

NUMBER:	3.8
SUBJECT:	SEALINGS
CATEGORY:	CAL-ID
DATE:	April 24, 2018
DATE REVISED:	July 29, 2019
RELATED SECTIONS:	WEB ARCHIVE (3.3); LOCAL DATABASE (3.4);
IN COMPLIANCE WITH:	ADULT ORDER PC 851.8 & 1170.9(h); JUVENILE ORDER WI 389(c), 398(c), ALL781 and subcategories, 790, 793 and subcategories

POLICY:

To establish Sheriff's Records & ID Division, Cal-ID Section procedures for compliance with mandated sealing of fingerprints associated with Criminal History.

RESPONSIBILITY:

It is the responsibility of Cal-ID Section personnel to review all mandated paperwork requiring the removal of fingerprints from CAFIS; and comply with that order within 10 days. Adult sealings fall under the 851.8 & 1170.9(h) and juvenile sealing orders fall under the WI 389(c), 389(s), 398(c), 781(d), 790, 793 & 793(c). Under 1170.9(h) PC, veterans are given the opportunity to wipe the criminal record slate clean after going through rigorous rehabilitation and an extensive court hearing. Under WI 398(c) and 781(d), all juvenile arrests that occur prior to the court order will be sealed. Under WI 790, 793, 793(c), also known as "Deferred Entry of Judgment" these orders pertain to a specific arrest date and should have a hand written date listed on the order. If a specific arrest date is not listed on the order, return the sealing to the Cases Section.

PROCEDURE:

The order to seal and/or remove fingerprint records can be produced from several sources. Review the paper work for the specifics of what needs to be removed. If there is a court document associated with the paperwork run the document number to see what arrest record it ties to.

A. VERIFY SEALING ORDER

1. Check the paperwork that comes with the cover sheet.
2. Verify all of the information such as name and date of birth are the same in all the documents that were submitted.

3. If the order is to seal juvenile record, check the papers if the order is to seal the entire juvenile record or a specific record (deferred entry).

To check for the REJIS number, check the juvenile's paperwork. The REJIS number is usually written in one of the documents attached. It will usually states INDIVIDUAL ID OR ID NUMBER.

4. If the order is for 1170.9(h). All charges listed on the court order must be sealed. The charges listed in law enforcement and court section are inclusive in the sealing. Charges should match the District Attorney screen and court document. Most of these type of sealing order is presented on JUS 8715A.

B. SINGLE ARREST RECORD

1. On the CAFIS Queue Screen, click on Database Query.
2. Click on New Query
3. To look for prints in the archive using Booking number or REJIS number, type in the booking number or REJIS number on Booking No. Field. Then Click on OK.
4. Do a search using the CAFIS number by typing the CAFIS number in the Main No field. Check if there are multiple bookings in that particular CAFIS if any or all need to be deleted as well.
5. Print out the fingerprint card to be removed. Right click, select "View NIST Packet". On the NIST packet, click on Print Icon (second icon from left).
6. Print option dialog menu will appear
7. On the Option, select: "Tenprint on Card" for hard card print. And click OK.
8. Choose which Printer to print from. Then click Print.
After printing out the card, delete the fingerprint card from the Database Query by selecting the fingerprint to be deleted, right click then select delete. It should automatically remove the booking from the Web Archive.
9. The reason for the deletion is: "Court Ordered Sealing". Then click "OK"

Note: If there are additional active bookings, do not delete those bookings unless it is specified in the sealing order. Follow section 'C' on 'Multiple Arrest Records.'

10. Sign the order, check the 'CAFIS Number removed from Database' and write the CAFIS in the space provided. Check the box of the 'Booking #', Cite/Release # or 'REJIS #'. Write the number(s) of the removed database on the designated line.

11. Notate in the memo area of the fingerprint card, sealed, date and initial.
12. Attach the fingerprint card to the paperwork and place in the designated Sealing inbox by the Booking Supervisors Section with a routing slip on the cover.
13. Enter the sealing in the electronic Cal-ID Sealing Log.
14. Go to Section J.

C. MULTIPLE ARREST RECORDS

1. Determine what booking or juvenile record needs to be sealed.
2. If a DNA fingerprint submission (PR after the REJIS # or Booking #) was registered as a result from the booking needing to be sealed, it also must also be sealed. Remember if not for the arrest, the DNA would not have been taken.

D. SEALING PARTIAL CHARGES

DOJ notifies of the sealing of certain charges but not all; paperwork submitted will have "DESTROY" stamped next to the charge.

1. Print out an additional fingerprint card from the Database Query and the SDLaw printout.
2. Submit the first fingerprint card with the paperwork that is going to the Booking Section as instructed in B.
3. Relaunch the prints from the Database Archive, select "New Transaction #"; set Workflow list to 91 (local enrollment only) and set priority to 1.
4. Delete the original fingerprint card from the Database Query after Booking with new transaction has processed through TP/Verify. The prints should hit on existing CAFIS number.
5. Process the Type2/Edit of the booking with all the information but without the "DESTROY" charges.

D. SEALING REBOOK BOOKING NUMBERS

The court document number is associated with a particular booking number and the number maybe a rebook and not the "A" booking.

