

Audit Review: So...You've Been Audited



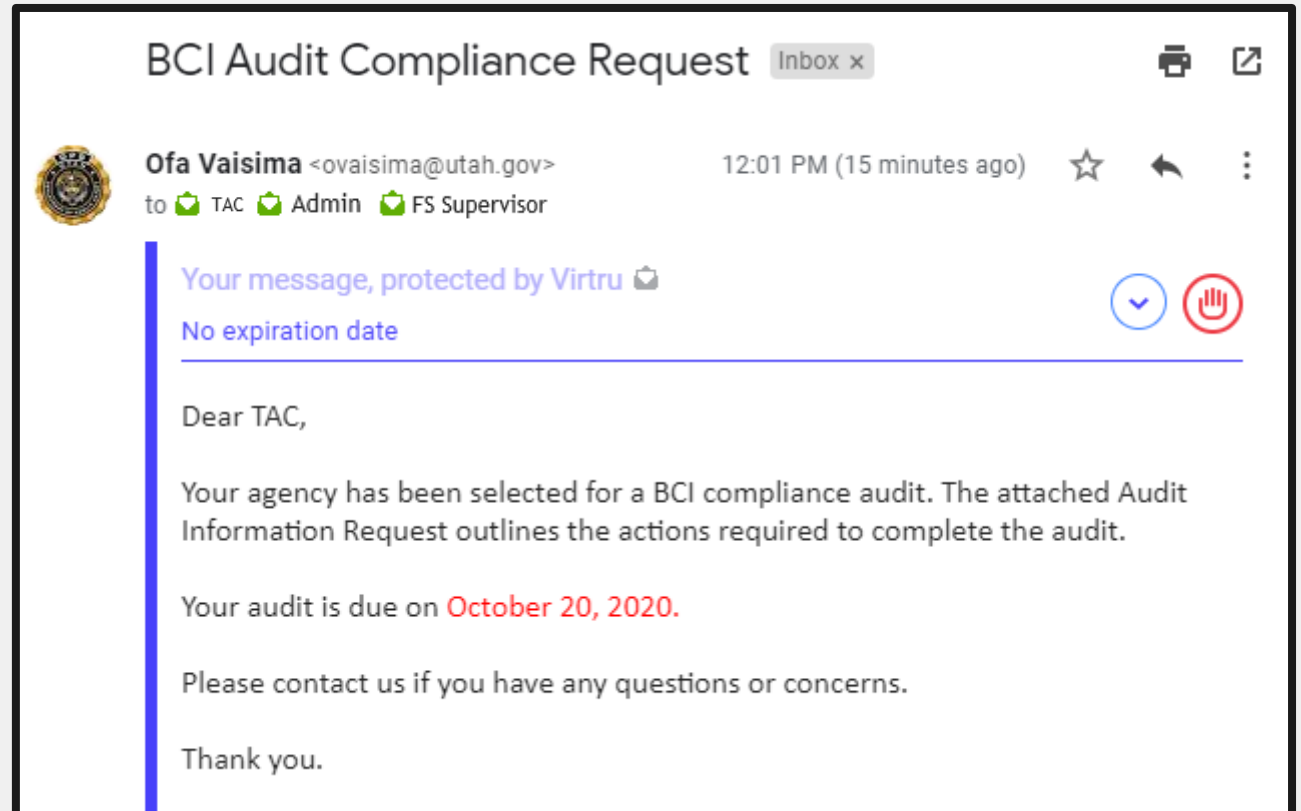
Overview

- Review of Audit Request & documents
- 2017-2020 Audit Compliance issues
- Audit response
- Next Audit Cycle July 2021-June 2024

Review of Audit Request & Documents

Audit Request

- BCI Audit Request
 - Sent secure via Virtru
- Sent to the agency TAC, agency administrator, and the Field Services Supervisor



Audit Request

- ◎ The email consists of 4 files
 - Audit Information Request
 - Questionnaire
 - Criminal History Logs
 - PDF
 - Excel



Audit Information Request



**Utah Department of Public Safety
Bureau of Criminal Identification**
2017-2020 Compliance Audit Information Request



Per the Agency User Agreement, each agency with an active ORI agrees to be audited by BCI and/or the FBI at least every three years. This audit is a way of assessing agency usage of state and federal files. If at any time the TAC or the Administrator has any questions about the compliance audit process, please contact BCI Field Services.

This document itemizes the Requested Documents needed, the Criminal History Logs Justification, and the Audit Questionnaire. Please submit these documents to BCI Field Services by the due date below.

Requested Documents– please provide a copy of each of the following:

- Misuse Policy: Per UCA 53-10-108, the agency Misuse Policy must state one of the following:
1) The "Commissioner and Director of BCI" will be notified if misuse of UCJIS information is suspected; or 2) The agency will abide by UCA 53-10-108.
- NCIC Validation Policy/Procedure (if applicable).
- SWW Validation Policy/Procedure (if applicable).
- AMBER Alert/EMA Procedures (if applicable).
- REPT Report: Submit only the first page of the report.
- ROA Agreement (if applicable): This is for Right of Access agencies only.
- Blank ROA Waiver (if applicable).
- Hit Confirmation Agreement: If your agency enters NCIC records but is not a 24-hour agency, you should have an agreement in place (e.g. with a dispatch center) outlining roles for after-hours hit confirmation.
- NCIC Case Files (if applicable): Copy the entire case file from the original report to the last time it was updated or validated. Please compare the NCIC record with the case file prior to submitting the documents.

W123456789	G123456789	P123456789	G123456789	

- Utah Statewide Warrants (if applicable): Copy the original document requesting the warrant, the court order issuing the warrant (signed by the judge), and any additional documents pertaining to the warrant.

123456/111111111	789012/000000000	987654/222222222

Criminal History Logs Justification (if applicable)

Agencies that access Utah Criminal History (UCH) and/or Triple I (III) will be required to justify the purpose for the transactions. Please enter the justification next to each log entry by answering the following questions:

- 1) Why was the transaction run?
- 2) Was the correct purpose code used and if not, what should the code have been?
- 3) Was the requestor the person who received the information?
- 4) Is the auditing purpose a case number or specific phrase?
- 5) If an inquiry is highlighted in **RED** indicating a Utah Right of Access inquiry, please provide the signed ROA Waiver Form.

Audit Questionnaire

This Audit Questionnaire should be completed using Microsoft Excel, which allows you to select your answers using the dropdown arrow on the right side of each answer field. If there is no arrow available, please enter a free text response. If there are files in UCJIS that your agency does not access, simply hide those questions by un-checking the box in the "Files Accessed" section at the top of the questionnaire. If any employee of your agency has access to any file, your agency will be required to answer those file-specific questions.

The UCJIS usage survey should be completed based on your agency's current practice (i.e. if my agency does not conduct burglary investigations, I would answer "don't run"). If your agency has NCIC records, the 'ORI of record' is responsible to answer the questions regarding NCIC entry, even if another agency enters the records on your behalf.

Please submit the Requested Documents, the Criminal History Logs Justification and the Audit Questionnaire to your BCI Field Services Representative on or before:

Date October 20, 2020.

This audit is being conducted by:

Name: Ofa Vaisima

Email address: ovaisima@utah.gov

Phone number: 385-499-1421

**Mail: Bureau of Criminal Identification
3888 West 5400 South
Salt Lake City, UT 84129**

BCI appreciates the efforts this agency displays in complying with state and federal regulations and policies. Thank you.

Audit Questionnaire



**Utah Bureau Of Criminal
Identification
Auditing and Training Staff**

**BCI Compliance Audit Agency Questionnaire
2017-2020**

Agency Name and ORI:

**Administrator Name, Title
and Email:**

**TAC Name, Email and
Phone:**

Audit Questionnaire

FILES ACCESSED BY AGENCY

<input checked="" type="checkbox"/> NCIC Entry	<input checked="" type="checkbox"/> CH	<input checked="" type="checkbox"/> Driver License/Motor Vehicle
<input checked="" type="checkbox"/> NCIC Inquiry	<input checked="" type="checkbox"/> Court	<input checked="" type="checkbox"/> Statewide Warrant

DISSEMINATION

Does this agency store CJIS data in an RMS?	
If so, what types of employees have access to the RMS?	
What does this agency record in dissemination logs?	<input type="checkbox"/> Name of Requestor <input type="checkbox"/> Type of Record Shared <input type="checkbox"/> Intended Purpose <input type="checkbox"/> Date <input type="checkbox"/> Signature of Requestor <input type="checkbox"/> Requesting Agency <input type="checkbox"/> User ID

AUDITING AND TRAINING

Does this agency provide updated training materials to agency personnel?	
When the TAC reviews the LOGS transaction at least weekly, what does the TAC look for?	<input type="checkbox"/> Family Names <input type="checkbox"/> Purpose Codes <input type="checkbox"/> File Types <input type="checkbox"/> Unusual Dates/Times <input type="checkbox"/> Famous Names <input type="checkbox"/> Other
What materials are used in initial training for new users?	<input type="checkbox"/> BCI Operations Manual <input type="checkbox"/> NCIC Manuals <input type="checkbox"/> Presentations <input type="checkbox"/> Hand-Outs <input type="checkbox"/> Hands-On Training <input type="checkbox"/> Tests <input type="checkbox"/> Other
Which agency personnel are trained and tested?	<input type="checkbox"/> Administrators <input type="checkbox"/> IT Personnel <input type="checkbox"/> Facility Personnel <input type="checkbox"/> Users <input type="checkbox"/> Interns <input type="checkbox"/> Volunteers <input type="checkbox"/> New Hires

PERSONNEL SECURITY

If this agency has volunteers, what is their function?	
Do users share logons?	
Are background checks conducted on initial hires, applicants for hire, and unescorted personnel at this agency?	

