


PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	SUBJECT:	POLICY NUMBER 117
	USE OF ACIC TERMINALS & MOBILE COMPUTERS	ISSUE DATE 02/19/2008
	CHAPTER: ADMINISTRATION & PERSONNEL	EFFECTIVE DATE 02/19/2008
	ISSUED By: Chief of Police John E. Howell	TOTAL PAGES 6

I. PURPOSE

The purpose of this policy is to establish the policies and procedures for employee use of Pine Bluff Police Department ACIC Terminals and Mobile computer systems. The provisions of this policy shall apply to all members of the Pine Bluff Police Department.

II. POLICY

It shall be the policy of the Pine Bluff Police Department to adhere to all ACIC/NCIC regulations pertaining to the operation and security of ACIC access points. All prospective employees shall be screened through local, ACIC and background checks. Felony convictions are disqualifying. Misuse of information from the ACIC system is a felony, as defined in A.C.A. §§ 12-12-212 and 12-12-1002(b).

III. DEFINITIONS

"ADMINISTRATION OF CRIMINAL JUSTICE" means performing functions of investigation, apprehension, detention, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice also includes criminal identification activities and the collection, maintenance, and dissemination of criminal justice.

"ACCESS DEVICE" means a computer terminal, microcomputer workstation, mobile data device or other electronic equipment used to communicate with the ACIC computer system.

"CRIMINAL HISTORY INFORMATION" means a record compiled by the central repository or identification bureau on an individual consisting of name(s) and identification data, notations of arrests, detentions, indictments, information, or other formal criminal charges. This record also includes any dispositions of these charges, as well as notations on correctional supervision and release. Criminal history information does not include driver history records or fingerprint records on individuals that may have been submitted for civil or employment purposes.

"CRIMINAL JUSTICE AGENCY" means a government agency, or any subunit thereof, which is authorized by law to perform the administration of criminal justice, and which allocates more than one-half its annual budget to the administration of criminal justice.

"CRIMINAL JUSTICE OFFICIAL" means an employee, sworn or unsworn, of a criminal justice agency, performing the administration of criminal justice.

"CRIMINAL JUSTICE PURPOSE" means a use for the administration of criminal justice.

"DISPOSITION" means information describing the outcome of any criminal charges, including acquittals, dismissals, probations, guilty pleas, nolle Presque, nolo contend ere pleas, findings of guilt, first offender programs, pardons, commuted sentences, mistrials in which the defendant is discharged, executive clemencies, paroles, releases from correctional supervision, or deaths.

"GOVERNMENTAL DISPATCH CENTER" means a non-criminal justice agency established and authorized by act of local government to provide communications support services to agencies of local government, including criminal justice agencies.

"INTERFACE AGENCY" means an agency approved to be on the ACIC network with direct access to the ACIC system by computer terminal, microcomputer workstation, mobile data device or other electronic equipment.

IV. **ACCESS AND USE OF INFORMATION**

- A. **Access Authority.** Only ACIC certified personnel shall be authorized to access ACIC terminals or Mobile data units having ACIC access. (a) Facilities. ACIC access devices shall be placed in areas with adequate physical security that will (1) prevent access by the public or other non-official personnel; (2) prevent access by unauthorized agency personnel; and (3) allow access to a minimum number of authorized agency personnel. Internal procedures shall be implemented that will protect not only access devices, but also technical documents and any records associated with entries in the state and national systems. Identification shall be required before admitting equipment maintenance personnel or other officials from outside the agency.
- B. **Use of Information.** Information from the ACIC system shall **only** be used by criminal justice officials, acting in their official capacities, for criminal justice purposes.
- C. Any other non-criminal justice uses must be authorized by law, under procedures approved by the ACIC Supervisory Board, and may include the release of information to the public on wanted persons, missing persons, stolen property, hazardous materials, and road and weather conditions.
- D. Non-certified personnel shall not be left unattended in rooms or units having logged on computer access to ACIC.

E. ACIC information is NOT to be given to part time employers!
Follow section (1) below.

1. **Requests for ACIC "Hot File" Information.** Hot File information is stolen property, wanted person and missing person information from the ACIC and NCIC systems. A sample form is attached.

- a. The Request for ACIC "Hot File" Information form is to be filled out by the requestor. Traffic personnel may assist as needed in filling out the form. **A LEGIBLE SIGNATURE OF THE REQUESTOR MUST BE OBTAINED.**
- b. Forms must contain as much information as the requestor knows concerning the request.
- c. All printouts associated with the request must be attached to the original request form and kept on file for a year. A copy of the request form may be supplied to the requestor with the grayed in box on the back filled out as appropriate.
- d. **PRINTOUTS FROM THE ACIC SYSTEM MUST NOT BE RELEASED TO THE CITIZEN.**
- e. Should a positive response to an inquiry on persons or property be received, the information should be first referred to a detective that can interview the requesting citizen for further information. This could lead to the apprehension of a suspect or the recovery of property.

2. Checks for Federal Public Housing Authorities are permitted under Arkansas Act1473 of 1999. This department will not routinely perform these checks. Exceptions will be determined on a case-by-case basis. If performed, the Service Sergeant or TAC shall follow the designated procedure.

