

Effective 5/10/2016

63M-10-201 Creation -- Purpose -- Administration -- Access.

- (1) There is created the Serious Habitual Offender Comprehensive Action Program (SHOCAP) to establish a SHOCAP Database to identify and track youthful offenders in order to assist agencies in providing collaborative and comprehensive services to them.
- (2) The database shall be administered by the Administrative Office of the Courts with information contributed by the following agencies:
 - (a) the State Board of Education and all school districts and charter schools;
 - (b) the Department of Health;
 - (c) the Department of Human Services, including all county mental health agencies;
 - (d) the Department of Public Safety;
 - (e) all county and municipal law enforcement agencies; and
 - (f) all county and district attorney offices.
- (3) The database shall be maintained in accordance with guidelines established by the Administrative Office of the Courts so that the agencies listed in Subsection (2) can efficiently access the database.
- (4) Information provided by schools in compliance with the provisions of this chapter is authorized under the Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99.
- (5) Information in the database provided by an agency to the database is considered to be the property of the agency providing the information and retains any classification given it under Title 63G, Chapter 2, Government Records Access and Management Act.
- (6) Any person who knowingly releases or discloses information from the database for a purpose other than authorized by this chapter or to a person who is not entitled to it is guilty of a class B misdemeanor.
- (7) Neither the state nor the courts are liable to any person for gathering, managing, or using the information in the database as provided in this chapter.

Amended by Chapter 144, 2016 General Session