Audit Questionnaire

UCJIS USAGE	
USAGE REASON	PURPOSE CODE
Adoption applicants	
Burglary investigation	
Business licensing	
Child custody/placement	
Ride along participants	
Criminal justice agency employment	
Jail visitors	
Volunteers working with children	
Dog catcher employment	
City or county employment (not with criminal justice agency)	
Domestic violence prevention advocates	
Fire department employment	
IT personnel with access to CJIS systems	
NCIC validations	
Right of access applicants	
Release of firearms from evidence	
Self-inquiries for training purposes	

Audit Questionnaire

NCIC INQUIRY	
Is an NCIC inquiry run before a subject is released from jail?	
Is an NCIC inquiry run before a vehicle is impounded?	
NCIC ENTRY	
What is the ORI that enters NCIC records for this agency?	
This agency enters NCIC records for the following ORI(s):	
Are there case files for ALL NCIC entries?	
Can the case files be accessed 24 hrs a day?	
Is a copy of the entry retained in the case file?	
Is the second party check recorded?	
Are procedures in effect to assure entries are modified, located, cleared, and canceled promptly and properly?	
When confirming a hit, does this agency ensure the person or property inquired upon is the same as the record?	
When confirming a hit, does this agency address the decision regarding extradition of individual/property?	
What sources are reviewed in order to "pack" an entry?	
Is extradition addressed prior to a Wanted Person entry?	
If there are extradition limitations, are those included in the MIS field?	
Does this agency enter Wanted Persons immediately (within 3 days) into NCIC?	
What are this agency's procedures for handling \$.K. messages?	
Are dental records requested for Missing Persons entries?	

Audit Questionnaire

NCIC ENTRY	
Is an NCIC Missing Persons Data Collection Entry Guide completed on each Missing Person?	
Is this agency required to immediately accept a complainant's report of a Missing Person under the age of 21 as per Suzanne's Law?	
Is the Missing Person (under the age of 21) report entered into NCIC immediately (within 2 hrs)?	
Is the time recorded in which the minimum information was received and entered into NCIC?	
Are agency personnel trained on AMBER Alert, BLUE Alert, and EMA procedures?	

Audit Questionnaire

UTAH STATEWIDE WARRANTS

Is a SWW inquiry run before a subject's release from jail?	
Does this agency enter pertinent information into the "Comments" field?	
When a warrant is served by this agency, is the status changed to "served" on the SWW system?	

DRIVER LICENSE/MOTOR VEHICLE

Does this agency access DLD and/or MVD files for purposes other than criminal justice?	
Does this agency disseminate DLD photos for purposes other than criminal justice?	
Does this agency release DLD or MVD information to any of the following:	<input type="checkbox"/> Private Investigators <input type="checkbox"/> Military Recruiters <input type="checkbox"/> City/County Employees <input type="checkbox"/> School District <input type="checkbox"/> Private Security <input type="checkbox"/> None of the Above

COURT

Court ID :	
Does this court enter any SWW records without personal identifiers?	
How often does this court access their booking reports?	
During the validation process, does this court search all available UCJIS files for missing identifiers to add to the existing SWW record?	

Compliance Issues from 2017-2020 Audit Cycle

Written Policies & Requested Documents

Written Policies & Requested Documents

WRITTEN POLICIES SUBMITTED	Y/N	Compliance Comment
Misuse Policy	No	MISUSE POLICY: THE REQUIRED AGENCY MISUSE POLICY MUST CONTAIN A POLICY REVISION DATE AS WELL AS NOTATION THAT THE BCI DIRECTOR AND THE COMMISSIONER OF PUBLIC SAFETY WILL BE NOTIFIED IMMEDIATELY OF ANY SUSPECTED MISUSE OF UCJIS FILES OR THE DATA OBTAINED THROUGH UCJIS AS STATED IN UCA 53-10-108.
NCIC Validation Procedures	No	NCIC VALIDATION PROCEDURES: FOR ALL AGENCIES WITH NCIC ENTRY PERMISSIONS, VALIDATION PROCEDURES MUST BE FORMALIZED, AND COPIES OF THESE PROCEDURES MUST BE ON FILE FOR REVIEW DURING AN FBI CJIS AUDIT. DOCUMENTATION OF VALIDATION EFFORTS MUST ALSO BE MAINTAINED FOR REVIEW DURING THESE AUDITS. (NCIC INTRO 3.4)
Statewide Warrant Validation Procedures	No	SWW VALIDATION PROCEDURES: FOR ALL AGENCIES ENTERING STATEWIDE WARRANTS, VALIDATION PROCEDURES SHOULD BE FORMALIZED, AND COPIES OF THESE PROCEDURES SHOULD BE ON FILE FOR REVIEW DURING AN FBI CJIS AUDIT. DOCUMENTATION OF VALIDATION EFFORTS MUST ALSO BE MAINTAINED FOR REVIEW DURING THESE AUDITS.
AMBER Alert Procedures	No	AMBER PROCEDURES: BCI REQUESTS THAT THIS AGENCY HAVE AN AMBER ALERT/EMA POLICY IN PLACE AND THAT IT BE SUBMITTED UPON REQUEST FOR THIS AUDIT. PLEASE ENSURE THAT YOUR AGENCY HAS A POLICY IN PLACE.
REQUESTED DOCUMENTS SUBMITTED	Y/N	Compliance Comment
REPT Transaction	No	REPT TRANSACTION: BCI REQUIRES THAT TACS RUN THE REPT TRANSACTION PERIODICALLY TO ENSURE THAT ALL INFORMATION ON AGENCY PERSONNEL IS CURRENT AND ACCURATE.
ROA Contract	No	ROA CONTRACT: BEFORE THIS AGENCY CAN RUN RIGHT OF ACCESS TRANSACTIONS, A VALID CONTRACT MUST BE SUBMITTED TO AND APPROVED BY BCI. (UTAH ADMINISTRATIVE CODE R722-900-7)
Blank ROA Waiver	No	ROA WAIVER FORM: EACH ROA APPLICANT MUST SIGN AND DATE THE ROA PROVIDER WAIVER PRIOR TO RECEIVING THEIR UTAH CRIMINAL HISTORY RECORD.
Hit Confirmation Agreement	No	HIT CONFIRMATION AGREEMENT: AGENCIES THAT ENTER RECORDS INTO NCIC BUT ARE NOT AVAILABLE 24 HOURS MUST HAVE A HIT CONFIRMATION AGREEMENT IN PLACE WITH A 24-HOUR AGENCY. THIS AGREEMENT SHOULD DELINEATE THE RESPONSIBILITY FOR HANDLING HIT CONFIRMATION AND PROVIDE INSTRUCTIONS FOR AFTER-HOUR HIT CONFIRMATION. (NCIC INTRO 1.3)
CH Transaction Logs Justification	No	CH LOGS - THIS AGENCY IS REQUIRED TO JUSTIFY TRANSACTIONS INQUIRED UPON BY BCI.

Misuse Policy

- Common compliance issues with agency's Misuse Policy:
 - Missing revision date
 - Not formalized
 - Missing one of the following:
 - 1) The "Commissioner and Director of BCI" will be notified if misuse of UCJIS information is suspected; OR
 - 2) The agency will abide by UCA 53-10-108



Commissioner James Gordon	EFFECTIVE DATE June 1, 1990	POLICY NUMBER GPD-90-101
SUBJECT Misuse of UCJIS (Utah Criminal Justice Information System) Information		REFERENCE BCI Operations Manual, UCA 53-10-108
AMENDS May 1, 2017	RE-EVALUATION DATE May 1, 2018	NO. OF PAGES 1

I. PURPOSE

The Gotham City Police Department (GPD), as well as all city governmental agencies and individuals are strictly governed by state statutes/policies and federal statutes/policies from disseminating Utah Criminal Justice Information System (UCJIS) to unauthorized agencies or individuals. GPD follows state and federal law and promulgating policies and procedures, which protect an individual's right to privacy while maintaining a balance of fairness for which criminal history information is used and disseminated.


II. PROCEDURE

In accordance with UCA 53-10-108, Gotham City Police Department (GPD) will notify the commissioner and director of the Utah Bureau of Criminal Identification (BCI) upon the discovery of unauthorized access, use, disclosure, or dissemination of a record created, maintained, or to which access is granted by BCI.

NCIC Validation Procedures

- Per NCIC Intro Manual 3.4
 - Validation procedures must be formalized and copies of these procedures must be on file for review during an FBI CJIS audit. In addition, documentation and validation efforts must be maintained for review during such audit

**GOTHAM CITY POLICE DEPARTMENT
CRIMINAL INVESTIGATIONS & TECHNICAL SERVICES**


POLICY AND PROCEDURE

Commissioner James Gordon	EFFECTIVE DATE December 13, 1988	POLICY NUMBER GPD-88-101
SUBJECT Validation and Hit Confirmation Procedures		REFERENCE BCI Operations Manual, NCIC Operations Manual
AMENDS May 1, 2017	RE-EVALUATION DATE May 1, 2018	NO. OF PAGES 2

I. Validation

On the Monday after the first Saturday of each month, BCI will download the validation records from the FBI.
Upon receipt of these records, BCI will review to see if any records were entered under UTBCI0000.
If no records are found no further action is required. If records are found BCI will subsequently validate each record by doing the following:
Pull original case file and print the entry for review (if applicable you may need to consult with any appropriate complainant, victim, prosecutor, court, or other source/individual as well).
Modify, clear, or cancel entry when necessary.
Print out confirmation for each entry and place in original case file.

