Q. Where do I conduct local LEA checks as of July 1, 2017?

A. In the county courts where the subject has resided in the last five years, including town and/or city courts where applicable. Many are available online, but some may need to be located by contacting the court directly.

List of Courts with online records

List of Courts with contact information on how to find records

As outlined in the administrative letter, effective July 1, 2017, an LEA check will be defined as a Court Record Search. Within Indiana many times this will be limited to a search at the county court in the county the subject has resided in the past five years. There are locations in Indiana in which a town or city court also has criminal court records and if the subject has resided in that location within the past five years, these town and/or city courts much also be searched for court records as well. Court record checks for outside of Indiana may also be located at the town/city/county or state level. This will need to be determined on a state by state basis to complete these checks when the subject has resided outside of Indiana in the past five years.

Q. Do I need to run a name-based arrest report on a subject?

A. Yes, IF you are requesting a criminal and or CPS waiver for the subject.

NOTE-If the local office or DCS licensed or contractor agency is requesting a criminal and/or CPS waiver for the subject's disqualified criminal history and/or CPS substantiation from Central Office Background Check Unit (COBCU), <u>a name</u> <u>based arrest record search must still be completed on the subject as a part of a complete waiver packet submission</u>. This includes a name based arrest report on each name or combination of names the subject has ever been known by or used for all city police or county sheriff departments that would have responded to an emergency call to the subject's residential address that they currently live or have lived in the past five years.

Currently over half of Indiana county courts are included in the mycase.in.gov and use the Odyssey system with more scheduled to be added. If available you may use the mycase.in.gov system to complete the court record searches. Be aware if the city/town courts are included in mycase.in.gov as well as the date the county court records became available online to ensure the records are available for the past five year as well as the smaller city/town courts are included online as well.

If the court you are required to search has not been online for five years or is not on the mycase.in.gov website currently, the court record search may need to be completed in person, by mail or fax. The search may also be completed using other methods. DCS is not responsible for any cost associated with the completion of court record searches within Indiana or out of state nor is DCS responsible for the cost of obtaining name based arrest reports from sheriff or police departments when required.

Please view this webpage below to determine the date each court became available through mycase.in.gov or when the county is scheduled to be added. <u>http://www.in.gov/judiciary/4234.htm</u>

ACCESSING MYCASE.IN.GOV:

A useful help guide can be found online athttp://www.in.gov/judiciary/2634.htm#browser.

We have attempted to provide guidance in completing these searches and using this website in the below instruction. Department of Child Services nor Central Office Background Check Unit is associated with this website in any manner and we are providing this information as guidance only and as a tool that you may find useful.

MYCASE Website: https://mycase.in.gov/default.aspx

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Search using the Improved Version of mycase.in.gov. To enter the new version of the site, click on link in middle of page (immediately above outlined box). Look for the text as it appears below on webpage.

6

Improved version of mycase.in.gov now online: <u>Start searching »</u>

This will bring up the below screen:



Search by Party:

Enter Subject's Last Name, First Name

NOTE-Last name and first name only. Do not narrow the search by middle name or DOB as this may cause records to be excluded in error.

Place a check the box next to the "sounds like" to expand the search to include names similar to the subject of the check.

- Examples
 - Searching the last name "Shepherd" may return case results for names "Shepard", "Shephard", "Shepherd", "Sheppard" as well as "Syfert", "Seifert" and "Seibert".
 - Searching by last name "Sheppard" with a first initial of the first name beginning with the letter "J." will produce results that include "John Sheppard," "Johnny Sheppard," and "James Sheppard."
 - You may use a wild card in either the first or last name, but you may not replace the entire first or last name with a wild card.
 - Sounds-Like search will not work on any name that includes a wild card.

Court: The location drop down will default to "All Odyssey Courts". Do not narrow to specific locations unless the number of returned matches becomes a barrier.

NOTE-If court location must be filtered, ensure each county/city/town court is searched in which the subject has resided in the past five years and every name/aliases/combination of names is searched for each location. This is done by choosing a location from the drop down box under "Court"

Limit Search to: Add a checkmark beside Criminal & Citation

Do not search using advanced search options such as status or file date.

Click SEARCH.

