

REFERENCE TITLE: **anti-semitism; crime reporting**

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

# **SB 1713**

Introduced by  
Senator Gowan

AN ACT

AMENDING SECTION 41-1750, ARIZONA REVISED STATUTES; RELATING TO CRIME REPORTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section. 1. Section 41-1750, Arizona Revised Statutes, is amended  
3 to read:  
4       41-1750. Central state repository; department of public  
5       safety; duties; funds; accounts; definitions  
6       A. The department is responsible for the effective operation of the  
7 central state repository in order to collect, store and disseminate  
8 complete and accurate Arizona criminal history records and related  
9 criminal justice information. The department shall:  
10      1. Procure from all criminal justice agencies in this state  
11 accurate and complete personal identification data, fingerprints, charges,  
12 process control numbers and dispositions and such other information as may  
13 be pertinent to all persons who have been charged with, arrested for,  
14 convicted of or summoned to court as a criminal defendant for a felony  
15 offense or an offense involving domestic violence as defined in section  
16 13-3601 or a violation of title 13, chapter 14 or title 28, chapter 4.  
17      2. Collect information concerning the number and nature of offenses  
18 known to have been committed in this state and of the legal steps taken in  
19 connection with these offenses, such other information that is useful in  
20 the study of crime and in the administration of criminal justice and all  
21 other information deemed necessary to operate the statewide uniform crime  
22 reporting program and to cooperate with the federal government uniform  
23 crime reporting program.  
24      3. Collect information concerning criminal offenses that manifest  
25 evidence of prejudice based on race, color, religion, national origin,  
26 sexual orientation, gender, **ANTI-SEMITISM** or disability.  
27      4. Cooperate with the central state repositories in other states  
28 and with the appropriate agency of the federal government in the exchange  
29 of information pertinent to violators of the law.  
30      5. Ensure the rapid exchange of information concerning the  
31 commission of crime and the detection of violators of the law among the  
32 criminal justice agencies of other states and of the federal government.  
33      6. Furnish assistance to peace officers throughout this state in  
34 crime scene investigation for the detection of latent fingerprints and in  
35 the comparison of latent fingerprints.  
36      7. Conduct periodic operational audits of the central state  
37 repository and of a representative sample of other agencies that  
38 contribute records to or receive criminal justice information from the  
39 central state repository or through the Arizona criminal justice  
40 information system.  
41      8. Establish and enforce the necessary physical and system  
42 safeguards to ensure that the criminal justice information maintained and  
43 disseminated by the central state repository or through the Arizona  
44 criminal justice information system is appropriately protected from

1 unauthorized inquiry, modification, destruction or dissemination as  
2 required by this section.

3 9. Aid and encourage coordination and cooperation among criminal  
4 justice agencies through the statewide and interstate exchange of criminal  
5 justice information.

6 10. Provide training and proficiency testing on the use of criminal  
7 justice information to agencies receiving information from the central  
8 state repository or through the Arizona criminal justice information  
9 system.

10 11. Operate and maintain the Arizona automated fingerprint  
11 identification system established by section 41-2411.

12 12. Provide criminal history record information to the  
13 fingerprinting division for the purpose of screening applicants for  
14 fingerprint clearance cards.

15 B. The director may establish guidelines for the submission and  
16 retention of criminal justice information as deemed useful for the study  
17 or prevention of crime and for the administration of criminal justice.

18 C. The chief officers of criminal justice agencies of this state or  
19 its political subdivisions shall provide to the central state repository  
20 fingerprints and information concerning personal identification data,  
21 descriptions, crimes for which persons are arrested, process control  
22 numbers and dispositions and such other information as may be pertinent to  
23 all persons who have been charged with, arrested for, convicted of or  
24 summoned to court as criminal defendants for felony offenses or offenses  
25 involving domestic violence as defined in section 13-3601 or violations of  
26 title 13, chapter 14 or title 28, chapter 4 that have occurred in this  
27 state.

28 D. The chief officers of law enforcement agencies of this state or  
29 its political subdivisions shall provide to the department such  
30 information as necessary to operate the statewide uniform crime reporting  
31 program and to cooperate with the federal government uniform crime  
32 reporting program.

33 E. The chief officers of criminal justice agencies of this state or  
34 its political subdivisions shall comply with the training and proficiency  
35 testing guidelines as required by the department to comply with the  
36 federal national crime information center mandates.