II. Hit Confirmation

Upon receipt of a hit confirmation request, BCI will conduct the following steps per the NCIC 2000 Operating Manual:
Ensure that the person or property inquired upon is identical to the person or property identified in the record;
Ensure that the warrant, missing person report, protection order, or theft report is still outstanding; and
Obtain a decision regarding: 1) the extradition of a wanted person when applicable, 2) information regarding the return of the missing person to the appropriate authorities, 3) information regarding the return of stolen property to its

Statewide Warrant Validation Procedures

- For all agencies entering statewide warrants, validation procedures should be formalized, and copies of these procedures should be on file for review during an FBI CJIS Audit. Documentation of validation efforts must also be maintained for review during these audits



Written Policy on Warrant Validation

From Booking Report

1. Clerk to print booking report daily
2. Warrant will be recalled from CORIS if defendant's name appeared from Booking Report
3. If defendant is in custody clerk to contact jail arrange video/transport.
4. If defendant is not in custody, clerk will hold case for 2 weeks (10 days)
5. If defendant does not contact the court during those 2 weeks, his/her case will be referred to judge for new warrant.
6. If defendant was to contact the court during the 2 weeks, matter will be set for hearing accordingly.

From Audit Report

1. Clerk to print Audit Report every Monday
2. Information from Audit Report will be clarified to information from CORIS system.
3. If warrant was recalled by court's order but defendant's name/warrant still appeared on Audit Report, clerk will recall warrant from the UCJIS

REPT Transaction

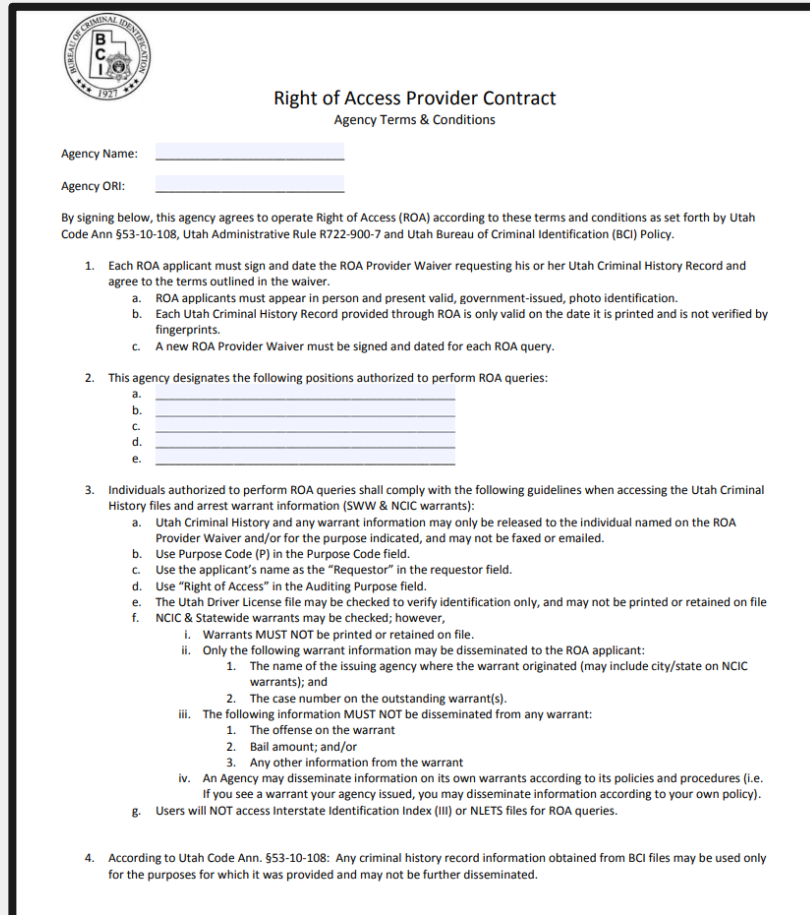
User List Report Results

Created by ovaisima on 08/13/2020 10:27:50

User ID	View UCJIS Permissions	View Transaction History	Rap Back	User Security Agreement	User Testing Agreement
mbiesint	UCJIS Permissions	Transaction History		No	
mmartint	UCJIS Permissions	Transaction History		No	
mmartinb	UCJIS Permissions	Transaction History		No	
mcurtist	UCJIS Permissions	Transaction History	RAPBACK	No	
mmouse	UCJIS Permissions	Transaction History	RAPBACK	No	
ovaisima	UCJIS Permissions	Transaction History	RAPBACK	No	
zztechgy	UCJIS Permissions	Transaction History		No	N/A
ttest	UCJIS Permissions	Transaction History	RAPBACK	No	
wthomsen	UCJIS Permissions	Transaction History		No	
ybear	UCJIS Permissions	Transaction History	RAPBACK	No	
ybear1	UCJIS Permissions	Transaction History		No	
ybear10	UCJIS Permissions	Transaction History		No	
ybear2	UCJIS Permissions	Transaction History		No	
ybear3	UCJIS Permissions	Transaction History		No	
ybear4	UCJIS Permissions	Transaction History		No	
ybear5	UCJIS Permissions	Transaction History		No	
ybear6	UCJIS Permissions	Transaction History		No	
ybear7	UCJIS Permissions	Transaction History		No	
ybear8	UCJIS Permissions	Transaction History		No	
ybear9	UCJIS Permissions	Transaction History		No	

Right of Access Contract

- Before an agency can run Right of Access transactions, a valid contract must be submitted to and approved by BCI per Utah Administrative Rule R722-900-7



Right of Access Provider Contract
Agency Terms & Conditions

Agency Name: _____
Agency ORI: _____

By signing below, this agency agrees to operate Right of Access (ROA) according to these terms and conditions as set forth by Utah Code Ann §53-10-108, Utah Administrative Rule R722-900-7 and Utah Bureau of Criminal Identification (BCI) Policy.

- Each ROA applicant must sign and date the ROA Provider Waiver requesting his or her Utah Criminal History Record and agree to the terms outlined in the waiver.
 - ROA applicants must appear in person and present valid, government-issued, photo identification.
 - Each Utah Criminal History Record provided through ROA is only valid on the date it is printed and is not verified by fingerprints.
 - A new ROA Provider Waiver must be signed and dated for each ROA query.
- This agency designates the following positions authorized to perform ROA queries:
 - _____
 - _____
 - _____
 - _____
 - _____
- Individuals authorized to perform ROA queries shall comply with the following guidelines when accessing the Utah Criminal History files and arrest warrant information (SWW & NCIC warrants):
 - Utah Criminal History and any warrant information may only be released to the individual named on the ROA Provider Waiver and/or for the purpose indicated, and may not be faxed or emailed.
 - Use Purpose Code (P) in the Purpose Code field.
 - Use the applicant's name as the "Requestor" in the requestor field.
 - Use "Right of Access" in the Auditing Purpose field.
 - The Utah Driver License file may be checked to verify identification only, and may not be printed or retained on file.
 - NCIC & Statewide warrants may be checked; however,
 - Warrants MUST NOT be printed or retained on file.
 - Only the following warrant information may be disseminated to the ROA applicant:
 - The name of the issuing agency where the warrant originated (may include city/state on NCIC warrants); and
 - The case number on the outstanding warrant(s).
 - The following information MUST NOT be disseminated from any warrant:
 - The offense on the warrant
 - Bail amount; and/or
 - Any other information from the warrant
 - An Agency may disseminate information on its own warrants according to its policies and procedures (i.e. If you see a warrant your agency issued, you may disseminate information according to your own policy).
 - Users will NOT access Interstate Identification Index (I/I) or NLETS files for ROA queries.
- According to Utah Code Ann. §53-10-108: Any criminal history record information obtained from BCI files may be used only for the purposes for which it was provided and may not be further disseminated.

- It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose or disseminate information contained or accessed in division files for a purpose prohibited by statute, rule, regulation or policy of a governmental entity.
- A person who discovers or becomes aware of any unauthorized use of records contained or accessed in division files shall inform the commissioner and the director of BCI of the unauthorized use.

- Completed ROA Provider Waivers shall be kept on file at the provider agency for a period of at least three years and shall be submitted to BCI, as requested, during the regular audit process.
- Please indicate the scope of this contract and fee structure below (i.e. from whom will you accept waivers? How much, if anything, will you charge?).

