

PROCEDURE

Series: Operating Procedures **COA:**
CFOP: 50-1

Procedure Name: Secondary Dissemination of Criminal History Information
Procedure Number: OP1159
Review Date: 03/2/20
Revision #/Date: March 1, 2017, 03/20/2020
Effective Date: July 5, 2012

Applicable to: All BFP Family of Agencies Staff and Contract Providers

PURPOSE: The purpose of this procedure is to serve as a reminder concerning directives for procedure regarding dissemination of criminal history information. The Department and its subcontractors must maintain compliance with the user agreement with the Florida Department of Law Enforcement (FDLE).

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References

CFOP 170-1 Requesting and Analyzing Background Records 6-9, Secondary Dissemination Log Template, Florida Law Enforcement Agency Appendix A

Definitions

Secondary Dissemination: When a person requesting and/or in the possession of a criminal history shares any part of that information with another professional outside of their agency, *physically or verbally*, that action is considered secondary dissemination.

Dissemination of criminal history information from a Brevard Family Partnership staff member to a contracted provider, who is authorized to receive the information, is still considered a secondary dissemination. In addition, a dissemination of criminal history information from the contracted provider to authorized personnel outside of their agency, such as the court, state attorney, and/or DCF staff, is also considered a secondary dissemination.

Secondary Dissemination Log: FDLE requires criminal histories that are shared outside of the user's agency to be documented on a secondary dissemination log. The purpose of the log is to provide an audit trail and a list of all persons having access to the criminal history record/information.

The secondary dissemination log must be maintained at the agency for at least 5 years. During an FDLE or Federal Bureau of Investigation (FBI) audit, the auditor will check to see if the agency is maintaining the dissemination log in an appropriate manner. These Secondary Dissemination Logs should be maintained in the Client Records and/or personnel records as appropriate.



Secondary Dissemination Logs must contain the following information:

- Date of dissemination Requestor / Recipient
- Unit or Type (Judge, SAO, CBC, or GAL)
- Name of Subject SID, FDLE# or FBI# Intake/report or Ongoing services case Number Purpose Code (Q, C, or X) Reason for Dissemination Person Giving the Information or Copy

Further information on these requirements can be found in DCF Operating Procedure 50-1 Section 4-8. A copy of a Secondary Dissemination Log can be found on the department's CJIS intranet page located at <http://eww.dcf.state.fl.us/cjis/>.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

A handwritten signature in blue ink that reads "Philip J. Scarpelli".

PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 9/3/2020



1. Date Of Dissemination: Enter the date as mm/dd/yyyy
2. Requestor/Recipient: Enter the name of the person outside of the unit who is receiving a copy of the criminal history.
3. Unit or Type: Enter the recipient's unit if logging an incoming fax. If logging a secondary dissemination, enter the type of recipient: Judge, State Attorney (SAO), or the Community Based Care Agency (CBC) name (e.g. Children's Home Society, Kid's Central Incorporated, Devereux, etc).
4. Name of Subject: Enter the name of the person whose criminal history is being disseminated.
5. SID, FDLE # or FBI #: Enter the State Identification Number (SID), the FDLE #, or the FBI #.
6. Intake/report or Ongoing services case Number: Enter the appropriate identification (e.g.: 2007-xxxxxx) that this dissemination pertains to.
7. Purpose Code: Enter the Purpose Code that appears on the criminal history being disseminated (Q, C, or X). Enter all that apply.
8. Reason for Dissemination: Enter why the recipient needs a copy of the criminal history (e.g. Court, Case Transfer, etc.).
9. Person Giving the Information/Copy: Enter the name of the person who is disseminating the criminal history.

NOTE: ALL disseminations outside of the Department MUST be logged and the log maintained for at least four (4) years.