

Criminal Records Retention and Storage Policy
Stevens Point Housing Authority (SPHA)
Resolution 25-05

CRIMINAL RECORDS RETENTION AND STORAGE POLICY

Applicability. The criminal records applicable to the Stevens Point Housing Authority's (SPHA) retention and storage policy include, but are not limited to:

1. Records received or requested by the SPHA from a law enforcement agency or any other source for consideration in admission, continued occupancy, lease enforcement, termination of the lease, and/or eviction.
2. Other applicant and resident interactions with the criminal justice system including arrests, warrants, incidents, conviction, sentencing, dismissals or deferrals of prosecution, not-guilty verdicts, incarceration, and probation, parole, and supervised release violations; and
3. Sex offender registration requirement information.

Retention. The SPHA has established and implemented a system of records management that ensures that any criminal record received or requested by the SPHA from a law enforcement agency or any other source is destroyed, once the purpose(s) for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the SPHA action without institution of a challenge or final disposition of any such litigation.

Protection of files. The SPHA has established and implemented a system of records management that ensures that any criminal record received or requested by the SPHA is maintained confidentially and not misused or improperly disseminated.

Criminal records as defined above under "Applicability" will be stored in a secure file cabinet. Only the Executive Director and/or authorized designees will be authorized to access these files. All criminal background information must be removed from the applicant's and tenant's files and destroyed as defined above under "Retention." The SPHA may note in the file that criminal background and/or sex offender information was reviewed and the determination if it may be necessary to locate the records later but may not maintain the actual records long-term.

Use of records. Criminal records received or requested by the SPHA from a law enforcement agency, or any other source will only be used for the purposes of applicant screening, continued occupancy, lease enforcement, termination of the lease, and/or eviction.

SPHA disclosure of records. The SPHA will disclose the criminal records which the SPHA receives only to officers or employees of the SPHA, or to authorized representatives of the SPHA who have a job-related need to have access to the information (i.e. staff working with applicants, continued occupancy, lease violations, termination of the lease, and/or evictions). For example, if the SPHA is seeking to evict a public housing tenant based on criminal activity as shown in criminal records provided by a law enforcement agency or any other entity, the records may be disclosed to SPHA employees performing functions related to the eviction, or to the SPHA hearing officer conducting an administrative grievance hearing concerning the proposed eviction.

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Upon disclosure as necessary in connection with judicial eviction proceedings, the SPHA is not responsible for controlling access to or knowledge of such records after such disclosure.

Consent for release of criminal records. To obtain access to records under this section, the SPHA requires every applicant family to submit a consent form signed by each adult household member. By execution of the consent form, an adult household member consents to the following:

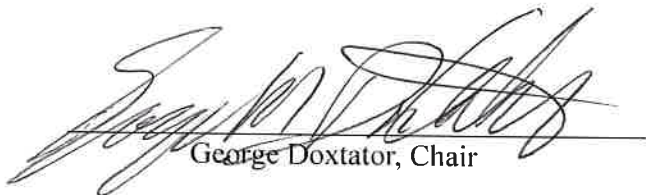
1. Any law enforcement agency or other entity may release criminal records concerning the household member to the SPHA in accordance with HUD regulations and this policy;
2. The SPHA may receive or request criminal records from a law enforcement agency or other entity and may use the records for the purpose of screening for admission, continued occupancy, lease enforcement, termination of the lease, and/or eviction.

The SPHA will not pass along to the applicant or tenant the costs of a criminal records check.

Opportunity to dispute. The opportunity to dispute is described in SPHA's ACOP, Chapters 3, 4, 13 and 14.

Created as Resolution 25-05 by the Stevens Point Housing Authority (SPHA) Board of Commissioners and approved at the Regular Board Committee Meeting on May 5, 2025.

Approved: May 5, 2025


George Doxtator, Chair


Idowu Odedosu, Executive Director