Please Check ALL that Apply and Complete the Related Fee Structure:

<input checked="" type="checkbox"/>	Scope to Include:	NO FEE	FEE Amount
<input type="checkbox"/>	Current/Prospective Non-Criminal Justice Employees (This Agency ONLY)	<input type="checkbox"/>	\$
<input type="checkbox"/>	Current/Prospective Non-Criminal Justice Employees (Courtesy to related/surrounding municipal agencies)	<input type="checkbox"/>	\$
<input type="checkbox"/>	Municipal Services (City/County/State)	<input type="checkbox"/>	\$
<input type="checkbox"/>	Volunteers (City/County/State)	<input type="checkbox"/>	\$
<input type="checkbox"/>	Volunteers (Private Organizations)	<input type="checkbox"/>	\$
<input type="checkbox"/>	Citizens interested in obtaining a copy of their own Utah Criminal History	<input type="checkbox"/>	\$
<input type="checkbox"/>	Other:	<input type="checkbox"/>	\$

Each party is responsible for its own wrongful or negligent acts which it committed or is committed by its agents, officials, or employees. No party waives any defenses otherwise available under the Governmental Immunity Act of Utah.

This contract is valid through June 30, 2021. A new Right of Access Provider Contract must be submitted to BCI should this agency receive a new administrator prior to June 30, 2021. This contract may be terminated by this agency at any time by written notice. This contract may be terminated by BCI at any time with thirty (30) days written notice or upon failure of this agency to comply with any of the above stated terms and conditions.

Signed: _____
Agency Administrator Name: _____
(Please Print)

Agency Administrator Signature Date

Boyd Holman _____ May 1, 2020
BCI Representative Signature Date

Right of Access Waiver

- Each ROA Applicant must sign and date the ROA Provider waiver prior to receiving their Utah criminal history record
- Keep on file for the audit cycle

Right of Access Provider Waiver
INSERT AGENCY NAME – Remove Highlight

Request to Obtain a Copy of My Utah Criminal History Record

I, the undersigned, am requesting a copy of my Utah Criminal History Record. I understand this record is protected by law (Utah Code Ann. §53-10-108) and may only be released to me by this agency if I appear in person with valid photo identification. This agency is not authorized to retain a copy of this record without my expressed permission.

Please Print Clearly:

NAME: _____ <small>(Last) (First) (Middle)</small>			Date of Birth: ____/____/____ <small>(Month) (Day) (Year)</small>		
Previously Used Name(s) (Maiden, Alias, etc): _____					
Physical Address: _____ <small>(Street) (City) (State) (ZIP)</small>					
Social Security #: _____			Driver License Number: _____ State: _____		

Initials	Please Initial the Box which MOST applies:
	I wish to obtain a copy of my Utah Criminal History Record to take with me today. This agency may NOT retain a copy for any purpose.
	I authorize a release of my Utah Criminal History record, or any part thereof, by and to any duly authorized agent of this agency to accompany my employment, volunteer, licensing, permit application, or other expressed purpose approved by me today. Any information discovered may be used to consider my suitability for the purpose of my application.

I understand these results are not verified by fingerprints and are only valid on the date printed on this record. If I wish to challenge the completeness or accuracy of this record, I must submit a completed *Application to Challenge Criminal History Records* with fingerprints directly to the Bureau of Criminal Identification (BCI) where I may be subject to additional fees (R722-900-6).

I understand this waiver may be kept on file at this agency for a period of at least three years and is subject to review by BCI auditors, whether or not I choose to release my record to this agency today. I agree to indemnify and hold harmless BCI, this agency, elected officials, officers, employees, agents, and volunteers associated with this application process from and against all claims, damages, losses and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.

A photocopy or electronic copy of this waiver is a valid representation of my original signature and is considered legal and binding just as the original writing of my signature.

Applicant Signature: _____ Date: _____

For Office Use ONLY:
Identification Verified: _____ Criminal History Completed By: _____ Date: _____
(Initials) (Signature)

Hit Confirmation Agreement



NCIC HIT CONFIRMATION AGREEMENT



This agreement is between _____ (Servicing Agency)
and _____ (Recipient Agency).

All of the information acquired from any file accessed in UCJIS is governed by regulations and policies of the FBI and the State of Utah. Access to any of these files is restricted to criminal justice purposes only. Violation of dissemination, privacy, and security regulations may result in civil sanctions or criminal prosecution of the person(s). Utah Code Annotated 53-10-108(12)(a) states:

It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created, maintained, or to which access is granted by the division or any information contained in a record created, maintained, or to which access is granted by the division for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

If the servicing agency is acting on behalf of the recipient agency with the handling of NCIC records, both agencies must abide by the following FBI CJIS Security Policy regulations:

- **Timeliness:** Both agencies acknowledge that both NCIC and Statewide records will be entered, modified, and removed promptly to ensure system integrity.
- **Validation:** Both agencies acknowledge that validation is required for the following records: NCIC (boat, license plate, vehicle, gun, securities, persons, selected article files) and Statewide (warrants and protective orders).
- **Hit Confirmation:** In the event that the recipient agency is not a 24-hour agency, the servicing agency will monitor and respond to any NCIC hit confirmations after business hours in accordance to the policies and procedures set forth by NCIC on behalf of the recipient agency. The servicing agency agrees to respond to a priority NCIC hit confirmation within ten (10) minutes or within one (1) hour on a routine NCIC hit confirmation. The servicing agency will be responsible for responding to all hit confirmation requests between the hours of _____ and _____, on the following days: _____.

This agreement is effective beginning _____.

This agreement may be terminated by either party based on a thirty day written notice. The servicing agency has the right to suspend furnishing information under this agreement when any rule, policy, procedure, regulation, or law described in the FBI CJIS Security Policy, the NCIC Operating Manual, the BCI Operating Manual, or UCA 53-10-108 is violated or appears to be violated. By signing this agreement, both parties agree to abide by all federal and state laws governing UCJIS information.

Signature of Servicing Agency authorized representative

Date

Servicing Agency phone and email

Signature of Recipient Agency authorized representative

Date

Recipient Agency phone and email

- Per NCIC Intro Manual 1.3
 - Agencies that enter records into NCIC but are not available 24 hours must have a Hit Confirmation agreement in place with a 24-hour agency. This agreement should Delineate the responsibility for handling Hit Confirmation and provide instructions for After-hour Hit Confirmation

Criminal History Logs Justification

	TRANS TYPE	PURPOSE CODE	AUDIT PURPOSE	REQUESTER	USER ID	ORI	DATE/TIME	SEARCH TYPE	SEARCH CRITERIA
1	QH	C	17-1425441	jjones	jjones	UT030021J	10/29/17 12:12	NAME	Smith, John (11/30/1979)
2	CHQ	C	65201110	jjones	jjones	UT030021J	11/14/17 13:25	NAME	Doe, John (07/26/1982)
3	CHQ	J	New hire	LK7766	LK7766	UT030021J	11/31/17 9:44:5	SID	24115511
4	QH	J	17-2544874	C	jjones	UT030021J	12/18/17 9:34	NAME	Doe, Jane (02/07/1981)
5	QH	C	Investigate	Sgt. Jones	LK7766	UT030021J	1/1/18 11:27	NAME	Mars, Bruno (05/05/1978)
6	QH	C	18-1525584	me	bmerrill	UT030021J	1/14/18 10:50	SSN	1111111111

Criminal History Logs Justification

- When your agency runs Criminal History, you will receive a list of logs to justify
- The logs are justified by answering the following questions:
 1. Why was the transaction run?
 2. Was the correct purpose code used and if not, what should the code have been?
 3. Was the requestor the person who received the information?
 4. Is the auditing purpose a case number or specific phrase?
 5. If an inquiry is highlighted in red indicating a Utah Right of Access inquiry, please provide the signed ROA Waiver Form.

Different Ways to Answer Justification Questions

	TRANS TYPE	PURPOSE CODE	AUDIT PURPOSE	REQUESTER	USER ID	ORI	DATE/TIME	SEARCH TYPE	SEARCH CRITERIA	Why was the transaction run?	Was the correct purpose code used and if not, what should the code have been?	Was the requestor the person who received the information?	Is the auditing purpose a case number or specific phrase?	If an inquiry is highlighted in red indicating a Utah Right of Access inquiry, please provide the signed ROA Waiver Form.
1	QH	C	17-1425441	jjones	jjones	UT030021J	10/29/17 12:12	NAME	Smith, John (11/30/1979)	Investigation on a wanted person	Correct purpose code was used	Yes	Yes, it is a case number	N/A
2	CHQ	C	65-201110	jjones	jjones	UT030021J	11/14/17 13:25	NAME	Doe, John (07/26/1982)	Investigation on a case	Correct purpose code was used	Yes	Yes, it is a case number	N/A
3	CHQ	P	ROA	Austin Post	LK7766	UT030021J	11/31/17 9:44	SID	24115511	Right of Access	Correct purpose code was used	Yes	Yes, the phrase is specific	See attached
4	QH	J	17-2544874	C	jjones	UT030021J	12/18/17 9:34	NAME	Doe, Jane (02/07/1981)	Investigation on a wanted person	No, the incorrect purpose code was used. It should have been a C. It was myself that ran the transaction and I must have switched the fields in error. I have taken note to be more vigilant with these fields in the future.	I listed the purpose code as the requestor. I will fix this issue for the future, but it was myself that received the information	Yes, it is a case number	N/A
5	QH	C	Investigate	LK7766	LK7766	UT030021J	1/1/18 11:27	NAME	Mars, Bruno (05/05/1978)	Investigation on a case	Correct purpose code was used	Yes, but I noticed that the requestor has used their login id in the requestor id field. This is not easily identifiable so I have notified the user to use their first initial + last name, first name + last initial, or name that way we are able to identify the requestor easily at a glance	No, this is a generic phrase. I have sent out a memo to the agency and spoken to the user on not using generic terms and using specific terms instead or a case number	N/A
6	QH	C	18-1525584	me	bmerrill	UT030021J	1/14/18 10:50	SSN	111111111	Investigation on a burgluray case	Correct purpose code was used	Yes, but the user put "me" instead of their name. I have spoken to the user and have also included this in the memo I sent out to my users about this.	Yes, it is a case number	N/A