37 F. The chief officers of criminal justice agencies of this state or  
38 its political subdivisions also shall provide to the department  
39 information concerning crimes that manifest evidence of prejudice based on  
40 race, color, religion, national origin, sexual orientation, gender,  
41 **ANTISEMITISM** or disability.

42 G. The director shall authorize the exchange of criminal justice  
43 information between the central state repository, or through the Arizona  
44 criminal justice information system, whether directly or through any  
45 intermediary, only as follows:

1       1. With criminal justice agencies of the federal government, Indian  
2 tribes, this state or its political subdivisions and other states, on  
3 request by the chief officers of such agencies or their designated  
4 representatives, specifically for the purposes of the administration of  
5 criminal justice and for evaluating the fitness of current and prospective  
6 criminal justice employees. The department may conduct periodic state and  
7 federal criminal history records checks for the purpose of updating the  
8 status of current criminal justice employees or volunteers and may notify  
9 the criminal justice agency of the results of the records check. The  
10 department is authorized to submit fingerprints to the federal bureau of  
11 investigation to be retained for the purpose of being searched by future  
12 submissions to the federal bureau of investigation including latent  
13 fingerprint searches.

14      2. With any noncriminal justice agency pursuant to a statute,  
15 ordinance or executive order that specifically authorizes the noncriminal  
16 justice agency to receive criminal history record information for the  
17 purpose of evaluating the fitness of current or prospective licensees,  
18 employees, contract employees or volunteers, on submission of the  
19 subject's fingerprints and the prescribed fee. Each statute, ordinance,  
20 or executive order that authorizes noncriminal justice agencies to receive  
21 criminal history record information for these purposes shall identify the  
22 specific categories of licensees, employees, contract employees or  
23 volunteers, and shall require that fingerprints of the specified  
24 individuals be submitted in conjunction with such requests for criminal  
25 history record information. The department may conduct periodic state and  
26 federal criminal history records checks for the purpose of updating the  
27 status of current licensees, employees, contract employees or volunteers  
28 and may notify the noncriminal justice agency of the results of the  
29 records check. The department is authorized to submit fingerprints to the  
30 federal bureau of investigation to be retained for the purpose of being  
31 searched by future submissions to the federal bureau of investigation  
32 including latent fingerprint searches.

33      3. With the board of fingerprinting for the purpose of conducting  
34 good cause exceptions pursuant to section 41-619.55 and central registry  
35 exceptions pursuant to section 41-619.57.

36      4. With any individual for any lawful purpose on submission of the  
37 subject of record's fingerprints and the prescribed fee.

38      5. With the governor, if the governor elects to become actively  
39 involved in the investigation of criminal activity or the administration  
40 of criminal justice in accordance with the governor's constitutional duty  
41 to ensure that the laws are faithfully executed or as needed to carry out  
42 the other responsibilities of the governor's office.

43      6. With regional computer centers that maintain authorized  
44 computer-to-computer interfaces with the department, that are criminal  
45 justice agencies or under the management control of a criminal justice

1 agency and that are established by a statute, ordinance or executive order  
2 to provide automated data processing services to criminal justice agencies  
3 specifically for the purposes of the administration of criminal justice or  
4 evaluating the fitness of regional computer center employees who have  
5 access to the Arizona criminal justice information system and the national  
6 crime information center system.

7 7. With an individual who asserts a belief that criminal history  
8 record information relating to the individual is maintained by an agency  
9 or in an information system in this state that is subject to this section.  
10 On submission of fingerprints, the individual may review this information  
11 for the purpose of determining its accuracy and completeness by making  
12 application to the agency operating the system. Rules adopted under this  
13 section shall include provisions for administrative review and necessary  
14 correction of any inaccurate or incomplete information. The review and  
15 challenge process authorized by this paragraph is limited to criminal  
16 history record information.

17 8. With individuals and agencies pursuant to a specific agreement  
18 with a criminal justice agency to provide services required for the  
19 administration of criminal justice pursuant to that agreement if the  
20 agreement specifically authorizes access to data, limits the use of data  
21 to purposes for which given and ensures the security and confidentiality  
22 of the data consistent with this section.

