

MARYLAND INVESTIGATORS AND SECURITY ASSOCIATION



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August 2, 2005

Richard A. Hertling, Deputy Assistant Attorney General
Office of Legal Policy
4234 Robert F. Kennedy Building
950 Pennsylvania Avenue, NW
Washington, DC 20530

RE: OLP Docket No. 100

Dear Mr. Hertling:

The Maryland Investigators and Security Association has represented licensed private detective and security professionals in Maryland since 1954. Our members would like to provide the following comments or suggestions on OLP Docket No. 100. Specifically concerning criminal history record checks for non-criminal justice purposes, such as licensing and employment.

1. Streamline criminal history records for the purposes of licensing private detectives and security guards (and other types of licenses) by the submission of fingerprints through a computer type system like LiveScan. Reduces paperwork, staffing and decreases turn around time for results (currently six to twelve weeks turn around average. With system like LiveScan 48 hours.)
2. Allow access to same type of program as above for employment criminal records background checks. Require a similar log on process as PACER. You may consider limiting this type of access to licensed private detectives, employment companies, etc. that can be identified through a licensing body.
3. To simplify licensing procedures with the signed authorization of the applicant, the results are returned to the hiring companies as well as the regulatory bodies (CJIS), which would allow errors to be clarified more quickly. Establish a streamline procedure to allow correction of inaccurate information (including identity theft situations).

One of the major concerns is making certain that the individual belongs to the fingerprint card being submitted. Placing their hand on a computer screen would eliminate the possibility of submitting a fraudulent card.

There have also been occasions where victims of identity theft have had crimes listed on their records that were perpetrated by others who stole their identity. Most states are passing legislation to address this. Using the scanning method of fingerprinting would also reduce that occurrence.

We would be happy to discuss these ideas and more with you in the future.

Sincerely,

Kathy Morris
Legislative Chair