Different Ways to Answer Justification Questions

1. 1) I ran to see if the subject is restricted from carrying firearms
2) Correct Purpose code
3) Yes
4) Case number
2. 1) Suspect in attempted homicide case
2) Correct Purpose Code
3) Yes
4) Case number
3. 1) Right of Access
2) Correct Purpose Code
3) Yes
4) Case number
4. 1) Obtaining information for NCIC entry
2) Correct purpose code
3) Yes
4) Case number

Questionnaire Report

Agency Information & Documents

- Files accessed by agency determines what your agency is audited on
 - Ex: If one person in your agency has NCIC access, your agency will audited on it
- Criminal Justice Agency Agreement and ORI Validation form are found out of compliance if:
 - They are not for the current year
 - None on file
- Agreements must be on file for all users and nonusers
 - Ex: If one person in your agency doesn't have either agreement, your agency is out of compliance

AGENCY INFORMATION AND DOCUMENTS		
Name and Email of Agency TAC:	Ofa Vaisima ovaisima@utah.gov	
Agency User Agreement Date:	June 1, 2019	
FILES ACCESSED BY AGENCY		
<input checked="" type="checkbox"/> NCIC Entry	<input checked="" type="checkbox"/> CH	<input checked="" type="checkbox"/> Driver License/Motor Vehicle
<input checked="" type="checkbox"/> NCIC Inquiry	<input checked="" type="checkbox"/> Court	<input checked="" type="checkbox"/> Statewide Warrant
ON-FILE DOCUMENTS	Y/N	Compliance Comment
Agency User Agreement	No	AGENCY USER AGREEMENT: THE AGENCY ADMINISTRATOR IS REQUIRED TO SIGN AN ANNUAL (JULY THROUGH JUNE) AGENCY USER AGREEMENT BETWEEN THIS AGENCY AND BCI. FAILURE OF AN AGENCY TO SIGN THE ANNUAL AGENCY USER AGREEMENT SHALL BE GROUNDS TO DENY UCJIS ACCESS TO THE AGENCY. IF THERE IS A CHANGE IN THE AGENCY ADMINISTRATOR, A NEW AGENCY USER AGREEMENT MUST BE SIGNED. (BCI INTRO 2.2)
ORI Validation Form	No	ORI VALIDATION FORM: EVERY YEAR, EACH ORI IS REQUIRED TO SUBMIT AN ORI VALIDATION FORM UPDATING THE AGENCY'S ADDRESS, PHONE NUMBERS, EMAIL ADDRESS, AND THE NAMES OF THE AGENCY ADMINISTRATOR, TAC, AND IT REPRESENTATIVE. (BCI TAC RESPONSIBILITIES MANUAL 3.0) PLEASE ENSURE THAT BCI HAS A CURRENT ORI VALIDATION ON FILE FOR YOUR AGENCY.
User Security Agreement	No	USER SECURITY AGREEMENT: WITHIN 30 DAYS OF ASSIGNING A LOGIN ID TO A USER OR NON-USER, THE TAC SHALL SUBMIT TO THE BUREAU A UCJIS USER AGREEMENT FOR EACH USER AND NON-USER. (ADMIN. RULE 722-900) PLEASE ENSURE THAT EVERY USER/NON-USER SIGNS A SECURITY AGREEMENT AND THAT IT IS FORWARDED TO BCI FOR RETENTION.
User Testing Agreement	No	USER TESTING AGREEMENT: USERS MUST SIGN THE USER TRAINING AND TESTING AGREEMENT UPON COMPLETION OF THEIR INITIAL TRAINING AND TESTING. TACS MUST SUBMIT ALL USER TRAINING AND TESTING AGREEMENTS TO BCI FIELD SERVICES AS PER UTAH ADMINISTRATIVE RULE R722-900-4. THE USER MUST SIGN AND DATE A NEW USER TRAINING AND TESTING AGREEMENT EVERY TIME BIENNIAL RECERTIFICATION TESTING IS COMPLETED, AND IT MUST BE SUBMITTED TO BCI FIELD SERVICES. (BCI TAC RESPONSIBILITIES MANUAL) PLEASE ENSURE THAT ALL USERS ARE TRAINED, TESTED, AND THAT THEIR AGREEMENTS ARE FORWARDED TO BCI.

Dissemination

DISSEMINATION	
Does this agency store CJIS data in an RMS?	Yes
If so, what types of employees have access to the RMS?	Everyone who has access to the building including the public
What does this agency record in dissemination logs?	<input checked="" type="checkbox"/> Name of Requestor <input type="checkbox"/> Type of Record Shared <input type="checkbox"/> Intended Purpose <input type="checkbox"/> Date <input type="checkbox"/> Signature of Requestor <input type="checkbox"/> Requesting Agency <input checked="" type="checkbox"/> User ID

DISSEMINATION	
Does this agency appropriately restrict access to CJIS data in an RMS?	No
COMPLIANCE	No
REASON	RMS DISSEMINATION: ACCESS TO RMS RECORDS MUST BE RESTRICTED TO CRIMINAL JUSTICE EMPLOYEES ONLY.
What does this agency record in dissemination logs?	<input checked="" type="checkbox"/> Name of Requestor <input type="checkbox"/> Type of Record Shared <input type="checkbox"/> Intended Purpose <input type="checkbox"/> Date <input type="checkbox"/> Signature of Requestor <input type="checkbox"/> Requesting Agency <input checked="" type="checkbox"/> User ID <input type="checkbox"/> N/A
COMPLIANCE	No
REASON	LOG REQUIREMENTS: BCI REQUIRES THAT THE FOLLOWING DATA ELEMENTS ARE LOGGED: DATE, REQUESTING AGENCY, REQUESTING INDIVIDUAL, FILE SHARED.

Dissemination

What does this agency record in dissemination logs?		<input type="checkbox"/> Name of Requestor <input checked="" type="checkbox"/> Type of Record Shared <input type="checkbox"/> Intended Purpose <input type="checkbox"/> Date <input type="checkbox"/> Signature of Requestor <input type="checkbox"/> Requesting Agency <input checked="" type="checkbox"/> User ID <input type="checkbox"/> N/A			
COMPLIANCE	No	REASON	LOG REQUIREMENTS: BCI REQUIRES THAT THE FOLLOWING DATA ELEMENTS ARE LOGGED: DATE, REQUESTING AGENCY, REQUESTING INDIVIDUAL, FILE SHARED.		

- Per Utah Criminal History Manual 1.0
 - For security and liability purposes, the UCJIS database maintains an automated dissemination log of all inquiries. This dissemination log includes the name of the person requesting the information, the user ID of the user, the purpose for the request, the time and date of the request, the reason for the request, and the name being queried

Auditing and Training

- Materials used in Training
 - New TAC Manual
 - Testing and Training Agreement

- Training and Testing
 - Check all boxes that apply

- UCJIS Usage
 - This portion is based off of your agency's answers to the UCJIS usage survey

AUDITING AND TRAINING			
Does this agency provide updated training materials to agency personnel?		Yes	
When the TAC reviews the LOGS transaction at least weekly, what does the TAC look for?		<input checked="" type="checkbox"/> Family Names <input checked="" type="checkbox"/> Unusual Dates/Times	<input checked="" type="checkbox"/> Purpose Codes <input checked="" type="checkbox"/> Famous Names
What materials are used in initial training for new users?		<input checked="" type="checkbox"/> BCI Operations Manual <input type="checkbox"/> Hands-On Training	<input type="checkbox"/> NCIC Manuals <input checked="" type="checkbox"/> Tests
COMPLIANCE	No	REASON	MATERIALS USED IN TRAINING: THESE MATERIALS MUST INCLUDE THE BCI OPERATING MANUAL, AS WELL AS THE NCIC OPERATING AND CODE MANUALS IF THIS AGENCY HAS AUTHORIZED ACCESS TO NCIC. (BCI TAC 7.2)
Which agency personnel are trained and tested?		<input type="checkbox"/> Administrators <input type="checkbox"/> Interns	<input type="checkbox"/> IT Personnel <input type="checkbox"/> Volunteers
		<input type="checkbox"/> Facility Personnel <input checked="" type="checkbox"/> New Hires	<input type="checkbox"/> Users
COMPLIANCE	No	REASON	TRAINING AND TESTING: PER UTAH ADMIN CODE R722-900-4 THE TAC IS RESPONSIBLE FOR ENSURING THAT ALL USERS AND NON-USERS ARE TRAINED AND TESTED. THE TAC MUST ADMINISTER TRAINING AND TESTING FOR ALL AGENCY USERS WITHIN SIX MONTHS OF HIRE AND EVERY TWO YEARS THEREAFTER.
Per the UCJIS Usage Survey, is this agency accessing any files for unauthorized purposes?		Yes	
COMPLIANCE	No	REASON	UCJIS USAGE: THIS AGENCY IS ACCESSING THE FOLLOWING FILES FOR UNAUTHORIZED PURPOSES: PURPOSE CODE P SHOULD ONLY BE USED FOR RIGHT OF ACCESS