- a. Collect \$15.00 per individual request.
- b. See that the request for information form is signed.
- c. Check local records (A local check only is no charge)
- d. A QW should be sent to ACIC and a QH to NCIC
- e. The PHA'S ORI is required. (the PHA obtains the ORI by contacting the FBI CJIS Division at 304-625-2864) It will be mailed to them.
- f. For Purpose code use "H" this designates a PHA background check.
- g. If the QW response contains a SID number, you must request the full record.
- h. If the QH response contains a FBI number **DO NOT REQUEST A FULL RECORD.** For PHA background checks, the FBI limits the use of III to only providing the requestor with "no record found" or "Possible record found-submit finger prints for full record.
- i. Analyze the results of the state and local record to determine if the subject meets **occupancy requirements (no felony convictions.) Only Convictions count.**

- j. On the terminal initiate the PPHR transaction. Using the drop down screens for state and national files, select the appropriate response based on your review. Your Options Are:

- (a) **STATE FILES**

- (1) No Record or Disqualifying record found in state or local files
 - (2) Disqualifying Record Found in State or local files

- (a) **NATIONAL FILES**

- (1) No record in National Files
 - (2) Possible record found in national files. Public Housing Agency must submit Fingerprint records to FBI.

- k. Print the response for the PHA.
 - l. Retain the authorization form and printouts for one year.
 - m. We keep \$5.00 and our agency will be billed \$10.00 by ACIC for each PHA background check ran.

V. SECURITY

- A. Facilities. ACIC access devices shall be placed in areas with adequate physical security that will:
 - 1. Prevent access by the public or other non-official personnel;
 - 2. Prevent access by unauthorized agency personnel; and
 - 3. Allow access to a minimum number of authorized agency personnel
 - 4. Units having MDT' S are not to be left unsecured while unattended if MDT' S are logged on to Cerulean.
 - 5. Units having MDT' S that are being serviced for repairs or maintenance MUST log off the MDT' S.
 - 6. Certified auxiliary officers may operate MDT units while on duty.
 - 7. Auxiliary Officers are not entitled to ACIC information while off duty.
 - 8. The traffic Office doors shall be kept locked to the outside area. Only authorized personnel shall be authorized in the office. NO loitering of Officers or other personnel shall be permitted. At the end of the day access devices shall be logged off. Identification shall be required before admitting equipment maintenance personnel or other officials from outside the agency.

VI. DISPOSAL OF DOCUMENTS.

When printouts, listings or other official records from the ACIC system are disposed of, it must be done by shredding, burning or other appropriate methods that will prevent any subsequent access by unauthorized persons or for unauthorized purposes.

VII. COMPLETENESS AND ACCURACY

- A.** Completeness and accuracy of ACIC records relies upon the cooperation of traffic office employees, Detectives and MECCA personnel. By written agreement *Pine Bluff Police Department is the Originator of records and MECCA is the Holder of records.*
- B.** Missing person, wanted person and stolen property shall be entered into ACIC/NCIC within 72 hours of minimum data elements becoming available. Missing persons under the age of 18 will be entered immediately. Missing person reports shall be reviewed within 60 days of entry for any necessary updates.
- C.** Detectives who have updated victim contact or property status information for persons or property entered into ACIC shall forward that information to the traffic clerk assigned to ACIC records update. Updated missing person information shall be forwarded to the POLICE DEPT. ACIC records clerk. The records clerk will attach the update information to the original record and forward a copy to MECCA for their record update.
- D.** When MECCA updates their records pertaining to additions, deletions, locates or other updates, originals will be forwarded to the Police Dept. ACIC Clerk for filing with the original reports.
- E.** Records purges and validations. ACIC will send a listing of records purged. The list will be forwarded to the POLICE DEPT. The Police Dept. ACIC Clerk will forward copies of the lists to the Detective Division Deputy Chief or his designee for review. Records may be reentered if the Detective Division Deputy Chief so desires. MECCA will attempt the phone and letter validations to determine changes in extradition limits, stolen property status and/or missing person status.

VIII. HIT PROCEDURES

MECCA, the Holder of Record is responsible for all "Hit" confirmations, responses, locates and clears. All officers that receive hits on the MDT' S shall have MECCA get confirmation. A "Hit" alone is not probable cause to arrest.

IX. CRIMINAL HISTORY INFORMATION

A criminal history log shall be kept on all criminal histories ran, when using an ORI other than our own. Any officer retrieving criminal history information through ACIC and subsequently giving the information to another criminal justice agency outside our own is required to log this dissemination.

X. OPERATORS AND RECORDS PERSONNEL.

A. The terminal Agency Coordinators shall act as the primary point of contact between ACIC and our department. The TAC shall:

1. Serve as liaison between the POLICE DEPT. and ACIC, actively participating in meetings and conferences providing input into system functions.
2. Receive and distribute documents and materials from ACIC
3. Inform ACIC on personnel matters, including training, TAC changes
4. Assist ACIC personnel in record audits, security checks and related matters.

B. LOCAL AGENCY SECURITY OFFICERS.

The LASO shall be the point of contact for security information matters. They will:

1. Act as point of contact
2. Receive basic and ongoing security training from ACIC
3. Distribute security alerts within our agency
4. Assist the ACIC Information Security Officer with awareness training.
5. Assist state and Federal auditors.

XI. SECURITY CLEARANCES.

No person who has entered a plea of guilty, been found guilty or convicted of a Felony, shall be permitted access to any terminal or information.

XII. TRAINING

At a minimum, all officers within the Pine Bluff Police Department shall be ACIC certified as level one operators. ACIC Training shall be conducted as part of recruit school whenever feasible.