



# **TODD E. KOHLRIESER, JUDGE**

## **Allen County Court of Common Pleas**

### **Probate & Juvenile Divisions**

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## **Reporting to Law Enforcement and Compliance Plan**

The Reporting to Law Enforcement and Compliance Plan has been created for the purpose of ensuring complete, accurate, and timely submission of information into Ohio's computerized criminal history repository at the Bureau of Criminal Investigation (BCI), the Ohio Court Network (OCN), the Ohio Law Enforcement Automated Data System (LEADS), and other law enforcement databases and in compliance with Rule 3.04 of the Rules of Superintendence for Ohio Courts.

### **Obtaining & Reporting Fingerprinting**

Below are the procedures and timelines for obtaining and reporting fingerprints as prescribed by the Revised Code and Supreme Court rules, including R.C. 109.57(A)(2), 109.60(A), 2151.311, 2151.313, 2152.71(A)(2), 2923.14, 2929.44(B), 2945.402(E)(1), and Crim. R. 39(C), and Crim.R.9(A).

1. The Court's process for obtaining fingerprints and generating the related incident tracking number (ITN), upon court-ordered fingerprinting:

The Allen County Juvenile Detention Center utilizes a LiveScan fingerprint system to capture demographic data and offense information. Upon completion, an Incident Tracking Number (ITN) is automatically generated and printed on the FD-258 fingerprint card.

2. Juvenile Detention Center's process for reporting the ITN to the Court:

When the Court orders fingerprinting, the ITN assigned during the fingerprinting process is recorded on the FD-258 card, which is then placed in the juvenile's case file.

3. Court's process for inquiring and ordering fingerprinting at initial appearance, sentencing, or adjudication (juvenile), including:

The statutory requirement for fingerprinting is determined by the offense(s) alleged in the complaint and is addressed at the initial appearance. Ordered fingerprinting is completed at the Juvenile Detention Center, and completed records are transmitted to BCI at the conclusion of the case.

4. Process for reporting cases with a disposition of dismissed and those where no disposition is expected:

If an offense listed in R.C. 109.572(A)(1) is dismissed, the FD-258 card is marked "DISMISSED" with the date of the file-stamped entry.

5. Process for reporting fingerprints and dispositions when cases are transferred to another court (e.g., municipal court to general division, juvenile court to general division, or a transfer to a court in another county):

When a case is certified to another county or transferred to the General Division, the original FD-258 card accompanies the case record. The receiving court is responsible for reporting the final disposition to BCI.

6. Procedures for quality assurance and records validation:

Each time fingerprinting is ordered, the delinquency deputy clerk enters a docket notation. Once fingerprints are received, the FD-258 card is placed in the case binder. After disposition, the card is updated and submitted to BCI.

### **Reporting Mental Health Adjudications in Probate Court**

Below are the procedures and timelines for reporting mental health adjudications under R.C. 5122.311.

1. Procedures to notify the court of a patient's discharge:

Treatment facilities notify the Court upon a patient's discharge.

2. Procedures to notify BCI if the adjudication is vacated, set aside, or terminated:

If an adjudication is vacated, set aside, or terminated, the Court updates the individual's record in OCN to reflect the change.

3. Procedures to notify BCI if the individual no longer meets the criteria to be subject to a court order or dies:

If the individual no longer meets the criteria for a court order or is deceased, the Court updates the OCN record accordingly.

4. Procedures for validating records entered in the Ohio Courts Network Mental Illness Adjudication Report (MIAR) portal:

At the beginning of each month, the Chief Deputy Clerk reviews all mental-health adjudication records submitted during the prior month to verify accuracy and confirm any status changes.

## Reporting of Protection Orders

Below are the procedures and timelines for reporting a protection order as prescribed by the Revised Code and Supreme Court rules, including R.C. 2151.34, 2903.213, 2903.214, 2919.26, and 3113.31, and Civ. R. 65.1, Civ. R. 65.2, Crim. R. 38, Crim. R. 11.1, and Sup. R. 6.13.