Effective 07/01/2017

This will bring up the below screen:

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mycase.IN.gov			C
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Attorney sign in, including password and pin recovery, may be temporari	ily unavailable on June 28 beginning at 5:00pm while we mak	e scheduled updates.	
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Click on "I am not a robot".

RCHINED. OI

Follow instructions clicking on the appropriate images as requested

Click on "Verify"

Repeat if requested. Possibly more than once each time and again throughout the time you are searching.

RESULTS: The results of your search request will return as a list.

Below is an example of the returned results in list format.

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You may want to change the View to Table if several cases are returned

This can be done by click "View" near the top left hand side of the screen, immediately under the search criteria used but before the list of returned results.

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Case Number	Style	Court	Туре	Filed	Status
71D08-1705-MR-000004	State of Indiana v. Tabias Davis	St. Joseph Superior Court 8	MR - Murder	05/11/2017	05/11/2017, Pending
32D04-1703-F6-000356	State of Indiana v. John Linn	Hendricks Superior Court 4	F6 - Felony 6	03/30/2017	03/30/2017, Pending
32D04-1703-CM-000427	State of Indiana v. John Linn	Hendricks Superior Court 4	CM - Criminal Misdemeanor	03/28/2017	03/28/2017, Pending
88C01-1701-F5-000069	State of Indiana v. MIGUEL VICEN MARTINEZ-GONZALEZ	Washington Circuit Court	F5 - Felony 5	01/27/2017	01/27/2017, Pending
84D06-1609-MC-002637	State of Indiana -V- John Doe (Levi Wrightsman)	Vigo Superior Court 6	MC - Miscellaneous Criminal 72 Hour Hold	09/28/2016	10/03/2016, Decided
17D01-1609-CM-000677	State of Indiana v. Ismael Hernandez	DeKalb Superior Court 1	CM - Criminal Misdemeanor	09/20/2016	12/28/2016, Decided
10C02-1608-MC-001576	State of Indiana v. John Doe	Clark Circuit Court 2	MC - Miscellaneous Criminal	08/08/2016	08/08/2016, Decided
41D03-1604-CM-000517 W	State of Indiana v. Luis Nacerio Velazquez	Johnson Superior Court 3	CM - Criminal Misdemeanor	04/20/2016	05/13/2016, Pending
71D02-1604-MR-000004	State of Indiana v. Howard Lee Fleming, III	St. Joseph Superior Court 2	MR - Murder	04/15/2016	05/01/2017, Decided
09D02-1604-CM-000306	State of Indiana v. Jacob Eugene Piland	Cass Superior Court 2	CM - Criminal Misdemeanor	04/04/2016	06/27/2016, Decided
09D02-1603-CM-000210	State of Indiana v. Donald Rush	Cass Superior Court 2	CM - Criminal Misdemeanor	03/08/2016	06/07/2016, Decided
09D02-1603-CM-000213	State of Indiana v. Crystal Perritano	Cass Superior Court 2	CM - Criminal Misdemeanor	03/08/2016	06/13/2016, Decided
09C01-1603-CM-000211	State of Indiana v. William Edward Smith	Cass Circuit Court	CM - Criminal Misdemeanor	03/08/2016	04/28/2017, Decided
09C01-1603-CM-000212	State of Indiana v. Michelle Smith	Cass Circuit Court	CM - Criminal Misdemeanor	03/08/2016	03/08/2016, Pending
84D05-1603-F6-000653	State of Indiana v. Juan Luis Perez Ravelo	Vigo Superior Court 5	F6 - Felony 6	03/03/2016	03/03/2016, Pending
09D02-1602-CM-000174	State of Indiana v. Leslie Mest	Cass Superior Court 2	CM - Criminal Misdemeanor	02/23/2016	04/04/2016, Decided
00002 1602 CM 000172	State of Indiana y Molinda Kay	Cass Superior Court 2	CM - Criminal Misdemeanor	02/23/2016	05/30/2017 Decided

Below is an example of the returned results in Table format.

NOTE-The **Orange "W"** below the Case Number indicates there is an active warrant outstanding on a party associated with the case. To determine the party with the active warrant open the case for details and the Orange "W" will appear by the name of the subject who has the warrant.

A subject with an active warrant associated with a criminal misdemeanor or felony cases cannot have Qualified Fingerprint results.