UCJIS Usage Survey

- Your agency should only provide a purpose code if your agency runs files for that usage reason
- If you do not run CH for that reason, select “Don’t Run”
- When providing a purpose code, that indicates your agency runs CH for that reason
- Not a quiz

UCJIS USAGE	
USAGE REASON	PURPOSE CODE
Adoption applicants	Don't Run
Burglary investigation	P
Business licensing	Don't Run
Child custody/placement	Don't Run
Ride along participants	C
Criminal justice agency employment	J
Jail visitors	Don't Run
Volunteers working with children	Don't Run
Dog catcher employment	J
City or county employment (not with criminal justice agency)	P
Domestic violence prevention advocates	Don't Run
Fire department employment	Don't Run
IT personnel with access to CJIS systems	J
NCIC validations	C
Right of access applicants	P
Release of firearms from evidence	C
Self-inquiries for training purposes	Don't Run

Personnel Security

- Per CJIS Policy 5.12.1
 - To verify identification, state of residency and national fingerprint-based record checks shall be conducted prior to granting access to CJI for all personnel who have unescorted access to unencrypted CJI or unescorted access to physically secure locations or controlled areas (during times of CJI processing)

PERSONNEL SECURITY			
Has BCI received retainable fingerprints (after July 2015) for all users?		No	
COMPLIANCE	No	REASON	FINGERPRINTS: BCI HAS NOT RECEIVED RETAINABLE FINGERPRINTS FOR THE FOLLOWING INDIVIDUALS: (INSERT NAME/S HERE). PLEASE REVIEW THE REPT REPORT TO ENSURE THAT BCI HAS BOTH USER AND NON-USER PRINTS ON FILE.

Personnel Security

- Logons should never be shared per Security Awareness training
- Conducting an initial background check no longer required per CJIS Policy 5.12.1

PERSONNEL SECURITY			
If this agency has volunteers, what is their function?		N/A	
Do users share logons?		Yes	
COMPLIANCE	No	REASON	SHARED LOGONS: USERS SHOULD HAVE INDIVIDUAL LOGONS UNIQUE TO THEIR ACCESS PERMISSIONS FOR USAGE TRACKING AND AUDITING PURPOSES.
Are background checks conducted on initial hires, applicants for hire, and unescorted personnel at this agency?		Yes	

Criminal History – UCH/III

CRIMINAL HISTORY - UCH/III			
Were the Purpose Codes correct?		No	
COMPLIANCE	No	REASON	PURPOSE CODES: THIS AGENCY USED ONE OR MORE INCORRECT PURPOSE CODES. USE PURPOSE CODE 'C' FOR CRIMINAL JUSTICE INVESTIGATIONS, AND 'J' FOR EMPLOYMENT PAID FOR BY CRIMINAL JUSTICE FUNDS.
Were the Auditing Purposes correct?		No	
COMPLIANCE	No	REASON	AUDITING PURPOSES: THIS AGENCY USED ONE OR MORE INCORRECT AUDITING PURPOSES. THIS FIELD MUST BE AS SPECIFIC AS POSSIBLE. USE THE CASE NUMBER IF AVAILABLE. GENERIC TERMS SUCH AS 'CRIMINAL', 'INVESTIGATION', 'BOOKING', 'FELONY', '10' CODES, AND ACRONYMS SHOULD BE AVOIDED. THIS FIELD IS USED TO ASSIST THE REQUESTOR IN ESTABLISHING THE REASON FOR THE REQUEST.
Were the Requestor fields correct?		No	
COMPLIANCE	No	REASON	REQUESTOR: THIS AGENCY USED ONE OR MORE INCORRECT ENTRIES IN THE REQUESTOR FIELD. THIS FIELD IS RESERVED FOR THE PERSON REQUESTING THE INFORMATION, SUCH AS ANOTHER USER OR NON-ACCESS USER.
Were all Criminal History inquiries valid?		Yes	
COMPLIANCE	Yes	REASON	

NCIC Inquiry

NCIC INQUIRY			
Is an NCIC inquiry run before a subject is released from jail?		No	
COMPLIANCE	No	REASON	BEFORE RELEASE FROM JAIL: THIS AGENCY IS REQUIRED TO RUN AN NCIC INQUIRY PRIOR TO THE RELEASE OF INCARCERATED PERSONS. (NCIC INTRO 3.2(2)(3))
Is an NCIC inquiry run before a vehicle is impounded?		No	
COMPLIANCE	No	REASON	BEFORE IMPOUND: THIS AGENCY IS REQUIRED TO RUN AN NCIC INQUIRY PRIOR TO THE IMPOUNDMENT OF VEHICLES.

NCIC ENTRY

- Missed Hit Confirmations
- Purged entries
- Quality control

NCIC ENTRY

NCIC ENTRY			
What is the ORI that enters NCIC records for this agency?	UTBCI0000		
This agency enters NCIC records for the following ORI(s):	N/A		
Are there case files for ALL NCIC entries?	Yes		
Can the case files be accessed 24 hrs a day?	No		
COMPLIANCE	No	REASON	CASE FILE ACCESS: CASE FILES MUST BE MADE ACCESSIBLE 24 HOURS DAY. IF ANOTHER AGENCY ENTERS YOUR NCIC RECORDS, PLEASE COMMUNICATE WITH THIS AGENCY TO CONFIRM ACCESSIBILITY. (NCIC INTRO 3.1)
Is a copy of the entry retained in the case file?	No		
COMPLIANCE	No	REASON	COPY OF ENTRY RETAINED: BCI REQUIRES THAT A HARD COPY OF ANY INVESTIGATION FILES THAT WERE REVIEWED BE RETAINED IN THE FILE UNTIL THE CASE IS CLOSED.
Is the second party check recorded?	No		
COMPLIANCE	No	REASON	SECOND PARTY CHECK: THE ACCURACY OF NCIC RECORDS IS AN INTEGRAL PART OF THE NCIC SYSTEM. RECORDS MUST BE DOUBLE-CHECKED BY A SECOND PARTY TO ENSURE ACCURACY. (NCIC INTRO 3.2(1))
Are procedures in effect to assure entries are modified, located, cleared, and canceled promptly and properly?	No		
COMPLIANCE	No	REASON	PROCEDURES FOR DATA QUALITY: THIS AGENCY DOES NOT HAVE CURRENT PROCEDURES IN PLACE TO ENSURE THAT RECORDS ARE ACCURATE.
Were any NCIC entries PURGED for failure to validate?	Yes		
COMPLIANCE	No	REASON	PURGED ENTRIES: THE FOLLOWING RECORDS WERE PURGED FOR FAILURE TO VALIDATE: NIC/G814122833,OCA/10BY04329 NIC/P726615060,OCA/18BY02867. THE ORI IS RESPONSIBLE FOR CONFIRMING COMPLETENESS, ACCURACY, AND ACTIVITY OF RECORDS. (NCIC INTRO 3.4(1))

NCIC ENTRY

When confirming a hit, does this agency ensure the person or property inquired upon is the same as the record?		No	
COMPLIANCE	No	REASON	CONFIRMING PERSON/PROPERTY: COMBINING STRINGENT ADMINISTRATIVE CONTROLS WITH PROPER EVALUATION BY THE OFFICER RECEIVING THE HIT CAN PREVENT LOST COURT CASES, CIVIL LIABILITY SUITS, FALSE ARRESTS, AND CRIMINAL CHARGES BROUGHT AGAINST THE AGENCY. (NCIC INTRO 1.3(2))
Did this agency have any missed hit confirmation responses?		Yes	
COMPLIANCE	No	REASON	HIT CONFIRMATION RESPONSE: THE FOLLOWING NIC NUMBERS WERE NOT RESPONDED TO WITHIN THE SPECIFIED TIME PRIORITIES OCA/18BY04870,NIC/P176730351. ENTERING AGENCIES MUST RESPOND TO ALL HIT CONFIRMATION REQUESTS WITHIN THE SPECIFIED TIME PRIORITIES. (NCIC INTRO 1.7(5))
When confirming a hit, does this agency address the decision regarding extradition of individual/property?		No	
COMPLIANCE	No	REASON	CONFIRMING EXTRADITION: THE INQUIRING AGENCY IS REQUIRED TO IMMEDIATELY CHECK WITH THE ENTERING AGENCY TO VERIFY THE EXTRADITION DETAILS IF APPLICABLE. (NCIC INTRO 2.5(6)(2))
What sources are reviewed in order to "pack" an entry?		All available UCJIS files: III, UCH, DL, MVQ, NCIC	
Is extradition addressed prior to a Wanted Person entry?		Yes	
If there are extradition limitations, are those included in the MIS field?		No	
COMPLIANCE	No	REASON	EXTRADITION IN MIS FIELD: THE ENTERING AGENCY SHOULD ENTER THE APPROPRIATE CODE CORRESPONDING WITH THE EXTRADITION LIMITATIONS IN THE REQUIRED FIELD WITH ANY SPECIFIC LIMITATIONS ENTERED INTO THE MIS FIELD. (NCIC WANTED 1.1(5))
Does this agency enter Wanted Persons immediately (within 3 days) into NCIC?		No	
COMPLIANCE	No	REASON	ENTER WANTED WITHIN 3 DAYS: TO ENSURE MAXIMUM SYSTEM EFFECTIVENESS, NCIC RECORDS MUST BE ENTERED IMMEDIATELY WHEN THE CONDITIONS FOR ENTRY ARE MET, NOT TO EXCEED THREE DAYS, UPON RECEIPT BY THE ENTERING AGENCY. (NCIC INTRO 3.2(2))

