



GREENVILLE COUNTY
SHERIFF'S OFFICE

GENERAL ORDERS

NCIC OPERATIONS

PURPOSE:

This policy establishes guidelines for use of the National Crime Information Center (NCIC), the International Justice and Public Safety Network (Nlets), Computerized Criminal History (CCH), the South Carolina Law Enforcement Division Criminal Justice Information and Communications System (SLED/CJIS), the South Carolina Department of Motor Vehicles (SCDMV), and the South Carolina Department of Natural Resources (SCDNR). This agency follows the guidelines set by NCIC operations manual which is located on the "I" drive.

SLED/CJIS/CCH/DMV:

SLED has the statutory responsibility to act as the central repository for criminal justice records in South Carolina. To fulfill this mandate, SLED operates a statewide criminal records system called the Criminal Justice Information and Communications System (SLED/CJIS). South Carolina criminal history records are maintained and available through SLED/CJIS. All inquires for vehicle registration and driver's license information can be obtained through SLED/CJIS from SCDMV. All inquiries for watercraft registration information may be obtained through SLED/CJIS from SCDNR.

NCIC/Nlets/CCH:

Through the SLED/CJIS computer system, the Sheriff's Office has access to NCIC, Interstate Identification Index (III-CCH), the Nlets, and the Canadian Police Information Center (CPIC). NCIC is the national repository for information on wanted/missing persons and stolen property. Nlets serves as a pointer to other participating states and CPIC for various information, which includes, but is not limited to: out of state vehicle registrations, driver's license and computerized criminal history.

Criminal justice agencies requesting access to NCIC/Nlets and SLED/CJIS files through SLED and the Sheriff's Office connection must have a user's agreement in place with SLED and the Sheriff's Office. With each inquiry request accessing SCDMV/NCIC/Nlets/SLED/CJIS/SCDNR/CPIC files, each criminal justice agency must use their own FBI assigned ORI.

**COMPUTERIZED
CRIMINAL HISTORY:**

Information obtained from SLED/CJIS, NCIC, CPIC, SCDNR, and Nlets is for criminal justice agency use only. No member of the Sheriff's Office is allowed to disseminate Computerized Criminal History (CCH), other than local records originated by the Sheriff's Office, to anyone other than criminal justice agency personnel.

Under state law, only SLED/CJIS can release criminal records from another agency.

CRIMINAL HISTORIES ON WEAPONS VIOLATORS – The following procedures apply to running firearm inquiries using MKE QNP which checks NCIC, III, and NICS Indicia on individuals found in illegal possession of a firearm:

1. If the offender is an adult, request a criminal firearm history using MKE QNP to determine previous felony convictions and/or crimes of violence.
2. If the history indicates no felony convictions or convictions for a crime of violence (see General Order 203, RELEASE/RETURN OF FIREARMS), a Code-4 (Miscellaneous Incident Report) is to be completed with a case number, the person's name, weapon type/serial number, and location.
3. Supervisors are to forward Code-4 reports documenting criminal history requests to Communications for filing with the Request for Criminal History form for audit purposes.

**DRIVER'S LICENSE /
VEHICLE
REGISTRATION:**

Driver's license and vehicle registration information obtained through SLED/CJIS is not to be disseminated to anyone other than criminal justice agency personnel. Under State law, this information is available to the public through SCDMV.

**SLED/CJICS
TERMINALS:**

Only persons certified through NCIC can operate SLED/CJIS system terminals. Operators must be certified within six months of assignment and are required to reaffirm every two years. This certification also includes Security Awareness Training.

Basic Security Awareness training is required within six months of initial assignment for all personnel who have unescorted access to a SLED/CJIS physically secure work area and are required to reaffirm every two years.

SLED requires the Sheriff to appoint a Terminal Agency Coordinator (TAC). TAC responsibilities:

1. System security access.
 2. Training, certification, recertification of terminal operators, and additional security awareness training as well as maintain all training records.
 3. Coordination with SLED on system changes or updates.
 4. Must attend all mandatory meetings and conferences.
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5. Responsible for SLED/FBI audits of departments that utilize NCIC.
6. Ensure compliance with national, state, and local NCIC policies, rules, and regulations.
7. Ensure distribution of material within department to appropriate personnel.
8. Maintain communication with the CSO and other local TACs.
9. Perform the monthly validations on the department's records.
10. Function as liaison for the department and attend mandated NCIC audits.
11. Responsible for deleting all users' access and passwords per FBI CJIS Security Policy.
12. Must be NCIC certified to the level of functionality assigned to agency.

Each agency must maintain a manual dissemination log if inquiries are made for any other criminal justice agency.

NCIC ENTRY:

Persons and property are entered into NCIC on a daily basis. To maintain consistency and accuracy in this process, this policy outlines NCIC guidelines.