23 9. With individuals and agencies for the express purpose of  
24 research, evaluative or statistical activities pursuant to an agreement  
25 with a criminal justice agency if the agreement specifically authorizes  
26 access to data, limits the use of data to research, evaluative or  
27 statistical purposes and ensures the confidentiality and security of the  
28 data consistent with this section.

29 10. With the auditor general for audit purposes.

30 11. With central state repositories of other states for noncriminal  
31 justice purposes for dissemination in accordance with the laws of those  
32 states.

33 12. On submission of the fingerprint card, with the department of  
34 child safety and a tribal social services agency to provide criminal  
35 history record information on prospective adoptive parents for the purpose  
36 of conducting the preadoption certification investigation under title 8,  
37 chapter 1, article 1 if the department of economic security is conducting  
38 the investigation, or with an agency or a person appointed by the court,  
39 if the agency or person is conducting the investigation. Information  
40 received under this paragraph shall only be used for the purposes of the  
41 preadoption certification investigation.

42 13. With the department of child safety, a tribal social services  
43 agency and the superior court for the purpose of evaluating the fitness of  
44 custodians or prospective custodians of juveniles, including parents,  
45 relatives and prospective guardians. Information received under this

1 paragraph shall only be used for the purposes of that evaluation. The  
2 information shall be provided on submission of either:

3 (a) The fingerprint card.

4 (b) The name, date of birth and social security number of the  
5 person.

6 14. On submission of a fingerprint card, provide criminal history  
7 record information to the superior court for the purpose of evaluating the  
8 fitness of investigators appointed under section 14-5303 or 14-5407,  
9 guardians appointed under section 14-5206 or 14-5304 or conservators  
10 appointed under section 14-5401.

11 15. With the supreme court to provide criminal history record  
12 information on prospective fiduciaries pursuant to section 14-5651.

13 16. With the department of juvenile corrections to provide criminal  
14 history record information pursuant to section 41-2814.

15 17. On submission of the fingerprint card, provide criminal history  
16 record information to the Arizona peace officer standards and training  
17 board or a board certified law enforcement academy to evaluate the fitness  
18 of prospective cadets.

19 18. With the internet sex offender website database established  
20 pursuant to section 13-3827.

21 19. With licensees of the United States nuclear regulatory  
22 commission for the purpose of determining whether an individual should be  
23 granted unescorted access to the protected area of a commercial nuclear  
24 generating station on submission of the subject of record's fingerprints  
25 and the prescribed fee.

26 20. With the state board of education for the purpose of evaluating  
27 the fitness of a certificated educator, an applicant for a teaching or  
28 administrative certificate or a noncertificated person as defined in  
29 section 15-505 if the state board of education or its employees or agents  
30 have reasonable suspicion that the educator or person engaged in conduct  
31 that would be a criminal violation of the laws of this state or was  
32 involved in immoral or unprofessional conduct or that the applicant  
33 engaged in conduct that would warrant disciplinary action if the applicant  
34 were certificated at the time of the alleged conduct. The information  
35 shall be provided on the submission of either:

36 (a) The fingerprint card.

37 (b) The name, date of birth and social security number of the  
38 person.

39 21. With each school district and charter school in this state.  
40 The department of education and the state board for charter schools shall  
41 provide the department of public safety with a current list of email  
42 addresses for each school district and charter school in this state and  
43 shall periodically provide the department of public safety with updated  
44 email addresses. If the department of public safety is notified that a  
45 person who is required to have a fingerprint clearance card to be employed

1 by or to engage in volunteer activities at a school district or charter  
2 school has been arrested for or convicted of an offense listed in section  
3 41-1758.03, subsection B or has been arrested for or convicted of an  
4 offense that amounts to unprofessional conduct under section 15-550, the  
5 department of public safety shall notify each school district and charter  
6 school in this state that the person's fingerprint clearance card has been  
7 suspended or revoked.

8 22. With a tribal social services agency and the department of  
9 child safety as provided by law, which currently is the Adam Walsh child  
10 protection and safety act of 2006 (42 United States Code section 16961),  
11 for the purposes of investigating or responding to reports of child abuse,  
12 neglect or exploitation. Information received pursuant to this paragraph  
13 from the national crime information center, the interstate identification  
14 index and the Arizona criminal justice information system network shall  
15 only be used for the purposes of investigating or responding as prescribed  
16 in this paragraph. The information shall be provided on submission to the  
17 department of public safety of either:

18 (a) The fingerprints of the person being investigated.  
19 (b) The name, date of birth and social security number of the  
20 person.