If the fingerprint based status letter returned as qualified, immediately contact the Central Office Background Check Unit (COBCU) consultant listed on the fingerprint based status letter by phone or by e-mail to

<u>cobcuinquiry@dcs.in.gov</u>. Provide the subject's name and the documentation regarding the subject has an active warrant but the fingerprint based status letter was qualified. COBCU will investigate further and may reissue a new fingerprint based status letter.

You are only interested in Criminal Misdemeanors and Criminal Felony cases. Remember you are disregarding any case types that are "OV-Local Ordinance Violations" and "IF-Infractions".

For the uniform case numbering system set forth for all trial courts in the state of Indiana, please review **Rule** 8. Uniform Case Numbering System at

http://www.in.gov/judiciary/rules/admin/index.html# Toc404259715

Do you need to refine the search? Are there too many results returned?

If your search has produced too many matches to review, you may wish to refine your search.

This can be done by click "Refine Search" near the top left hand side of the screen, immediately under the search criteria used but before the list of returned results.

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This will return you to the Case Search page.

In the Court drop down box, now choose the individual county/city/town court to be searched in which the subject has resided in the past five years ensuring you repeat with each location and name combination that could exist.

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NOTE-Although you are only checking the locations the subject has resided in the past five years, you are to record and consider all criminal cases that return regardless of when the case occurred and even if before the five years that outlines the locations to be searched.

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You will print by going to "File" on your web browser tool bar and clicking on "Print". This will result in only the current page on your computer screen being printed. You will need to go to the next page on your web browser page and repeat to print each of the pages that have returned.

Using the hardcopy that you printed, you will make notes on the hardcopy and investigate each case returned through your web browser in more detail to determine if this case is a match to the subject you are searching.

Open each criminal case that may be the subject of the check by clicking on the Case Number.

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Case Number	Style	Court	Туре	Filed	Status
71D08-1705-MR-000004	State of Indiana v. Tabias Davis	St. Joseph Superior Court 8	MR - Murder	05/11/2017	05/11/2017, Pending
32D04-1703-F6-000356	State of Indiana v. John Linn	Hendricks Superior Court 4	F6 - Felony 6	03/30/2017	03/30/2017, Pending
32D04-1703-CM-000427	State of Indiana v. John Linn	Hendricks Superior Court 4	CM - Criminal Misdemeanor	03/28/2017	03/28/2017, Pending
88C01-1701-F5-000069	State of Indiana v. MIGUEL VICEN MARTINEZ-GONZALEZ	Washington Circuit Court	F5 - Felony 5	01/27/2017	01/27/2017, Pending
84D06-1609-MC-002637	State of Indiana -V- John Doe (Levi Wrightsman)	Vigo Superior Court 6	MC - Miscellaneous Criminal 72 Hour Hold	09/28/2016	10/03/2016, Decided
17D01-1609-CM-000677	State of Indiana v. Ismael Hernandez	DeKalb Superior Court 1	CM - Criminal Misdemeanor	09/20/2016	12/28/2016, Decided
10C02-1608-MC-001576	State of Indiana v. John Doe	Clark Circuit Court 2	MC - Miscellaneous Criminal	08/08/2016	08/08/2016, Decided
41D03-1604-CM-000517	State of Indiana v. Luis Nacerio Velazquez	Johnson Superior Court 3	CM - Criminal Misdemeanor	04/20/2016	05/13/2016, Pending
71D02-1604-MR-000004	State of Indiana v. Howard Lee Fleming, III	St. Joseph Superior Court 2	MR - Murder	04/15/2016	05/01/2017, Decided
09D02-1604-CM-000306	State of Indiana v. Jacob Eugene Piland	Cass Superior Court 2	CM - Criminal Misdemeanor	04/04/2016	06/27/2016, Decided
09D02-1603-CM-000210	State of Indiana v. Donald Rush	Cass Superior Court 2	CM - Criminal Misdemeanor	03/08/2016	06/07/2016, Decided
09D02-1603-CM-000213	State of Indiana v. Crystal Perritano	Cass Superior Court 2	CM - Criminal Misdemeanor	03/08/2016	06/13/2016, Decided
09C01-1603-CM-000211	State of Indiana v. William Edward Smith	Cass Circuit Court	CM - Criminal Misdemeanor	03/08/2016	04/28/2017, Decided
09C01-1603-CM-000212	State of Indiana v. Michelle Smith	Cass Circuit Court	CM - Criminal Misdemeanor	03/08/2016	03/08/2016, Pending
84D05-1603-F6-000653	State of Indiana v. Juan Luis Perez Ravelo	Vigo Superior Court 5	F6 - Felony 6	03/03/2016	03/03/2016, Pending
09D02-1602-CM-000174	State of Indiana v. Leslie Mest	Cass Superior Court 2	CM - Criminal Misdemeanor	02/23/2016	04/04/2016, Decided
09D02-1602-CM-000173	State of Indiana v. Melinda Kay	Cass Superior Court 2	CM - Criminal Misdemeanor	02/23/2016	05/30/2017, Decided

