

## Kuntz, Robert

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**From:** Schicker, Steve  
**Sent:** Friday, May 31, 2013 9:43 AM  
**To:** Kuntz, Robert; Robert E. Jones  
**Subject:** Solicitor Background Checks

As discussions over MULES/NCIC policy and audits are constantly fluid the issue of solicitor and liquor licenses background checks has been part of that discussion. As you can see from the email correspondence from the Missouri Highway Patrol below we are only limited to searching our own arrest/criminal history through LeWeb or CARE.

This restriction places us in a disadvantage in obtaining the information needed to be compliant with the ordinance under Chapter 14. The ordinance was amended last year to address the issues of criminal background checks. As we ran into issues with out-of-state applicants we moved to the requirement that they needed to provide us with a copy of a criminal history check from their state police or highway patrol.

My immediate response to staff on our restricted access of MULES/NCIC records is to search our record access for Ballwin cases and to conduct a CASE.net inquiry to cover all other convictions of concern per the ordinance. As CASE.net is a public record this supersedes MULES/NCIC restrictions.

The email below recommends applicant obtaining a criminal history check through the Missouri State Highway Patrol, which is a cost of \$10 on the applicant. My recommendation would be to make this a new requirement for all applicants. As it relates to Liquor License applicants, we are requiring them to obtain a criminal history records check from the St. Louis County Police Department. Due to the MULES/NCIC restrictions I suspended conducting background checks through our Communications Division several years ago.

There is an information gap in the fact the County records check only provides for local/regional records. As we have seen with solicitors they are extremely transient and are found to have criminal histories throughout the state. This has also been noticed in out-of-state applicants providing their resident state criminal histories.

Moving forward questions for the two of you are:

- 1) Does the ordinance need to be changed to reflect an internal policy change?
- 2) Are you comfortable with the inquiry of Ballwin local records and a CASE.net inquiry?
- 3) Should the Liquor License applicant process be reviewed to expand or require a Missouri State Highway Patrol criminal history records check?

Additionally I would like to see verbiage under Sec. 14-5 Issuance of Permit to include a Better Business Bureau search inquiry as part of the Police Department's background search. This would further protect residents from businesses with a history or poor business practices and unresolved complaints.

Steve

-----Original Message-----

From: Kleypas, Paula  
Sent: Tuesday, May 28, 2013 10:53 AM  
To: Schicker, Steve  
Subject: FW:

-----Original Message-----

From: Patricia Henton  
Sent: Tuesday, May 28, 2013 10:44 AM  
To: Kleypas, Paula  
Subject: Re:

Hi Paula,

Criminal history information obtain from MULES/NCIC is NOT allowable to query for solicitors, liquor licenses, etc...

The agency may check for your local agency arrest either via your booking sheets, or any ARREST entries into LeWeb for your agency only. Another option, which is our recommendation is to have individuals to use the Highway Patrol's MACHS website. This site can be accessed by individuals by setting up an account, paying a \$10 fee to obtain OPEN records criminal history records only.

Let me know if you have further questions.

Pat Henton  
Missouri State Highway Patrol  
CJIS Division  
Region 2 CJIS Auditor/Trainer

From: "Kleypas, Paula"

To: "Pat Henton"

Date: 05/23/2013 04:27 PM

Subject:

Dear Pat,

I need your help on a question. Our dispatchers run records checks on solicitors before we issue permits. Can you tell me exactly what that record check can include? Is it just our municipal court records? Does it include a rejis check? Does it include a MULES check? Does it include a DOR check?

This continues to be a gray area for us - we need specific answers if you can, please!

Thanks,

Paula Kleypas  
Ballwin Police Department