21 23. With a nonprofit organization that interacts with children or  
22 vulnerable adults for the lawful purpose of evaluating the fitness of all  
23 current and prospective employees, contractors and volunteers of the  
24 organization. The criminal history record information shall be provided  
25 on submission of the applicant fingerprint card and the prescribed fee.

26 24. With the superior court for the purpose of determining an  
27 individual's eligibility for substance abuse and treatment courts in a  
28 family or juvenile case.

29 25. With the governor to provide criminal history record  
30 information on prospective gubernatorial nominees, appointees and  
31 employees as provided by law.

32 H. The director shall adopt rules necessary to execute this  
33 section.

34 I. The director, in the manner prescribed by law, shall remove and  
35 destroy records that the director determines are no longer of value in the  
36 detection or prevention of crime.

37 J. The director shall establish a fee in an amount necessary to  
38 cover the cost of federal noncriminal justice fingerprint processing for  
39 criminal history record information checks that are authorized by law for  
40 noncriminal justice employment, licensing or other lawful purposes. An  
41 additional fee may be charged by the department for state noncriminal  
42 justice fingerprint processing. Fees submitted to the department for  
43 state noncriminal justice fingerprint processing are not refundable.

44 K. The director shall establish a fee in an amount necessary to  
45 cover the cost of processing copies of department reports, eight by ten

1 inch black and white photographs or eight by ten inch color photographs of  
2 traffic accident scenes.

3 L. Except as provided in subsection 0 of this section, each agency  
4 authorized by this section may charge a fee, in addition to any other fees  
5 prescribed by law, in an amount necessary to cover the cost of state and  
6 federal noncriminal justice fingerprint processing for criminal history  
7 record information checks that are authorized by law for noncriminal  
8 justice employment, licensing or other lawful purposes.

9 M. A fingerprint account within the records processing fund is  
10 established for the purpose of separately accounting for the collection  
11 and payment of fees for noncriminal justice fingerprint processing by the  
12 department. Monies collected for this purpose shall be credited to the  
13 account, and payments by the department to the United States for federal  
14 noncriminal justice fingerprint processing shall be charged against the  
15 account. Monies in the account not required for payment to the United  
16 States shall be used by the department in support of the department's  
17 noncriminal justice fingerprint processing duties. At the end of each  
18 fiscal year, any balance in the account not required for payment to the  
19 United States or to support the department's noncriminal justice  
20 fingerprint processing duties reverts to the state general fund.

21 N. A records processing fund is established for the purpose of  
22 separately accounting for the collection and payment of fees for  
23 department reports and photographs of traffic accident scenes processed by  
24 the department. Monies collected for this purpose shall be credited to  
25 the fund and shall be used by the department in support of functions  
26 related to providing copies of department reports and photographs. At the  
27 end of each fiscal year, any balance in the fund not required for support  
28 of the functions related to providing copies of department reports and  
29 photographs reverts to the state general fund.

30 O. The department of child safety may pay from appropriated monies  
31 the cost of federal fingerprint processing or federal criminal history  
32 record information checks that are authorized by law for employees and  
33 volunteers of the department, guardians pursuant to section 8-453,  
34 subsection A, paragraph 6, the licensing of foster parents or the  
35 certification of adoptive parents.

36 P. The director shall adopt rules that provide for:  
37 1. The collection and disposition of fees pursuant to this section.  
38 2. The refusal of service to those agencies that are delinquent in  
39 paying these fees.

40 Q. The director shall ensure that the following limitations are  
41 observed regarding dissemination of criminal justice information obtained  
42 from the central state repository or through the Arizona criminal justice  
43 information system:

44 1. Any criminal justice agency that obtains criminal justice  
45 information from the central state repository or through the Arizona

1        criminal justice information system assumes responsibility for the  
2        security of the information and shall not secondarily disseminate this  
3        information to any individual or agency not authorized to receive this  
4        information directly from the central state repository or originating  
5        agency.

6        2. Dissemination to an authorized agency or individual may be  
7        accomplished by a criminal justice agency only if the dissemination is for  
8        criminal justice purposes in connection with the prescribed duties of the  
9        agency and not in violation of this section.

