

How to Read Preliminary Records Check Determinations

Definitions/ Common Terms

Crime:

- Any felony, or
- Battery when the victim is a minor, or
- Simple Battery when the victim is a minor, or
- Contributing to the delinquency of a minor, or
- Various sexual offenses, or
- Criminal attempt on one of the underlying crimes listed, or
- Any other crime committed in another jurisdiction that would be one of the listed crimes if committed in this state.

Felony:

- Usually held in Superior Court
- Is any crime that is punishable by death, by imprisonment for life or by imprisonment for more than 12 months
- Fines of more than \$1,000.00

Misdemeanor:

- Usually held in State Court
- Probation or confinement is usually for 12 months or less (sentencing is in monthly increments)
- Fines of \$1,000.00 or less (\$1,500.00 if Misdemeanor of a High Aggravated Nature – MHAN)

Acquittal- A verdict of not guilty

Adjudicate- To give judgment; to render or award judgment

Conviction- An adjudication that a person is guilty of a crime based on a verdict

Dismissal- To discontinue, quash, or dismissed as final adjudication against the plaintiff

How to Read a Criminal History Report

Step 1: Have criminal history report ran by a local law enforcement agency.

Step 2: Verify name, Social Security Number, and the date of birth on the applicant's criminal history report.

Step 3: Check the interstate identification index

- Single-source offender (SSO)- Indicates applicant has a record in the State of Georgia

- Multi-source offender (MSO)- Indicates applicant has a record in another state or something on his/her FBI report-request fingerprint cards
- Blank- Treat as single state offender

Step 4: identify any arrests and check for any “covered crime” as defined in O.C.G.A. Code 20-1A-30(3).

O.C.G.A 20-1A-30(3) 'Crime' means any felony; a violation of Code Section 16-5-23, when the victim is a minor; a violation of Code Section 16-5-23.1 relating to battery, when the victim is a minor; a violation of Code Section 16-12-1, relating to contributing to the delinquency of a minor; a violation of Chapter 6 of Title 16, relating to sexual offenses; a violation of Code Section 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

Step 5: Add a written declaration on the local criminal records checks. This written declaration should say if the criminal records check is satisfactory or dissatisfactory. (Examples of written declarations can include, but are not limited to; writing ok, writing satisfactory, writing not ok, writing dissatisfactory, putting a check mark; etc. All of these declarations should include a signature of initials of the person making the determination and the date the determination was made.)

Components of a criminal record check

- Number of Cycles – Verify all Cycles are present (ex. Cycle 1 of 5)
- Arrest number - if applicant has more than one arrest they will be in numerical order.
- Arrest date- the date the applicant was actually arrested.
- Agency- the agency who arrested the applicant, usually a police department or sheriff’s office.
- Name used – the name used at the time of the arrest versus name on other paperwork or court documentation (ex. Married name or alias).
- Charge- the actual crime the applicant was charged with.
- Offense date- the date that the crime was committed.
- Judicial- the court information
- Disposition- shows the final resolution (see examples of common dispositions)
- Court date- shows the actual date the applicant went to court.

Common Dispositions & Abbreviations

DOC - Department of Corrections	No Bill - Treat as a dismissal
FEL - Felony	Nolle Prosequi/Nolle Prossed - Treat as a dismissal
MISD - Misdemeanor	Nolo Contendere - Treat as a conviction
TOT - Turned over to	Not Guilty - No guilt was found
TBT - Theft by taking	DISM - Dismissed/Dismissal
TXT - Theft by taking	Dead Docket - Prosecution failed to prosecute
VGCSA - Violation of Georgia’s controlled substance act	Completion of PIT - Completion of pre-trial intervention/Treat as a dismissal
SID - State Identification number	NPGJ - Not presented to grand jury/Treat as dismissal
C/F - Change From	Administrative dismissal - Treat as dismissal
NPGJ - Not presented to the grand jury/Treat as a	NFAA - No further action anticipated/Treat as a

dismissal	dismissal
First Offender - Treat as a conviction unless it shows that there was a successful completion of the program.	