NCIC ENTRY

NCIC ENTRY			
What are this agency's procedures for handling \$.K. messages?		Print \$.K. message/ Print In house records/ add letter requesting additional information be sent to Gina McNeil regarding the missing person, all information is faxed to detectives working the case	
Are dental records requested for Missing Persons entries?		Yes	
Is an NCIC Missing Persons Data Collection Entry Guide completed on each Missing Person?		Yes	
Is this agency required to immediately accept a complainant's report of a Missing Person under the age of 21 as per Suzanne's Law?		No	
COMPLIANCE	No	REASON	SUZANNE'S LAW: USC 5779(A) STATES THAT AGENCIES ARE REQUIRED TO ENTER RECORDS INTO THE NCIC MISSING PERSON FILE FOR MISSING INDIVIDUALS UNDER THE AGE OF 21. (NCIC MISSING 1.2)
Is the Missing Person (under the age of 21) report entered into NCIC immediately (within 2 hrs)?		No	
COMPLIANCE	No	REASON	MISSING PERSON WITHIN 2 HOURS: MISSING PERSONS RECORDS SHOULD BE ENTERED INTO NCIC WITHIN TWO HOURS OF RECEIPT OF THE MINIMUM DATA REQUIRED TO ENTER AN NCIC RECORD. (NCIC MISSING 1.3)
Is the time recorded in which the minimum information was received and entered into NCIC?		No	
Are agency personnel trained on AMBER Alert, BLUE Alert, and EMA procedures?			
Were all NCIC entries valid and accurate?		No	
COMPLIANCE	No	REASON	VALIDITY OF NCIC ENTRIES: THIS AGENCY HAD ONE OR MORE INACCURATE/INCOMPLETE/INVALID NCIC ENTRIES. NIC/W123456789 OCA/TEST-123; NIC/G123456789 OCA/TEST-321

NCIC Quality Control

- Up to 10 NCIC records chosen
- Provide case files for each NIC number requested
 - Beginning with original report to the last time it was updated or validated
- Compare NCIC record with case file prior to submitting

NCIC ENTRY QUALITY CONTROL						
NIC NUMBER	INCORRECT OR UNTIMELY DATES (DOE/ DOT/ DOW/ DOL/ ETC.)	MISSING SEARCHABLE INFORMATION (Personal Identifiers / Serial # / OAN/ ETC.)	INCORRECT NCIC CODING (MAK / MOD /MKE/ ETC.)	MISSING NON-SEARCHABLE INFORMATION (SMT / IMG/ ETC.)	MIS FIELD	OTHER
W123456789	DOW LISTED DOES NOT MATCH THE WARRANT DATE ON THE COURT FILES			TATTOO MISSING ON ENTRY. CASE FILE STATES HE HAS A TATTOO ON THE SIDE OF HIS FACE. THIS SHOULD BE LISTED ON THE ENTRY		
V123456789						DONE
P123456789						DONE
G123456789	DOT LISTED ON ENTRY IS 9/9/1999. THE NARRATIVE IN THE CASE FILE STATES THAT THE OWNER LAST USED AND SAW THE GUN ON 7/4/1999. SINCE THIS WAS THE LAST TIME THAT THE GUN WAS SEEN AND IN THE POSSESSION OF THE OWNER, THE DOT SHOULD BE LISTED AS 7/4/1999					

Utah Statewide Warrants

UTAH STATEWIDE WARRANTS			
Is a SWW inquiry run before a subject's release from jail?		No	
COMPLIANCE	No	REASON	SWW BEFORE RELEASE FROM JAIL: BCI REQUIRES THAT THIS AGENCY INQUIRE INTO THE STATEWIDE WARRANTS DATABASE PRIOR TO RELEASING A PERSON FROM JAIL.
Does this agency enter pertinent information into the "Comments" field?		No	
COMPLIANCE	No	REASON	COMMENTS FIELD: BCI REQUIRES THAT THIS AGENCY ENTER PERTINENT INFORMATION INTO THE STATEWIDE WARRANT'S COMMENT FIELD FOR BOTH OFFICER SAFETY REASONS AS WELL AS IDENTIFICATION AND APPREHENSION OF A SUBJECT.
When a warrant is served by this agency, is the status changed to "served" on the SWW system?		No	
COMPLIANCE	No	REASON	WARRANT STATUS SERVED: FAILURE TO UPDATE THE SWW SYSTEM WITH "SERVED" INFORMATION IS A VIOLATION OF UTAH STATE LAW AND DEGRADES THE INTEGRITY OF THE SWW SYSTEM, LEAVING THE ARRESTING AGENCY LIABLE IN THE EVENT THAT THE WANTED INDIVIDUAL IS ARRESTED AGAIN ON THE SAME WARRANT. (BCI SWW 6.0, UCA 53-10-207(4))

Driver License/Motor Vehicle

DRIVER LICENSE/MOTOR VEHICLE			
Does this agency access DLD and/or MVD files for purposes other than criminal justice?		Yes	
COMPLIANCE	No	REASON	ACCESS FOR REASONS OTHER THAN CRIMINAL JUSTICE: DRIVER LICENSE AND MOTOR VEHICLE INFORMATION ARE PROTECTED RECORDS AND SHOULD NOT BE ACCESSED FOR REASONS OTHER THAN CRIMINAL JUSTICE.
Does this agency disseminate DLD photos for purposes other than criminal justice?		Yes	
COMPLIANCE	No	REASON	DISSEMINATION OF PHOTOS: THE USE OF AND ACCESS TO DRIVER LICENSE PHOTOS IS REGULATED BY THE DRIVER PRIVACY PROTECTION ACT OF 1994. UNDER DPPA, DRIVER LICENSE PHOTOS ARE CLASSIFIED AS HIGHLY RESTRICTED PERSONAL INFORMATION AND MAY BE DISCLOSED ONLY FOR USE BY A GOVERNMENT AGENCY IN CARRYING OUT ITS OFFICIAL FUNCTIONS (DRIVER PRIVACY PROTECTION ACT OF 1994)
Does this agency release DLD or MVD information to any of the following:		<input checked="" type="checkbox"/> Private Investigators <input checked="" type="checkbox"/> Military Recruiters <input checked="" type="checkbox"/> City/County Employees <input checked="" type="checkbox"/> School District <input checked="" type="checkbox"/> Private Security <input type="checkbox"/> None of the Above	
COMPLIANCE	No	REASON	RELEASE OF DLD OR MVD INFO: THE DRIVER PRIVACY PROTECTION ACT (18 USC 2721) ALLOWS DRIVER LICENSE INFORMATION TO BE ACCESSED FOR CRIMINAL JUSTICE PURPOSES ONLY.

Court

COURT			
Court ID :		J1234	
Does this court enter any SWW records without personal identifiers?		Yes	
COMPLIANCE	No	REASON	ENTERING SWW WITHOUT IDENTIFIERS: BCI REQUIRES THAT THIS AGENCY NOT ENTER A STATEWIDE WARRANT WITHOUT EITHER A DATE OF BIRTH, SOCIAL SECURITY NUMBER, OR DRIVER LICENSE NUMBER. THE ABILITY FOR LAW ENFORCEMENT TO SERVE SAID WARRANT IS UNLIKELY.
How often does this court access their booking reports?		Daily	
During the validation process, does this court search all available UCJIS files for missing identifiers to add to the existing SWW record?		No	
COMPLIANCE	No	REASON	MISSING IDENTIFIERS: UTAH CODE REQUIRES THAT SWW IDENTIFIERS ARE ASSESSED BY THE ISSUING AGENCY. (UCA 53-10-208) THE CLERK OF COURT IS RESPONSIBLE FOR ENSURING QUALITY CONTROL ON ALL WARRANTS OF ARREST OR COMMITMENT. (UCA 53-10-208)
Were all Statewide Warrants valid and accurate?		No	
COMPLIANCE	No	REASON	VALIDITY OF SWW ENTRIES: THIS AGENCY HAD ONE OR MORE INACCURATE/INCOMPLETE/INVALID STATEWIDE WARRANTS. WARRANT 123456/987654321

SWW Quality Control

- Up to six warrants are selected
- Provide the following:
 - Original document requesting the warrant
 - Court order (signed by the judge)
 - Any additional documents
- Information that is missing can be found in:
 - UCH
 - DL
 - MV
 - MIL

UTAH STATEWIDE WARRANT QUALITY CONTROL FOR UT0000000						
(Checked ONLY if missing from UCJIS Screen)						
	WARRANT 123456/ 111111111	WARRANT 123456/ 222222222	WARRANT 123456/ 333333333	WARRANT 123456/ 444444444	WARRANT 123456/ 555555555	WARRANT 123456/ 777777777
NAME	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALIAS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HGT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WGT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
EYE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HAI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Address	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SSN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OLN / UT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOW	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VALID	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMPLETE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reminders & Summary