10       3. Criminal history record information disseminated to noncriminal  
11       justice agencies or to individuals shall be used only for the purposes for  
12       which it was given. Secondary dissemination is prohibited unless  
13       otherwise authorized by law.

14       4. The existence or nonexistence of criminal history record  
15       information shall not be confirmed to any individual or agency not  
16       authorized to receive the information itself.

17       5. Criminal history record information to be released for  
18       noncriminal justice purposes to agencies of other states shall only be  
19       released to the central state repositories of those states for  
20       dissemination in accordance with the laws of those states.

21       6. Criminal history record information shall be released to  
22       noncriminal justice agencies of the federal government pursuant to the  
23       terms of the federal security clearance information act (P.L. 99-169).

24       R. This section and the rules adopted under this section apply to  
25       all agencies and individuals collecting, storing or disseminating criminal  
26       justice information processed by manual or automated operations if the  
27       collection, storage or dissemination is funded in whole or in part with  
28       monies made available by the law enforcement assistance administration  
29       after July 1, 1973, pursuant to title I of the crime control act of 1973,  
30       and to all agencies that interact with or receive criminal justice  
31       information from or through the central state repository and through the  
32       Arizona criminal justice information system.

33       S. This section does not apply to criminal history record  
34       information contained in:

35       1. Posters, arrest warrants, announcements or lists for identifying  
36       or apprehending fugitives or wanted persons.

37       2. Original records of entry such as police blotters maintained by  
38       criminal justice agencies, compiled chronologically and required by law or  
39       long-standing custom to be made public if these records are organized on a  
40       chronological basis.

41       3. Transcripts or records of judicial proceedings if released by a  
42       court or legislative or administrative proceedings.

1       4. Announcements of executive clemency or pardon.  
2       5. Computer databases, other than the Arizona criminal justice  
3 information system, that are specifically designed for community  
4 notification of an offender's presence in the community pursuant to  
5 section 13-3825 or for public informational purposes authorized by section  
6 13-3827.

7       T. Nothing in this section prevents a criminal justice agency from  
8 disclosing to the public criminal history record information that is  
9 reasonably contemporaneous to the event for which an individual is  
10 currently within the criminal justice system, including information noted  
11 on traffic accident reports concerning citations, blood alcohol tests or  
12 arrests made in connection with the traffic accident being investigated.

13      U. In order to ensure that complete and accurate criminal history  
14 record information is maintained and disseminated by the central state  
15 repository:

16      1. The booking agency shall take legible ten-print fingerprints of  
17 all persons who are arrested for offenses listed in subsection C of this  
18 section. The booking agency shall obtain a process control number and  
19 provide to the person fingerprinted a document that indicates proof of the  
20 fingerprinting and that informs the person that the document must be  
21 presented to the court.

22      2. Except as provided in paragraph 3 of this subsection, if a  
23 person is summoned to court as a result of an indictment or complaint for  
24 an offense listed in subsection C of this section, the court shall order  
25 the person to appear before the county sheriff and provide legible  
26 ten-print fingerprints. The county sheriff shall obtain a process control  
27 number and provide a document to the person fingerprinted that indicates  
28 proof of the fingerprinting and that informs the person that the document  
29 must be presented to the court. For the purposes of this paragraph,  
30 "summoned" includes a written promise to appear by the defendant on a  
31 uniform traffic ticket and complaint.

32      3. If a person is arrested for a misdemeanor offense listed in  
33 subsection C of this section by a city or town law enforcement agency, the  
34 person shall appear before the law enforcement agency that arrested the  
35 defendant and provide legible ten-print fingerprints. The law enforcement  
36 agency shall obtain a process control number and provide a document to the  
37 person fingerprinted that indicates proof of the fingerprinting and that  
38 informs the person that the document must be presented to the court.

39      4. The mandatory fingerprint compliance form shall contain the  
40 following information:

41       (a) Whether ten-print fingerprints have been obtained from the  
42 person.  
43       (b) Whether a process control number was obtained.

(c) The offense or offenses for which the process control number was obtained.

(d) Any report number of the arresting authority.

(e) Instructions on reporting for ten-print fingerprinting, including available times and locations for reporting for ten-print fingerprinting.

(f) Instructions that direct the person to provide the form to the court at the person's next court appearance.

