

**CALIFORNIA DEPARTMENT OF JUSTICE
CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION
EMPLOYEE STATEMENT**

Use of Applicant Criminal Offender Record Information

All personnel with access must sign this form which is kept by the Custodian of Records

As an employee/volunteer of:

Contributing Agency/Organization Name: _____

You may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code section 502, prescribes the penalties relating to computer crimes. Penal Code Sections 11105 and 13300, identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code Sections 11140-11144 and 13301-13305, prescribe penalties for misuse of criminal history information. Government Code Section 6200, prescribe felony penalties for misuse of public records. Penal Code Sections 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive a record or information is guilty of a misdemeanor."

Civil Code Section 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:

- * Penal Code Section 11141: DOJ furnishing to unauthorized person (misdemeanor)
- * Penal Code Section 11142: Authorized person furnishing to other (misdemeanor)
- * Penal Code Section 11143: Unauthorized person in possession (misdemeanor)
- * California Constitution, Article I, Section (Right to Privacy)
- * 1798.53 Civil Code, Invasion of Privacy
- * Title 18, USC, Sections 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUES OF
CRIMINAL RECORD INFORMATION**

Signature: _____ Date: _____

Print Name: _____ Title: _____

Contributing Agency/Organization Name: _____

PLEASE NOTE: Do not return this form to the DOJ. Your Custodian of Records should maintain these forms