

**IN RE: ADOPTION of LOCAL :
ADMINISTRATIVE :
RULE 18 :**

**Reporting to Law Enforcement
Compliance Plan**

Pursuant to Sup. R. 5(F), the Hamilton County Municipal Court does hereby establish a Compliance Plan for the submission of Fingerprints, Incident Tracking Numbers (ITN) and case disposition numbers; Mental Health Adjudications (Hopper Act); Protections Orders; and Bureau of Motor Vehicle related convictions and points.

18.01 Fingerprint, Incident Tracking Numbers & Case Disposition Reporting

- A. Prior to each daily arraignment session, the Court Management System (CMS) will identify defendants to be arraigned that have not previously been fingerprinted/not been assigned an Incident Tracking Number (ITN) upon arrest/booking pursuant to Ohio Revised Code, Sections 109.57(A)(2) and 109.60 and display the information on the Court's the Judges Sheet.
- B. Upon conviction, the Judge will order fingerprints to be taken by the Probation Department if they were not previously taken.
- C. Probation will have each defendant in need of fingerprinting, fingerprinted via the Automated Fingerprint Identification System (AFIS) prior to leaving the probation department.
- D. The probation department intake staff shall capture all required prints from the defendants and ensure an (ITN) is assigned by the AFIS system prior to transmitting the fingerprints and ITN to the Ohio Bureau of Criminal Investigation & Identification (BCI&I).
- E. The ITN number will be entered into CMS.
- F. The CMS will apply the appropriate disposition code to the ITN number
- G. The Clerk of Courts shall transmit case dispositions to the Ohio Bureau of Criminal Investigation & Identification (BCI&I) on a recurring weekly basis.
- H. The Clerk shall review all rejected transactions and will correct and resend as needed.

18.02 Mental Health Adjudication Reporting

- A. Upon a defendant pleading guilty or being found guilty of an offense of violence as defined by Ohio Revised Code, Section 2901.01(A)(9)(a) or any substantially similar

municipal ordinance; or pleading guilty or being found guilty of conspiracy or attempt to commit, or complicity in committing an offense of violence as defined by Ohio Revised Code, Section 2901.01(A)(9)(a); or any substantially similar municipal ordinance and being ordered to a mental health evaluation; or being found not guilty by reason of insanity; or being found incompetent to stand trial, the Court shall complete Form 95: NCIC Mental Health Notice with all required information at the time of plea or adjudication.

- B. The Clerk of Courts shall docket the completion of Form 95, maintain the original case file and transmit a copy of the completed form to the Hamilton County Sheriff's Office to enter into NCIC and LEADS via RCIC/eClear. A copy of Form 95 will also be sent to the police agency that made the original arrest by the Clerk of Courts.

18.03 **Protection Orders**

Upon a motion for Temporary Protection Order being granted by the Court, the Court shall:

- A. Review and obtain defendant signature in all required areas.
- B. Provide a copy to the defendant.
- C. Ensure Form 10-A has been completed.
- D. The completed and executed Protection Order and Form 10-A shall be docketed and imaged in the Court Management System (CMS).
- E. The Clerk of Courts will send a copy of the protection order and Form 10-A to the Hamilton County Sheriff's Office.
- F. The Hamilton County Sheriff's Office will timely transmit the Form 10-A information to NCIC/LEADS/RCIC each day the Hamilton County Municipal Court conducts hearings and without any undue delay.

18.04 **Ohio Bureau of Motor Vehicles (BMV) Reporting**

Procedures and timelines for reporting court ordered suspensions, blocks and points to the Bureau of Motor Vehicles.

- A. Reporting of court actions to the BMV shall be done within 7 days as prescribed by law
- B. The Clerk of Courts shall use the CMS to create a file of all suspensions, forfeitures, convictions, and points to be reported.
- C. The report shall be in the format as prescribed by the Bureau of Motor Vehicles (BMV).
- D. The Clerk of Courts will create and send the electronic FTP file of the report using CMS. The FTP file will be stored within CMS.
- E. The Clerk of Courts shall verify through the CMS to ensure that the file was uploaded.

- F. A docket entry shall be created to the docket reflecting the date that the case information was uploaded to the BMV.

18.05 **Expunged and Sealed Records Reporting**

Procedures and Timelines for reporting expunged and sealed records;

- A. Pursuant to Local Administrative Rule 16 and RC 2930.171, the Hamilton County Prosecutor and the Cincinnati City Solicitor, respectively, shall notify victims shall notify victims when an expungement or sealing has been granted by the court.
- B. The Clerk of Courts shall be responsible for notification of expunged and sealed records to BCI&I and the appropriate law enforcement agencies as required by RC 2953.
- C. Expunged and sealed records shall be maintained by the Clerk of Courts in a confidential file and only released pursuant to court order or within the parameters of RC 2953.34.