

INTRODUCTION

Michigan State Police (MSP) has an Internet site that **authorized** DHS staff can access to obtain Michigan criminal record information (misdemeanors and felonies, convictions only). The Internet site is called **Internet Criminal History Access Tool (ICHAT)**. The MSP Central Records Division operates the site.

Official Use

Accessing ICHAT must only occur in the performance of official duties. Any inappropriate use of ICHAT information may result in disciplinary action. County directors are responsible for authorizing appropriate staff to access ICHAT. County directors will be responsible for maintaining the security, the confidentiality and the appropriate use of ICHAT information.

Note: DHS staff should not be doing ICHAT checks for other government entities, or nonprofit agencies contracting with DHS.

Authorized DHS staff may be given permission to access ICHAT when criminal record information is required for the screening of:

- Volunteers.
- Child Development and Care (CDC) provider applicants.
- Situations for worker safety.

Note: CRCs should check sexual offender's lists in their county. This list is linked to MSP Public Sex Offender Registry; see CRM 102, PSOR section.

Due Process

When information is received from ICHAT on a particular person that may result in taking an **adverse action** against the person, it is the responsibility of DHS staff to ensure the information pertains to that person (be sure to examine the report for any items that might not match such as birthdate, etc. thus giving a false match).

Note: The person denied the opportunity to volunteer because of ICHAT information must be notified, given a copy of the ICHAT record, and given the opportunity to rebut the ICHAT record.

Rebuttal Process

If a person challenges the ICHAT record:

- The DHS staff will ask the person to go to the nearest law enforcement agency and request to be fingerprinted on an RI-8, State Applicant and Personal Identification Card fingerprint card, (card will be provided by the law enforcement agency).
- The individual challenging the ICHAT record will then submit the card to the nearest MSP post to have their ICHAT record verified.
- On the back of the RI-8 they must check the **Other** box, and write in **Record Challenge** in order to have the process completed free of charge.
- When they receive the response to their challenge, they must then provide that information to DHS.

Worker Safety

The information on ICHAT can be used to help determine if actions need to be taken to increase worker safety.

Volunteer Services

The verified information on ICHAT can be used to determine if an individual should be used as a volunteer through DHS.

ICHAT vs. LEIN

Typically, CRCs will use ICHAT for the screening of volunteers. The use of ICHAT is **not** meant to replace the use of Law Enforcement Information Network (LEIN) information where it is needed.

Example: CPS investigations

The information on ICHAT only includes State of Michigan criminal convictions. Because this information is in the public domain, it avoids some of the confidentiality issues of the LEIN.

Accessing ICHAT

The Michigan State Police make criminal history information accessible to the public through the Internet Criminal History Access Tool. The ICHAT system is available 24 hours per day, 365 days per year and is found at hyperlink <http://www.michigan.gov/ichat>.

There is no cost for state departments for this service if used for authorized departmental purposes.

Approved Uses

DHS employees may use ICHAT at no charge for screening department employees and volunteers, child care providers, and for child protective service investigations. MSP requires that all fee-waived ICHAT usage be documented that it is for an official departmental purpose, and that the documentation be maintained for six months after the inquiry.

Non-approved uses

DHS employees may not use ICHAT at no charge for screening volunteers at their churches or other volunteer organizations or for personal use.

DHS employees also may not give ICHAT reports to non-DHS personnel; with the sole exception if the person who was searched disputes the accuracy of the information on the report.

Using ICHAT is a simple process:

Identify Your Agency Code

To waive the ICHAT fees, users will need a government/charitable agency code on their user account profile. Agency codes are assigned to DHS offices, not to individual users, and only authorized users will be able to place a specific code on their user account profile. Each office will designate one ICHAT user as its primary contact person/agency (code) administrator, who will be able to add and delete logon IDs (e-mail addresses) from the list of authorized users of their office's code.

Most DHS offices already have ICHAT agency codes assigned to them; for questions about your office's code, you may contact your office's ICHAT agency administrator or e-mail MSP-CRD-ACCTHELP@michigan.gov. If your office needs to request a governmental agency code to waive the ICHAT fees, MSP will need you to send them the following information on official letterhead:

- The name, address, and phone number of the agency.
- The name and e-mail address of the contact person.
- The number of additional users.
- The agency's federal tax ID number. (If you do not know it, you can get it from your finance department.)

Please allow two to three weeks for processing. The request may be faxed to 517-241-0866 or sent to:

Michigan State Police - Criminal Records Division
Attn: ICHAT
P.O. Box 30634
Lansing, MI 48933

Register an Account in ICHAT

To access ICHAT, go to: <http://www.michigan.gov/ichat>

Before registering or logging into ICHAT, we recommend that you utilize the free tutorial located on the ICHAT home page.

After completing the tutorial, click Register. Fill out all fields on the registration page in upper case letters. Passwords must be six to twelve characters long and contain at least one letter, one number, and one special character (~|@#\$%^&*()_\-+=<>.,?/). Make sure to include the agency code received from criminal justice information center (CJIC) and all agency information.