1. Run the document number in the Criminal History

2. Print the rebook fingerprint card from the Database Query before deleting.
3. Follow instructions in B, 4-9

E. LOCATING FINGERPRINTS WHEN THE AFIS/CAFIS NUMBER IS MISSING UNDER THE PURGE CRITERIA

You will need to research a subject if there is only a DA screen. Remember if a booking number is not listed; it does not mean the fingerprints are not in the database.

1. Check the Database Query by running the subjects name for a CAFIS number. If there are no results proceed to step 2.
2. Check the DA screen for a CII number listed
 - a. if a CII is listed check the Database Query and Web Archive to see if there are any bookings listed. If there are no booking records proceed to step b.
 - b. Check the AAS (DOJ Archive) by running the CII number or Name and DOB, look for a booking number under that CII and SDSO, ORI number.
3. If a CII number is not listed, run the subject's name in eSUN/State/Criminal History/Name Inquiry to get a list of candidates and check each one in AAS to eliminate
4. If you locate the fingerprint record follow the instructions from B.
5. If you cannot locate a CII number, you will have to mark the form "No Record Found".

F. ELECTRONIC SUBMISSION OF REJIS/CITE

1. Run the name in the Database Query to check for a number. If no hit, proceed to step 2.
2. Run the name in the AAS (DOJ Archive). If there is not a hit, proceed to step 3.
3. Run the name in the eSUN/State/Criminal History/Name Inquiry
 - a. Check the CII number in AAS for the booking information.
 - b. Run the REJIS/CITE number in the Database Query.
4. If there's a hit, follow the steps in A to remove the fingerprints from the database.

G. LOCATING JUVENILE REJIS NUMBERS

If the fingerprint record is a juvenile and you cannot locate it with the documents submitted or by running the name in the Database Query, Web Archive or state; contact Jessica Cruzado (at Juvenile Hall) 858-694-4332, or contact Jonita Garcia with Juvenile Probation. 858-694-4550

or email: Jonita.Garcia@sdcounty.ca.gov. Request the REJIS number and explain why it is needed. Check the local archive by running the REJIS number in the booking field and this should bring you to the CAFIS number so you can delete the record.

Note: If you do not have a specific WI code listed for the juvenile take the paperwork back to the designated Case Section employee and tell them you cannot seal the fingerprints without a WI code.

H. SEALING JUVENILE RECORD WITH A RECORD OF 290 PC REGISTRANT

If the arrest of the juvenile produced a registrant record, the registrant record must be sealed as well. If not for the arrest then there would not be the registrant fingerprint card.

I. FILLING OUT THE INTERDEPARTMENTAL CORRESPONDENCE FORM

Under the CAL-ID UNIT on page two.

1. When all of the records in CHS are to be removed and the CAFIS number is to be sealed
 - a. Check the 'CAFIS Number removed from Database' box and write the number in space provided. Check the 'Booking #', Cite/Release #' or 'REJIS #' box and write the number on that line if you have removed it.
 - b. Always sign your name in the "Sealed By:" section, indicating you worked the sealing.
2. If you are sealing only one booking do not check the box next to the "AFIS Number removed from Database, write the CAFIS/AFIS number in the slot;
 - a. make a notation of active history under the CAFIS number
 - b. write the booking, cite or REJIS number(s) on the line provided
 - c. If there is not a record found, check the 'No Record Found' box. Do not put a REJIS #, Cite & Release # etc. in those fields if you are not sealing them; leave them blank.
3. Log the sealing information in the Records/Electronic Log/Cal-ID Sealing Log.
4. Sign your name, ARJIS number and date the form. Place the form in the designated Booking Supervisors inbox with a routing slip.

J. NOTIFICATION OF SEALING TO CORI AGENCIES

It is the responsibility of the Cal-ID Section to notify outside agencies of the order to Seal, when there is a CORI release of any criminal history information or fingerprints

by CAL-ID personnel. Remember there are more than once electronic CORI logs, check the oldest if the arrest is prior to 2009

1. Check the CORI log to see if anyone has given out information or sent fingerprints on the subject you are sealing.
 - a. If there is no CORI entry, no notification is required
 - b. If there is CORI entry, a notification must be sent.
2. Bring up the correct notification form and fill in all the pertinent information. The forms are located in the Records/V drive/Forms/Cal-ID/No Letterhead folder.
3. Make a notation in the CORI misc. field of notification sent.
4. Make a notation in the Cal-ID Sealing Log misc. field of notification sent.
5. Notification can be made by fax, e-mail, interoffice or postal mail.
6. If the original notification is sent through the mail, make a photocopy to attach to the sealing paperwork; otherwise attach the original copy to the sealing paperwork. Put a contact number on the notification letter for a follow-up contact, (follow-up contact to be completed by the Cases Section) if a response has not been sent. Be sure to make another copy of the notification to put in the Cal-ID notification folder.
7. A confirmation of the notification is required from all agencies notified. If you receive a confirmation notification either by phone, fax, e-mail or mail, pull the paperwork from the folder and make the notation of the person, date and time on the paperwork or attach the written confirmation to the letter and give it to Dayshift Booking Supervisor in the Cases Section.