WANTED PERSONS:

A wanted person can be entered into NCIC for any felony or serious misdemeanor warrant and extradition or limitations to extradition have been decided. The main purpose of entering wanted persons into NCIC is to extradite them back to this jurisdiction, if arrested out of state. Subjects can also be entered into NCIC using NOEX, meaning no extradition is warranted outside the state. Extradition limitations are to be noted in the entry. Not all criminal acts are extraditable offenses. Before NCIC entry, deputies or investigators are to confirm extradition through the extradition deputies.

To ensure "wanted" person NCIC entries are accurate and complete, the following supporting documentation is to accompany a completed **NCIC Wanted Persons Entry Worksheet**:

1. Incident Report
2. Arrest Warrant
3. Identification Pack, if available
4. Any other pertinent identification information, to include a computerized criminal history and driver's license record.

The Support Division is the designated location for reviewing requests for wanted person NCIC entries. The Support Division / Case Analyst receives completed NCIC wanted Person Worksheets and supporting documentation.

The Case analyst verifies paperwork for accuracy, signs the worksheet to validate entry, and forwards the worksheet and supporting documentation to a Support Division NCIC certified operator on duty. If not available, the paperwork can be forwarded for entry to the on duty NCIC operator in Communications. If the case analyst is not available to validate entries, a Support Division supervisor will validate and forward paperwork to either an on duty Support Division NCIC operator or the NCIC operator in Communications.

Teletype or other NCIC certified operator - The operator uses supporting documentation to enter the wanted person onto NCIC. The operator will run a computerized criminal history and drivers' license, if not provided. The operator will enter the wanted person, make all necessary additions to pack the NCIC record and obtain a printout of the completed entry by running an inquiry of the person entered. A 2nd party check will be performed by an additional NCIC operator to determine accuracy.

The entry, additions, printout, and supporting documentation will be attached to the NCIC Wanted Persons Entry worksheet to be retained by NCIC Operations for operation and audit purposes.

Evening / Weekend Entries – During non-business hours, the on duty Communications Teletype Operator enters wanted persons into NCIC. Entry requires a NCIC Wanted Persons Worksheet completed by the requesting deputy, a copy of the arrest warrant, incident report, the wanted person's ID pack, if available, and any other pertinent identification information to include a copy of a computerized criminal history and driver's license. After entry, the worksheet, entry paperwork, and supporting documents are left in the NCIC box for a second party check by the NCIC Operations Center.

The Support Division Case Analyst or supervisor will perform a third party check of the entry pack and the NCIC entry before filing. Necessary updates are made where needed. The NCIC Entry information (NCIC #, Operator, entry date and time) is documented in VConnect under the warrant entry.

PROTECTION ORDERS:

The Sheriff's Office receives five forms of protection orders for entry into NCIC:

1. Family Court Orders of Protection.
2. Family Court Civil Restraining Orders
3. Magistrate Court Temporary Orders of Protection.
4. Magistrate Court Restraining (Harassing or Stalking) Orders.
5. Circuit Court or Family Court Permanent Restraining Orders.

Family Court Orders of Protection and Family Court Civil Restraining Orders - The Family Court clerk forwards two copies of each order to the Family Court sergeant and receipt of each order is documented. Each order is examined for accuracy and completeness, and the sergeant (or designee) initials and dates to document examination. The sergeant (or designee) completes a Brady Record Indicator Decision form and attaches it to the order before sending it to Communications for NCIC entry. *A separate form is completed on both Respondent and Petitioner for a mutual order.* Orders are hand delivered to the Law Enforcement Center. One copy is sent to Support Division and the other to Communications for entry into the NCIC Protection Order File. The copies in Support Division are filed and available for verification 24 hours a day.

A dismissal of an order or amendment to an order is sent to LEC via the Support Division and must meet examination and entry requirements.

Magistrate Court Temporary Orders of Protection and Restraining (Harassment and Stalking) Orders - These are sent directly to Support Division. A sergeant (or designee) signs, initials and examines each order for completeness. The Sergeant (or designee) completes a Brady Record Indicator Decision form and attaches it to each order. *A separate form is completed on both Respondent and Petitioner for a mutual order.* A copy of the order with attached Brady form is sent to Communications to be entered into the NCIC Protection Order File. Dismissals and amendments are handled in the same manner.

Circuit Court or Family Court Permanent Restraining Order – These orders are being emailed from The Clerk of Court Office directly to the NCIC Operations Center for NCIC entry and process. A copy is forwarded to the Support Division for retention.

Incomplete Orders or Orders with Errors – The Support Division or NCIC Operations Center returns incomplete or orders with errors to the issuing court for correction. The Support Division or NCIC Operations Center retains a copy of incomplete/incorrect orders until corrections are returned.

Orders Issued after Normal Business Hours – Front desk personnel take possession of orders issued at night or over the weekend. Orders are delivered to a Communications supervisor for entry into NCIC. The NCIC Operations Center retains a copy of the order, stamps the original “Entered on NCIC”, and sends it to the Support Division.

If Communications or NCIC Operations Center is unable to enter the order on NCIC, it is sent to the Support Division with an explanation. The NCIC Operations Center will assist with follow ups to facilitate NCIC entry.