5. Within ten days after a person is fingerprinted, the arresting authority or agency that took the fingerprints shall forward the fingerprints to the department in the manner or form required by the department.

6. On the issuance of a summons for a defendant who is charged with an offense listed in subsection C of this section, the summons shall direct the defendant to provide ten-print fingerprints to the appropriate law enforcement agency.

7. At the initial appearance or on the arraignment of a summoned defendant who is charged with an offense listed in subsection C of this section, if the person does not present a completed mandatory fingerprint compliance form to the court or if the court has not received the process control number, the court shall order that within twenty calendar days the defendant be ten-print fingerprinted at a designated time and place by the appropriate law enforcement agency.

8. If the defendant fails to present a completed mandatory fingerprint compliance form or if the court has not received the process control number, the court, on its own motion, may remand the defendant into custody for ten-print fingerprinting. If otherwise eligible for release, the defendant shall be released from custody after being ten-print fingerprinted.

9. In every criminal case in which the defendant is incarcerated or fingerprinted as a result of the charge, an originating law enforcement agency or prosecutor, within forty days of the disposition, shall advise the central state repository of all dispositions concerning the termination of criminal proceedings against an individual arrested for an offense specified in subsection C of this section. This information shall be submitted on a form or in a manner required by the department.

10. Dispositions resulting from formal proceedings in a court having jurisdiction in a criminal action against an individual who is arrested for an offense specified in subsection C of this section or section 8-341, subsection V, paragraph 3 shall be reported to the central state repository within forty days of the date of the disposition. This information shall be submitted on a form or in a manner specified by rules approved by the supreme court.

1       11. The state department of corrections or the department of  
2 juvenile corrections, within forty days, shall advise the central state  
3 repository that it has assumed supervision of a person convicted of an  
4 offense specified in subsection C of this section or section 8-341,  
5 subsection V, paragraph 3. The state department of corrections or the  
6 department of juvenile corrections shall also report dispositions that  
7 occur thereafter to the central state repository within forty days of the  
8 date of the dispositions. This information shall be submitted on a form  
9 or in a manner required by the department of public safety.

10      12. Each criminal justice agency shall query the central state  
11 repository before dissemination of any criminal history record information  
12 to ensure the completeness of the information. Inquiries shall be made  
13 before any dissemination except in those cases in which time is of the  
14 essence and the repository is technically incapable of responding within  
15 the necessary time period. If time is of the essence, the inquiry shall  
16 still be made and the response shall be provided as soon as possible.

17      V. The director shall adopt rules specifying that any agency that  
18 collects, stores or disseminates criminal justice information that is  
19 subject to this section shall establish effective security measures to  
20 protect the information from unauthorized access, disclosure, modification  
21 or dissemination. The rules shall include reasonable safeguards to  
22 protect the affected information systems from fire, flood, wind, theft,  
23 sabotage or other natural or man-made hazards or disasters.

24      W. The department shall make available to agencies that contribute  
25 to, or receive criminal justice information from, the central state  
26 repository or through the Arizona criminal justice information system a  
27 continuing training program in the proper methods for collecting, storing  
28 and disseminating information in compliance with this section.

29      X. Nothing in this section creates a cause of action or a right to  
30 bring an action including an action based on discrimination due to sexual  
31 orientation.

32      Y. For the purposes of this section:

33       1. "Administration of criminal justice" means performance of the  
34 detection, apprehension, detention, pretrial release, posttrial release,  
35 prosecution, adjudication, correctional supervision or rehabilitation of  
36 criminal offenders. Administration of criminal justice includes  
37 enforcement of criminal traffic offenses and civil traffic violations,  
38 including parking violations, when performed by a criminal justice agency.  
39 Administration of criminal justice also includes criminal identification  
40 activities and the collection, storage and dissemination of criminal  
41 history record information.

42       2. "Administrative records" means records that contain adequate and  
43 proper documentation of the organization, functions, policies, decisions,  
44 procedures and essential transactions of the agency and that are designed

1 to furnish information to protect the rights of this state and of persons  
2 directly affected by the agency's activities.

3       3. "ANTI-SEMITISM" INCLUDES THE DEFINITION OF ANTI-SEMITISM THAT  
4 WAS ADOPTED BY THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE ON MAY 26,  
5 2016 AND THAT HAS BEEN ADOPTED BY THE UNITED STATES DEPARTMENT OF STATE,  
6 INCLUDING THE CONTEMPORARY EXAMPLES OF ANTI-SEMITISM IDENTIFIED IN THE  
7 ADOPTED DEFINITION.