Register once only, for future access to ICHAT, select Log-in then enter your e-mail address and password.

Using ICHAT

After logging into ICHAT, click background search. Then enter the information of the individual being searched. Upon completion, your search results will be stored for seven days. Print the response sheet out for you records.

Tips

The response you receive is based on a name search of the Michigan Criminal History Record System. The search does not include any other state or the FBI. The response includes all misdemeanor and felony criminal records in the Michigan State Police Criminal History Record System, unless the record has been made non-public.

If you are ever locked out of the system, try to log out completely and close your browser.

To eliminate duplicate searches upon logon select view 7 day summary report to review the responses of requests previously processed.

If you have any questions regarding ICHAT or any of the steps listed above, please contact Ted Kilvington, ICHAT Coordinator, at (517) 241-0713 or at KilvingT@michigan.gov.

**Offenses
Indicating Lack Of
Good Moral
Character**

Exhibit I - BCAL Offense Codes Used for Worker Safety and Volunteer Services Purposes, lists criminal code numbers that relate to the offenses listed in the Bureau of Children and Adult Licensing (BCAL) section on **crimes that indicate a lack of good moral character**. Due to the general nature of the crimes listed by BCAL it is **not** possible to list every criminal code number that would pertain to each crime. Exhibit I represents a range of codes that would fall under each listed crime.

Before any action is taken, all criminal code numbers that are being used should be double checked in the Criminal Records Reporting Bench Guide to confirm they pertain to a felony conviction listed under the BCAL **crimes that indicate a lack of good moral character**. Counties can also check with their local prosecutor. If there is a hit on ICHAT when screening a prospective volunteer the CRC and local county director and/or local management team should consider the nature of the offense and when it occurred; they should be flexible in their judgment before deciding to preclude the volunteer. For example: it might be acceptable to use a volunteer with a marijuana smoking offense from 30 years ago if that person has maintained a clean record since then and has been clean and sober for the last 25 years.

Note: These lists are as complete as possible, but are **not** to be considered as absolute. There may be other criminal codes that pertain to the listed offenses that were inadvertently missed in the tabulation, that are pertinent to determining worker safety or volunteer services issues.

EXHIBIT I

BCAL offense codes used for worker safety and volunteer services purposes.

CRIME	OFFENSE CODES and (# OF CRIMES)*
Bribery (28 crimes)	750.117 – 750.125 (28 crimes)
Fraud	750.271 – 750.300A1C, 750.356 (26)
Filing of false claims	722.6335B, 752.1003 – 752.1006 (8)
Aiding or abetting the filing of false claims	
Allowing an establishment to be used for illegal purposes	750.301 – 750.303B (5)
Homicide Murder Manslaughter Mayhem Negligent homicide	750.316 – 750.329A, 750.91, 750.14, 750.321B, 750.236B, 752.861, 752.881 (16)
Assault Battery	750.01 – 750.90C (23)
Criminal Sexual Conduct in any degree	750.520 – 750.520E1G (33)
Activity for profit involving any of the following: Child Abuse, neglect, exploitation, Kidnapping, Adoption schemes, Prostitution or related crimes	750.349 – 750.350a, 750.448 – 750.462, 750.448 – 750.462 (26)
Cruelty toward, or torture of, any person	750.85
Robbery	750.530 – 750.531B, 750.3652A (4)
Armed robbery	750.529
Burglary	750.110 – 750.116 (10)
Receiving stolen property	750.5352A – 750.536A3 (13)
Concealing stolen property	Same as above
Extortion	750.213 – 750.214 (2)
Obtaining property by false pretense	750.363A – 750.363B (2)
Larceny by trick	750.2182 – 750.2185B (7)
Larceny by conversion	750.362A – 750.362B (2)
Embezzlement	750.1742 – 750.1815B (31)
Arson	750.72 – 750.73, 750.741A, 750.771D2 (20)
Offenses involving narcotics, alcohol, or controlled substances that results in a felony conviction	333.73349 – 333.7455 (79)

CRIME	OFFENSE CODES and (# OF CRIMES)*
Offenses involving any of the following: Adulterating drugs, controlled substances, or preparations, Poisoning, Unlawful manufacture or delivery of drugs or possession with intent to manufacture or deliver drugs.	Same as above (79), 750.431 – 750.437 (8)
<p>Note: These codes will result in disqualification for Child Development and Care. * Number in (parentheses) is the number of separate crimes that would fall under this category.</p>	

EXHIBIT II

Additional crimes that should be considered in evaluations for worker safety and volunteering at DHS:

CRIME	OFFENSE CODES and (# OF CRIMES)*
Domestic Violence	750.812 – 750.814, 750.81A2 – 750.81A3 (5)
Child Abuse	750.135 – 750.145P5 (9)
Vulnerable Adult Abuse	750.145N1 – 750.145C4 (21)
<p>* Number in (parentheses) is the number of separate crimes that would fall under this category.</p>	