

MEMORANDUM

Police Department

TO: Mr. Randy Tweet, Interim City Manager

SUBJECT: Ordinance Revision
RE: Non-Criminal History Inquires

NUMBER: 17-003
DATE: 02-08-17

The Rock Island Police Department is directed by city ordinance to conduct background investigations as it relates to various licensing / permitting requirements established by ordinance. It is however a violation of the Illinois Law Enforcement Agency Data System (LEADS) to utilize our LEADS access to conduct background checks for licensing or permitting. This restriction limits our ability to conduct thorough background investigations.

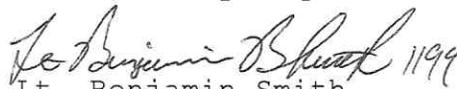
It has been recognized however that governmental agencies have the need to conduct non-criminal history background checks for "licensing and employment responsibilities". To that end, the Illinois State Police, in its capacity as the state central repository, has the authority to provide Criminal History Record Information for such purposes pursuant to applicable Illinois Compiled Statute and be paid for its expenses. The police department has entered into an inter-agency agreement(s) with the Illinois State Police which will allow us to conduct and obtain criminal history fingerprint based background checks through our live-scan fingerprint system.

Working with the City Attorney's Office, recommended changes were made to Chapter 3 and Chapter 8 of the Code of Ordinances.

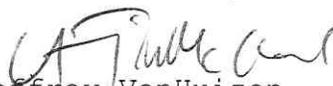
RECOMMENDATION:

It is recommended that the City Council authorize changes to Chapter 3 and Chapter 8 of the Code of Ordinances which requires the submission of fingerprints and a non-refundable processing fee to the Rock Island Police Department for the purposes of conducting criminal history inquires.

SUBMITTED BY:


Lt. Benjamin Smith
Commander, T.S.D.

APPROVED:


Jeffrey VenHuizen
Chief of Police

APPROVED:


Mr. Randy Tweet
City Manager

A SPECIAL ORDINANCE AMENDING CHAPTER 3 AND CHAPTER 8
OF THE CODE OF ORDINANCES OF
THE CITY OF ROCK ISLAND, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCK ISLAND, ILLINOIS

Section One: Chapter 3, Section 3-5(1)(a) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting same in its entirety and by inserting in lieu thereof the following:

“(1)(a) The applicant’s name, address, telephone number, date and place of birth, social security number, driver’s license number, employment history and criminal arrest record. In the case of a co-partnership or corporation, the aforementioned information shall be provided on all officers of the corporation, partners, and managers.

(i) Any party required to register pursuant to either the Illinois Liquor Control Act or Chapter 3 of the Code of Ordinances of The City of Rock Island, Illinois, shall submit their fingerprints to the Rock Island Police Department and submit the required, non-refundable processing fee for the purpose of conducting a criminal history check.”

Section Two: Chapter 8, Article XII, Section 8-398(b) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by adding the following:

“All new applicants shall submit their fingerprints to the Rock Island Police Department and submit the required, non-refundable processing fee for the purpose of conducting a criminal history check prior to the issuance of a taxicab license.”

Section Three: Chapter 8, Article XII, Section 8-399 of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting same in its entirety and by inserting in lieu thereof the following:

“At the time a taxicab driver is hired by any licensee under this chapter, said licensee shall submit to the chief of police the name of said driver and any background information said licensee has concerning said driver and also an authorization in writing from said driver authorizing the police department to make a background check of said driver, including checking of any available criminal record, along with the required, non-refundable processing fee for the purpose of conducting said criminal history check. Upon receipt of said information, authorization and the required fee, the chief of police shall make or cause to be made a careful and diligent inquiry as to the character and record of said driver for honesty, sobriety and capability, and if it shall be found that such applicant is lacking in any of such respects, the chief of police shall notify the licensee of the information that resulted from said investigation.”

Section Four: Chapter 8, Article XIII, Division 2, Section 8-421(b)(1) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting same in its entirety and by inserting in lieu thereof the following:

“(b)(1) The name or names of the person having the management or supervision of applicant’s business; whether such person will act as proprietor, agent, consignee or employee, during the time that it is proposed it will be carried on in the city; the local address or addresses of such person(s) while engaged in such business.”

Section Five: Chapter 8, Article XIII, Division 2, Section 8-421(b)(6) of the Code of Ordinances of The City of Rock Island, Illinois, is hereby amended by deleting same in its entirety and by inserting in lieu thereof the following:

“(b)(6) Whether or not the person having management or supervision of the applicant’s business; whether such person will act as proprietor, agent, consignee or employee, has been convicted of a felony within the five (5) years immediately preceding the date of said application or of the violation of any law or ordinance relating to the same or similar business to be conducted by applicant, the nature of such offense and the punishment therefore.

(i) All applicants, whether such person will act as proprietor, agent, consignee or employee, shall submit their fingerprints to the Rock Island Police Department and submit the required, non-refundable processing fee per submission for the purpose of conducting a criminal history check prior to the issuance of a transient merchant license.”

Section Six. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as they do so conflict.

Section Seven. This ordinance shall be in full force and effect 10 days after its passage and approval, as required by law.

MAYOR OF THE CITY OF ROCK ISLAND

PASSED: _____

APPROVED: _____

ATTEST: _____

CITY CLERK