

Criminal History Information

CHAPTER 17. SAN MANUEL CRIMINAL HISTORY INFORMATION ORDINANCE¹

SMTC 17.1 Title

This Chapter shall be known and cited as the "San Manuel Criminal History Information Ordinance" (hereinafter the "Criminal History Information Ordinance").

SMTC 17.2 Statement of Purpose

To comply with Section 6.4.8 of the Tribal-State Compact, the San Manuel Band of Mission Indians ("Tribe") hereby adopts this Criminal History Information Ordinance to access the California Law Enforcement Telecommunications System ("CLETS"). This Ordinance shall be incorporated by reference as an amendment to the Tribe's approved Gaming Ordinance.

SMTC 17.3 Adoption of Article 6, Chapter 1, Title 1 of Part 4 of the California Penal Code

The General Council of the San Manuel Band of Mission Indians, in order to be considered an entity entitled to receive state summary criminal information under the California Penal Code, hereby adopts by reference Article 6 (commencing with Section 11140) of Chapter 1 of Title 1 of Part 4 of the California Penal Code, and confirms that it is applicable to members, investigators, and staff of the San Manuel Gaming Commission for gaming operation background investigation purposes only.

By adopting those provisions, and exercising this right, the San Manuel Gaming Commission shall be considered to be an entity entitled to receive state summary criminal history information within the meaning of subdivision (b)(12) of Section 11105 of the California Penal Code, as set forth in Section 6.4.8 of the San Manuel Tribal-State Compact ("Compact").

Through adoption of this Ordinance, it is the intent and understanding of the Tribe that the California Department of Justice will provide services to the San Manuel Gaming Commission through access to the CLETS (including access to the "live scan" system), and that the San Manuel Gaming Commission shall be deemed qualified to receive such services.

The San Manuel Gaming Commission is authorized to adopt such regulations as deemed necessary to comply with CLETS requirements under the Compact, including regulations for accessing the records, and maintaining the confidentiality of criminal record information received from CLETS and other sources.

¹ Adopted by the General Council on December 12, 2000.