This will open the Case Summary.

RCHINED-61301-

Below is an example of a Case Summary page

mycase	.IN.gov	
		👗 Attorney Sign In
Case Sun	nmary	
« Back New Sea	rch Refine Search	
State of Ind	iana v. Jeremy Evans	
Case Number	09D02-1601-CM-000028	
Court	Cass Superior Court 2	
Туре	CM - Criminal Misdemeanor	
Filed	01/08/2016	
Status	04/04/2016 , Decided	
Parties to th	le Case	Show all party details
Defendant	Evans, Jeremy, Doe, John	
 State Plaintiff 	State of Indiana	
Charges		Show all charge details
O1 01/02/2	016 35-48-4-14.7(e)(2)/MC: Purchase More Than 7.2 Grams of Pre	cursor in a Month def purchases more than
02 04/24/2	35-48-4-14.7(e)(3)/MC: Purchase More Than 61. Grams of Pre	cursor in a Year def purchases more than
Chronologio	cal Case Summary	
01/08/2016	Case Opened as a New Filing	
01/08/2016	Motion to Seal Public Records Filed	
	Filed By: State of Indiana	~\)

On the Case Summary page, go to the "Parties to the Case" section. Near the far right hand side of the screen, click on the blue text labeled "Show all party details"

This will open the defendant details including a description and address.

Determine if this is a match to your subject. Use critical thinking skills to review results returned to include or exclude cases for the subject of the check.

- Items to consider includes but is not limited to items below:
 - Subject's middle name
 - Subject's race
 - Subject's residence at the time (this may help in excluding the subject, but if you believe the case to include the subject of the check, include in the final results)

If this subject is not a match to the subject you are searching, write the words "no match" beside the case number on your hardcopy "search results" page you have previously printed. Then move to next case number.

If this subject is a match to the subject you are searching, print the "Case Summary" results for your records ensuring Party Details and Charge Details are open and chronological case summary is included in print.

On the Case Summary page, go to the "Charges" section. Near the far right hand side of the screen, click on the blue text labeled "Show all charge details". Also read through the Chronological Case Summary section.

Write beside the case number on your hardcopy "search results" page if this case resulted in a felony conviction(s) with the charge(s), misdemeanor conviction(s) with charge(s), the case is still pending or if charges were dismissed.

Repeat this process checking all returned results ensuring that any and all names and/or combination of names for each subject 18 years or older may have ever been known by or used in their life time.

Upon finishing all of the above steps, complete as outlined below:

- Place the Search Results page on top;
- Place each matching Case Summary printed under the Search Results page in the same order as the Search Results listing;
- Ensure these are attached together in a secure fashion;
- On the Search Result page, the person completing the check will sign their full name (No initials only), also print the name and date the document with the date the search is completed;
- If the subject returned pending charges, felony convictions, multiple misdemeanor convictions or anything that may be related to the health and safety of a child and the fingerprint based criminal history check returned a qualified results letter, immediately contact the COBCU consultant listed on the fingerprint based status letter by phone or by e-mail to <u>cobcuinquiry@dcs.in.gov</u>. Provide the subject's name and the documentation regarding the subject has one of the above situations but the fingerprint based status letter was qualified and are asking for review to ensure the prints should actually be qualified. COBCU will investigate further and may reissue a new fingerprint based status letter; and
- .etin chillen of all and the second s File the results in the appropriate place for future auditing and verification purposes. •

Effective 07/01/2017