

Bill No. 5006

Ordinance No. _____

Requested by: Samantha Shadrach

Sponsored by: Mike Elam

AN ORDINANCE REQUIRING THE FINGERPRINTING OF EMPLOYEES, PROSPECTIVE EMPLOYEES AND VOLUNTEERS WITHIN COUNTY GOVERNMENT FOR CRIMINAL HISTORY RECORD INFORMATION FROM THE MISSOURI STATE HIGHWAY PATROL AND FEDERAL BUREAU OF INVESTIGATION

WHEREAS, Section 43.535, RSMo. provides that Counties may, by passage of an ordinance, require the fingerprinting of applicants purpose of receiving criminal history record information by County officials from the Missouri State Highway Patrol; and

WHEREAS, passage of this ordinance will allow the County to receive the Missouri criminal records repository and the Federal Bureau of Investigation federal criminal history files, and will allow the County to lawfully receive access to all records related to any criminal history information discovered; and

WHEREAS, passage of this bill will allow for more thorough and efficient criminal history checks, which will allow the County to make informed decisions about those individuals it seeks to hire to ensure the safety of County citizens and responsible stewardship of County funds and information.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. This ordinance is enacted pursuant to Chapter 43, Section 43.535 RSMo., to regulate employment with St. Charles County.

Section 2. An employee, prospective employee or volunteer seeking to engage in employment with St. Charles County shall submit his/her fingerprints to the Missouri State Highway Patrol, Criminal Justice Information Services (CJIS) Division, along with appropriate fees. The Missouri State Highway Patrol, CJIS Division will compare the subject's fingerprints against its criminal file and submit the fingerprints to the Federal Bureau of Investigation (FBI) for a comparison with national criminal history records. The results of the FBI check will be returned to the Missouri State Highway Patrol, CJIS Division, which will disseminate the state and national results to St. Charles County.

Section 3. St. Charles County shall render a fitness determination based upon the results of the criminal background check. In rendering a fitness determination, St. Charles County will decide whether the subject of record has been convicted of or is under pending indictment for (a) a crime which bears upon his/her ability or fitness to serve in that capacity; (b) any felony or a misdemeanor which involved force or threat of force, controlled substances, or was a sex-related offense; or (c) enumerated disqualifiers.

Section 4. The subject of record may request and receive a copy of his/her criminal history record information from St. Charles County should the subject of record seek to amend or correct his/her record, he/she must contact the Missouri State Highway Patrol, CJIS Division for a Missouri state record and the Federal Bureau of

Investigation for records from other state jurisdictions maintained in its file.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR