

LEADS Daily Briefing
for April 16, 2019

SOR Checks on Carnival Workers

Public Act 095-0397 (effective August 24, 2007) has caused some confusion regarding whether LEADS may be used to perform CHRI background checks for employment purposes on carnival workers. The answer is no.

The Illinois Carnival and Amusement Rides Safety Act (430 ILCS 85/2) amended January 1, 2008, mandates any person, firm, corporation or other entity that owns or operates a carnival must conduct a criminal history records check for each carnival worker and perform a check of the Sex Offender Registry and the Act specifically states: "In the case of carnival workers who are hired on a temporary basis to work at a specific event, the carnival owner may work with local enforcement agencies in order to expedite the criminal history records check required."

But this should not be interpreted as authorizing local law enforcement to conduct a name based CHRI check through LEADS for noncriminal justice employment purposes. Instead, local law enforcement may be of assistance by fingerprinting the worker, either via Livescan (if your agency's Livescan machine is setup to accept/process Uniform Conviction Information Act [UCIA] requests) or by using a UCIA fingerprint card and submitting to the Bureau of Identification for processing.

As a reminder, since 2005 law enforcement agencies have been authorized to perform LEADS CHF inquiries (name based 10-29 inquiries) on carnival workers to check for sex offender records, in accordance with 720 ILCS 5/11-9.4 (c).

See the SOR Carnival Worker help file (<http://leadsinfo.isp.state.il.us/help/SORCrnvWrk.htm>) for the correct procedure.

Please contact the Help Desk (866/LEADS-00) or the SOR Unit at (217/785-0653) with questions regarding these procedures..

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