- Reminders
- Compliance summary will provide what the audit findings are

AUDITOR'S REMINDERS	
<u>LOGS TRANSACTION</u>	
TACS MUST PERIODICALLY RUN THE LOGS TRANSACTION TO SEE WHAT TRANSACTIONS AGENCY USERS ARE RUNNING AND TO PROTECT THE AGENCY FROM MISUSE. TACS CAN VIEW ALL TRANSACTIONS RUN BY AGENCY USERS WITHIN THE PAST TWENTY-ONE DAYS ONLY. BCI STRONGLY RECOMMENDS THAT TACS RUN THESE LOGS ON A REGULAR BASIS (AT LEAST WEEKLY) TO REDUCE THE POSSIBILITY OF USER MISUSE. (BCI TAC RESPONSIBILITIES MANUAL 13.3) PLEASE ENSURE THAT THE LOGS TRANSACTION IS BEING UTILIZED BY YOUR AGENCY.	
<u>TIME RECORDED FOR MINIMUM INFORMATION</u>	
THE FBI AND THE ADAM WALSH ACT REQUIRE THAT THE TIME IN WHICH THE MINIMUM INFORMATION IS RECEIVED MUST BE ENTERED INTO NCIC WITHIN TWO HOURS. (NCIC MISSING 2.3)	
COMPLIANCE SUMMARY	
BCI COMPLIANCE AUDIT SUMMARY FOR UT0000000, TEST, SEPTEMBER 19, 2020	
BCI COMMENDS THIS AGENCY ON ITS ADHERENCE TO STATE AND FEDERAL POLICIES GOVERNING THE ACCESS AND USE OF THE INFORMATION OBTAINED FROM BCI SYSTEMS.	
THESE AUDIT FINDINGS ARE BASED ON AREAS EXAMINED DURING THE COURSE OF THIS AUDIT.	
THE FOLLOWING ITEMS NEED YOUR ATTENTION: (REFERENCE DETAILED SECTIONS ABOVE)	
<u>RETAINABLE PRINTS</u>	
<u>HIT CONFIRMATION AGREEMENT</u>	

Audit Results and Response

Audit Results – Compliant Letter



State of Utah
GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

Department of Public Safety
JESS L. ANDERSON
Commissioner

September 23, 2020

BCI Field Services has completed this agency's 2017-2020 BCI Compliance Audit. The attached BCI Compliance Audit Findings have been prepared by Ofa Vaisima of the BCI Field Services staff. The audit findings reflect this agency's compliance status as of September 23, 2020, the date of the audit.

The BCI Compliance Audit is a summary of the requested documents, audit questionnaire, and criminal history logs justification provided by your agency. This information has been reviewed and a determination has been made as to this agency's compliance to the policies and procedures. The compliance audit is designed to make recommendations of improvements and identify issues that must be corrected to become compliant.

BCI would like to commend this agency on its successful completion of the audit process. This agency has been found **COMPLIANT** in all areas. We appreciate this agency's attention to both the State and federal policies that govern all of the information acquired directly or indirectly through BCI systems.

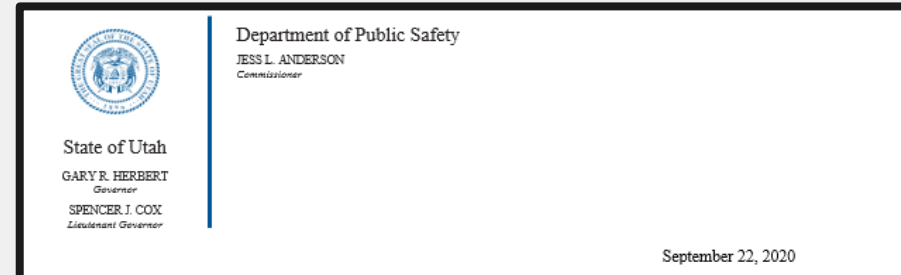
We have enjoyed working with you and hope the audit process has been beneficial to you and your department. Feel free to contact the BCI Field Services section at any time if you have any questions or need clarification.

Captain Greg Willmore, Director
Bureau of Criminal Identification

cc: Agency Administrator

Audit Results – Non-Compliance Letter

- Non-compliance Letter
 - States that a response letter be submitted by a certain date (3 weeks from that date letter was sent)
 - Response letter include:
 - Actions to take
 - Action plans
 - Expected date



Attached is the final draft of your agency's audit report prepared by Ofa Vaisima of the BCI Field Services Section. It reflects your department's status as of 9/23/2020, the date of the audit.

The audit report contains a list of requirements that must be followed in order to be in compliance with both State and federal policies. The auditing and training staff of BCI is ready to assist your department in making any necessary changes. If you need assistance or have any questions/concerns with the audit, please contact Ofa at 385-499-1421.

Please respond to the audit to include the actions taken or plans you have implemented to meet the requirements for compliance. You may also make other comments you feel are appropriate. Please include the expected date of completion for each non-compliant item.

Your response is due by October 14, 2020.

We hope the audit process had been beneficial to you and your department.

Captain Greg Willmore, Director
Bureau of Criminal Identification

How to Respond to a Non-Compliant Letter

- Response letter needs to address the following:
 - What your agency was found out of compliance on
 - What your action plan is to become compliant
 - Include the date that you anticipate your action plan to be implemented and completed
- Response letter needs to be:
 - Formalized
 - Agency letterhead
 - Signed by agency administrator and/or TAC
 - Submitted to FS Representative by the given date

Response Letter Example

GOTHAM CITY POLICE DEPARTMENT
CRIMINAL INVESTIGATIONS & TECHNICAL SERVICES



September 26, 2020

We received our audit results on September 23, 2020. We have reviewed the results and below is our action plan with the dates we will have these implemented and completed:

1. We were found out of compliance for five individuals (John Smith, Clark Kent, Bruce Wayne, Teresa Johnson, and Richard Black) missing their fingerprints in RAPBACK. They were all printed on 9/24/2020 and their prints were submitted via livescan. I have sent the User Setup form to the Help Desk and these should be in the system by 10/10/2020.
2. We were found out of compliance for not having a Hit Confirmation agreement. Our Field Services Rep sent us a blank copy of the Hit Confirmation agreement and we had a meeting with our dispatch to cover what they will monitor for us with NCIC. We met on 9/25/2020 and reviewed the agreement and both parties signed it. I have attached a copy of the agreement with this letter and this letter was sent to my rep on 9/26/2020.

We appreciate your guidance with this audit. Please let us know if there is anything we may be missing.

A handwritten signature in purple ink, appearing to read "R. Davis".

Chief R.S. Davis

Audit Results – Successful Response Letter



State of Utah
GARY R. HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

Department of Public Safety
JESS L. ANDERSON
Commissioner

September 23, 2020

Dear TAC,

This letter is to notify you that BCI Field Services has received and reviewed the audit response from your agency regarding the corrective actions implemented on all non-compliant issues. BCI is satisfied with the corrections that have been made in order to be in compliance with the policies and regulations surrounding BCI systems.

We appreciate your agency's response and hope this audit has been beneficial to your department. Should you need any further assistance or have any questions please contact the BCI Field Services staff.

A handwritten signature in black ink, appearing to read "Greg Willmore".

Captain Greg Willmore, Director
Bureau of Criminal Identification

cc: Agency Administrator

Audit Retention

- Per CJIS Policy 5.4.6
 - The agency shall retain audit records for at least one (1) year. Once the minimum retention time period has passed, the agency shall continue to retain audit records until it is determined they are no longer needed for administrative, legal, audit, or other operational purposes. This includes, for example, retention and availability of audit records relative to Freedom of Information Act (FOIA) requests, subpoena, and law enforcement actions

**Next Audit Cycle will begin
July 2021-June 2024**

Questions Asked During TAC Conference

- *Would "new hire" only apply to users and non-users or everyone hire in the company, even if they will never be a user/non-user?*
 - New hire will apply to any new hires that will be users, non access users, and users.
- *If volunteers do not have access to RMS or the rooms where UCJIS is used, do they still needed to be trained and tested?*
 - No, they do not. If they will not be anywhere near CJIS information is stored or accessed, given CJIS information, or direct access to UCJIS; they do not need to be trained and tested.

Questions Asked During TAC Conference

- *Volunteers that are in the room where UCJIS is used do they need to be trained and tested?*
 - If they are just going to be around the information, they will just need to be trained on Security Awareness. If they are going to be around it AND receiving it, they will need to be trained and tested on security awareness and on how to handle CJIS files.
- *I'm with a prosecutor's office. We access NCIC Inquiry, but do not do entry. You mentioned we will be audited on NCIC if we inquire into it. How would we answer the NCIC entry questions on the audit?*
 - If you access NCIC Inquiry, but no entry then you will just want to make sure you have the NCIC Entry box in the "Files Accessed" portion of the audit unchecked. Your FS rep will also cross reference against our system to double check what your agency has access to.

Questions Asked During TAC Conference

- *You mentioned “Do you access DL photos for anything other than CJIS reasons”. Our officers will run someone while in the field to check for NCIC and 29's. There are times that they request we trespass that person from our property for so many days. We will send an email to all of dispatchers and all of the officers when this person's name and DL photo (from UCJIS) showing who has been trespassed from our property. Does this mean we are using the DL photo for non CJIS purposes?*
 - This is considered a criminal justice purpose, your agency is ok to continue this until told otherwise.

Questions Asked During TAC Conference

- *Is it still necessary to have a sign in log for those entering an office area?*
 - You will need a sign in log for any visitor that is accessing an area where CJIS information is shared, stored, or accessed. If these are everyday employees that are in the system as users or nonusers, you do not need a sign in log.

Questions?

