

LEADS Daily Briefing
for April 19, 2021

Acceptable Reasons to Perform a CHRI Inquiry

The LEADS staff is frequently asked when it is acceptable to run criminal history (CHRI) inquiries. In addition to the routine "criminal justice purposes only" question, periodically more specific questions arise, such as: "Is it acceptable for an officer to run a CQH on everyone he has contact with?" The answer to this question is quite simply, no. NCIC states that there must be a "triggering event" in order to initiate a CHRI request.

The FBI Legal Council was consulted for further clarification regarding this issue in the past and LEADS Administration was advised that a traffic stop or call for service alone does not constitute grounds for a CHRI check; detection alone does not meet a criminal justice/criminal activity purpose. NCIC refers to this as "fishing for problems" which could result in a civil suit for violation of privacy if it is discovered that CHRI was accessed/disseminated for no cause or criminal justice purpose. There must be an articulable suspicion or reasonable basis to perform a CHRI inquiry on a particular subject. FBI requires "specific evidence of a particular crime as the basis for CHRI checks, not the ever present potential for criminality." Running a criminal history check on every individual encountered during a shift/traffic stop would not seem to meet these requirements, unless the officer encountering the subject feels there is something suspicious about the subject which would warrant a CHRI inquiry.

For assistance please contact the Help Desk at 866/LEADS-00.

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