

LEIN Misuse and Penalties

What is considered LEIN misuse?

- 1. **Conducting inquiries for unauthorized users**. Terminal Operators must always check the LEIN Authorized Users list to validate the requestor is authorized to view LEIN data. Unauthorized users include but are not limited to: FIMS/FIS/ES, Adult Services, Prevention, Private child placing agencies, contractors, individuals, agencies, and entities external to DHS.
- 2. **Conducting Inquiries for personal use.** Using LEIN to conduct personal inquiries is absolutely forbidden. Examples include selling criminal history records, running plates of attractive drivers to get address information, or running LEIN checks on your daughter's boyfriend, etc. LEIN Operators must never do a LEIN inquiry without a completed DHS-269 form.
- 3. **Conveying LEIN information via phone.** Since there is no way to validate that the person on the other end of the phone is an Authorized LEIN User, do NOT convey LEIN information via a phone call. In addition, a completed DHS-269 form must be submitted to the LEIN Operator before an inquiry is made and the DHS-268 Log Form must be signed when retrieving LEIN results from the LEIN operator.
- 4. **E-mailing and faxing LEIN screens/data.** LEIN Operators must not e-mail or fax LEIN screens or data to anyone, including Authorized Users.

What are the penalties for LEIN Misuse?

First Offense: Misdemeanor punishable by 90 days imprisonment or \$500.00 fine or both.

Second Offense: Felony punishable by not more than four years imprisonment or \$2000.00 fine or both.

Staff found to have misused LEIN information will be subject to disciplinary action up to and including dismissal.

All suspected violations of LEIN policy pertaining to unauthorized access to LEIN or unauthorized disclosure of LEIN information are to be immediately forwarded to the Office of the Inspector General.

For further information regarding LEIN use please refer to the following policy:

CPS: PSM 713-2 FC: FOM 722-6A