

STATEMENT OF PURPOSE

RS25367

Idaho's Peace Officer Training and Standards (POST) is a subunit of the Idaho State Police and administered by the Post Council. POST is responsible for training and certifying Idaho's peace, corrections, probation and parole, detention and emergency communications officers. POST relies on receiving Criminal Justice Information System (CJIS) data obtained during criminal history background checks of law enforcement employment applicants. POST has traditionally had direct access to necessary CJIS information. However, since 2015, POST has been denied direct access to necessary CJIS data as a result of the FBI's CJIS Advisory Committee's determination POST is not a criminal justice agency. As a result, POST is forced to rely on the unconfirmed attestation of the various hiring law enforcement agencies as to an applicant's qualifications with respect to criminal history. Yet the state statutory requirement for the verification of applicant criminal history for purposes of certification rests with the POST Council. RS25367 seeks to amend section 19-5109, Idaho Code. This amendment would designate POST a criminal justice agency, thereby improving the likelihood the POST Council will be approved for direct access to CJIS information by the CJIS Advisory Committee.

FISCAL NOTE

The proposed amendment to section 19-5109, Idaho Code, will have no impact on the General Fund. The amendment may have a future positive effect on POST funding by obviating the estimated payment of \$60,000 in non criminal justice agency access fees imposed on POST for restricted access to CJIS criminal history data.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).