administrative agency of state government who are responsible for the enforcement and compliance with state regulated occupational or professional licenses or certificates.