8       3. 4. "Arizona criminal justice information system" or "system"  
9 means the statewide information system managed by the director for the  
10 collection, processing, preservation, dissemination and exchange of  
11 criminal justice information and includes the electronic equipment,  
12 facilities, procedures and agreements necessary to exchange this  
13 information.

14       4. 5. "Booking agency" means the county sheriff or, if a person is  
15 booked into a municipal jail, the municipal law enforcement agency.

16       5. 6. "Central state repository" means the central location within  
17 the department for the collection, storage and dissemination of Arizona  
18 criminal history records and related criminal justice information.

19       6. 7. "Criminal history record information" and "criminal history  
20 record" means information that is collected by criminal justice agencies  
21 on individuals and that consists of identifiable descriptions and  
22 notations of arrests, detentions, indictments and other formal criminal  
23 charges, and any disposition arising from those actions, sentencing,  
24 formal correctional supervisory action and release. Criminal history  
25 record information and criminal history record do not include  
26 identification information to the extent that the information does not  
27 indicate involvement of the individual in the criminal justice system or  
28 information relating to juveniles unless they have been adjudicated as  
29 adults.

30       7. 8. "Criminal justice agency" means either:

31           (a) A court at any governmental level with criminal or equivalent  
32 jurisdiction, including courts of any foreign sovereignty duly recognized  
33 by the federal government.

34           (b) A government agency or subunit of a government agency that is  
35 specifically authorized to perform as its principal function the  
36 administration of criminal justice pursuant to a statute, ordinance or  
37 executive order and that allocates more than fifty percent of its annual  
38 budget to the administration of criminal justice. This subdivision  
39 includes agencies of any foreign sovereignty duly recognized by the  
40 federal government.

41       8. 9. "Criminal justice information" means information that is  
42 collected by criminal justice agencies and that is needed for the  
43 performance of their legally authorized and required functions, such as  
44 criminal history record information, citation information, stolen property  
45 information, traffic accident reports, wanted persons information and

1 system network log searches. Criminal justice information does not  
2 include the administrative records of a criminal justice agency.

3 ~~9.~~ 10. "Disposition" means information disclosing that a decision  
4 has been made not to bring criminal charges or that criminal proceedings  
5 have been concluded or information relating to sentencing, correctional  
6 supervision, release from correctional supervision, the outcome of an  
7 appellate review of criminal proceedings or executive clemency.

8 ~~10.~~ 11. "Dissemination" means the written, oral or electronic  
9 communication or transfer of criminal justice information to individuals  
10 and agencies other than the criminal justice agency that maintains the  
11 information. Dissemination includes the act of confirming the existence  
12 or nonexistence of criminal justice information.

13 ~~11.~~ 12. "Management control":

14 (a) Means the authority to set and enforce:

15 (i) Priorities regarding development and operation of criminal  
16 justice information systems and programs.

17 (ii) Standards for the selection, supervision and termination of  
18 personnel involved in the development of criminal justice information  
19 systems and programs and in the collection, maintenance, analysis and  
20 dissemination of criminal justice information.

21 (iii) Policies governing the operation of computers, circuits and  
22 telecommunications terminals used to process criminal justice information  
23 to the extent that the equipment is used to process, store or transmit  
24 criminal justice information.

25 (b) Includes the supervision of equipment, systems design,  
26 programming and operating procedures necessary for the development and  
27 implementation of automated criminal justice information systems.

28 ~~12.~~ 13. "Process control number" means the Arizona automated  
29 fingerprint identification system number that attaches to each arrest  
30 event at the time of fingerprinting and that is assigned to the arrest  
31 fingerprint card, disposition form and other pertinent documents.

32 ~~13.~~ 14. "Secondary dissemination" means the dissemination of  
33 criminal justice information from an individual or agency that originally  
34 obtained the information from the central state repository or through the  
35 Arizona criminal justice information system to another individual or  
36 agency.

37 ~~14.~~ 15. "Sexual orientation" means consensual homosexuality or  
38 heterosexuality.

39 ~~15.~~ 16. "Subject of record" means the person who is the primary  
40 subject of a criminal justice record.