

EX 4512.5 Criminal Record Check

SAMPLE EMPLOYEE STATEMENT FORM USE OF CRIMINAL JUSTICE INFORMATION

As an employee/volunteer of the Etiwanda School District, you may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code 502 prescribes the penalties related to computer crimes. Penal Code 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code 6200 prescribes the felony penalties for misuse of public records. Penal Code 11142 and 13303 state:

“Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor.”

Civil Code 1798.53, Invasion of Privacy states:

“Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual.”

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

1. Penal Code 11141: DOJ furnishing to unauthorized person (misdemeanor);
2. Penal Code 11142: Authorized person furnishing to other (misdemeanor);
3. Penal Code 11143: Unauthorized person in possession (misdemeanor);
4. California Constitution, Article I, Section 1 (Right to Privacy);
5. Civil Code 1798.53, Invasion of Privacy; and
6. Title 18 USC 641, 1030, 1951, and 1952.

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may also result in criminal and/or civil action.

I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUSE OF CRIMINAL RECORD INFORMATION.

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Name of District: _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms.

Board Approved:
November 14, 2024
August 13, 2015
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