1. Court's process for sending the Protection Order Notice to NCIC Form (NCIC Form) to law enforcement for entry into the Law Enforcement Automated Data System (LEADS) upon the issuance, modification, dismissal, or termination of an ex parte order, consent agreement, or full order protection order:

Upon issuance of a Juvenile Civil Protection Order, the Court provides a certified copy and the original NCIC form to the Allen County Sheriff's Office for LEADS entry.

2. Law enforcement's process for entering the NCIC Form information into LEADS for initial entry, as well as the process for updating LEADS when the defendant or the respondent is served with the ex parte order:

The Sheriff's Office enters the respondent's identifying information into LEADS based on the NCIC form.

3. Process for notifying the defendant or respondent of an unserved ex parte protection order pursuant to R.C. 2919.27(D), including the completion of the Notification of Protection Order Form, and for updating LEADS once notice has been given:

For service, the Sheriff completes the "Return" section of the Original Order of Protection. If service is unsuccessful, the Deputy Clerk issues a Notification of Failure of Service to the petitioner, who must supply an updated address.

4. Procedures for quality assurance and records validation:

At the beginning of each month, the Chief Deputy Clerk reviews all protection-order submissions for accuracy and completeness.

### **Reporting to the Ohio Department of Public Safety**

Below are the procedures and timelines for reporting information to the Ohio Department of Public Safety's Bureau of Motor Vehicles (BMV) pursuant to R.C. 4510.03, 4513.37, and 5502.10 and Supreme Court rules.

1. Process for sending the BMV the certified abstract of the court record upon the conviction or bail forfeiture for cases involving traffic violations and the operation of vehicles, streetcars, and trackless trolleys:

When a disposition is entered into CourtView 3, an electronic abstract is generated and transmitted by the Chief Deputy Clerk through WinSCP to the BMV's secure portal. This process applies to all traffic-related convictions, including aggravated vehicular homicide, vehicular homicide, felony offenses involving a vehicle, and OVI convictions.

2. Procedures for quality assurance and records validation:

Submission receipts generated by the WinSCP portal identify total records received and any formatting errors. These receipts are retained to ensure validation and compliance.

### **Procedures for Maintaining Reporting Records**

Below are the procedures to ensure completeness and accuracy of records as required by the statutes and rules listed in divisions Sup. R. 3.04, 18 U.S.C. 922(g), and R.C.2923.13 in the event of an audit by the Federal Bureau of Investigation, BCI, or state or local auditors.

1. Staff schedule to regularly validate records that have been reported:

To ensure compliance with Sup. R. 3.04, 18 U.S.C. 922(g), and R.C. 2923.13, the Chief Deputy Clerk conducts a monthly review of all records submitted to BCI, OCN, and BMV.

2. Process for correcting inaccurate, incomplete, or rejected reporting submissions to the appropriate entities:

When a submission is inaccurate, incomplete, or rejected, the Court identifies the affected case and corrects the information in the appropriate reporting portal.

3. Process for annually checking for updates to state and federal reporting requirements:

The Court's Staff Attorney provides updates to Court Administration regarding changes in state or federal reporting requirements.

4. Retention schedules for these records:

The Court adheres to the retention schedule established by the Ohio Rules of Superintendence.

### **Procedures for Sealing & Expunging Records**

Below are the procedures and timelines for reporting sealed and expunged records into BCI's computerized criminal history repository, LEADS, and other law enforcement databases pursuant to the Revised Code, including Revised Code Chapters 2151 and 2953 and R.C. 2930.171 and 3113.31.

1. Process for notifying victims under Marsy's Law requirements:

After a case is sealed or expunged, the victim is mailed a paper copy of the Judgment Entry.

2. Process for notifying the appropriate law enforcement agencies and BCI when records have been sealed or expunged:

The law enforcement agency responsible for the initial arrest or report also receives a copy of the Judgment Entry.

3. Process for securing sealed records:

For sealed cases, the case number is converted to a restricted format accessible only to authorized administrative personnel.

4. Process for removing expunged records from the case management system and back-up document storage applications as appropriate:

For expunged cases, the Deputy Clerk confirms the case has been sealed, then removes all identifying information from the case management system. The physical case binder is shredded.