



LAW ENFORCEMENT INFORMATION NETWORK

This correspondence is being distributed to authorized Law Enforcement Information Network (LEIN) user agencies as a guide to changes to the Michigan Criminal History Record (CHR) response.

As of June 24, 2014, Purpose Code J/ no longer returns criminal convictions set aside under Michigan Compiled Law (MCL) 780.623. Purpose code J/ is used to determine eligibility for criminal justice employment, for access to LEIN, or for performing background checks on vendors, volunteers, and contractors who are involved in the administration of criminal justice.

Purpose code CSA/ is the purpose code used to request and disseminate criminal convictions set aside under MCL 780.623. Purpose code CSA/ is available for use only by specific agencies for specific purposes. MCL 780.623 Sec. 3 (2) outlines the specific agencies and reasons information suppressed by this statute can be accessed or used. They are as follows:

- Consideration in a licensing function by an agency of the judicial branch of state government.
- To show that a person who has filed an application to set aside a conviction has previously had a conviction set aside pursuant to this act.
- The court's consideration in determining the sentence to be imposed upon conviction for a subsequent offense that is punishable as a felony or by imprisonment for more than one year.
- Consideration by a law enforcement agency if a person whose conviction has been set aside applies for employment with a law enforcement agency.
- Consideration by a court, law enforcement agency, prosecuting attorney, or the attorney general in determining whether an individual required to be registered under the sex offenders registration act has violated that act, or for use in a prosecution for violating that act.

The following uses of purpose code CSA/ are prohibited:

- A law enforcement agency performing a background check on an applicant's immediate family member.
- A criminal justice agency, including law enforcement, for determining eligibility for access to CJL.

Additionally, convictions set aside under MCL 780.623 will no longer appear on Michigan fingerprint responses for criminal justice employment (Livescan fingerprint reason code CJ). When screening applicants for employment, law enforcement agencies must ensure they run a LEIN criminal history query using purpose code CSA/, in addition to purpose code J/, or the information will not be provided.

Questions should be directed to Ms. Liz Canfield of LEIN Field Services at (517) 241-0639 or canfielde@michigan.gov.