Expiration Dates - Restraining order expiration dates should be included on the NCIC entry. Dates can be extended and will necessitate NCIC update. Non-expiring orders can also be entered on NCIC. Restraining orders remain on NCIC five (5) years after date of expiration as non-active restraining orders. Expired restraining orders are scanned and kept on file in the NCIC Operations Center.

NCIC Entry Procedures: Refer to the NCIC Operations Manual for details on entry/audit procedures.

MISSING PERSONS:

Agencies must have a missing person report (electronic or hard copy) on file to support a missing person entry. A record for a missing person who is the age of 21 and over may be entered in the Missing Person File provided the entering agency has signed documentation in its possession supporting the stated conditions under which the person is declared missing. This documentation (electronic or hard copy) will aid in the protection of the individual's right to privacy.

A record for a missing person who is under the age of 21 should be entered into NCIC using one of the appropriate categories (Disability, Endangered, Involuntary, Juvenile, Catastrophe Victim, or Other) within 2 hours of receipt of the minimum data required to enter an NCIC record. A missing person report filed with an agency is sufficient documentation for entering a juvenile in the NCIC Missing Person File.

Missing persons are entered into NCIC under one of the following categories:

1. **Disability** – A person of any age who is missing and under proven physical/mental disability or is senile, thereby subjecting him/herself or others to personal and immediate danger.
2. **Endangered** – A person of any age who is missing under circumstances indicating his/her physical safety may be in danger.
3. **Involuntary** – A person of any age who is missing under circumstances indicating the disappearance may not have been voluntary.
4. **Juvenile** – A person who is missing and not declared emancipated as defined by the laws of his/her state of residence and does not meet any of the entry criteria set forth in 1, 2, 3, or 5.

Adam Walsh Child Protection Act of 2006 – establishes the requirements for handling reports of missing children. The Adam Walsh Act established measurable and more specific requirements that reports be entered into NCIC within 2 hours of notification.

5. **Catastrophe Victim** – A person of any age who is missing after a catastrophe.
6. **Other** – A person over the age of 18 not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety or a person who is under age 21 and declared emancipated by the laws of their state of residence. Adam Walsh Child Protection Act of 2006 – establishes any person reported missing between ages of 17 and 20 years of age are also required to be entered into NCIC within 2 hours of notification.

**VEHICLES, LICENSE
PLATES, GUNS,
AND ARTICLES:**

Communications enters vehicles (including motorcycles, ATV's, boats and boat motors, riding lawn mowers, tractors, and trailers) and license plates into NCIC.

The GCDPS (Greenville County Department of Public Safety) - Records Division enters guns and articles (including push lawn mowers).

**HIT CONFIRMATION
PROCEDURES:**

An agency receives a record(s) in response to an NCIC inquiry we confirm the hit on any record(s) which appears to have been entered for the person or property inquired upon prior to taking any official actions based upon the hit NCIC record. Hit confirmation procedure is based on two levels of priority: Urgent and Routine.

The urgent hit must be confirmed within 10 minutes. In those instances where the hit is the only basis for detaining a suspect or the nature of a case requires urgent confirmation of a hit, priority 1 should be specified.

The routine hit must be confirmed within 1 hour. Generally, routine priority will be used when the person is being held on local charges, property has been located under circumstances where immediate action is not necessary, or an urgent confirmation is not required.

Following confirmation with the originating agencies, a locate message must be transmitted for each record on file for the subject. A record should not be located if no extradition is indicated or the locating agency is outside of the extradition limitations set forth in the record.

When an agency places a locate of NOEX on a record, the record will be retired upon any second locate with NOEX.

When the locating agency intends to hold the subject on local charges, the locate transaction should include DETN in the EXT Field. A locate message should be transmitted only when the individual is found within the geographical area of extradition.

Detainer information may be appended only to NCIC Wanted Person File records in located status. When an inquiring agency receives a positive response, confirms *that the subject is identical*, the warrant is outstanding, and extradition *is authorized*, it must perform a locate transaction to place the record in located status. If the locating agency intends to hold the individual on local charges, the locate transaction should indicate detention by placing DETN in the Extradition (EXT) Field. At this point, the agency of record should append any detainer information to its record within 5 days of the locate transaction. Appending a detainer will allow the record to remain in NCIC until extradition can occur.

VALIDATION:

Monthly the TAC and ATAC receive notification of the records needing validation from SLED by email. Validation obliges Greenville County Sheriff's Office to confirm that the record is complete, accurate, and still outstanding or active. Validation is accomplished by reviewing the entry and current supporting documents, and by recent consultation with any appropriate complainant, victim, prosecutor, court, nonterminal agency, or other appropriate source or individual. In the event the ORI is unsuccessful in its attempts to contact the victim, complainant, etc., the entering authority must make a determination based on the best information and knowledge available whether or not to retain the entry in the file. If the record cannot be confirmed the record will be canceled out of NCIC.

Greenville County Sheriff's Office uses the Peak Performance validation software to perform the on-line validation process and must modify each record being validated to include updated information in the Name of Validator (VLN) Field. If a record has not been validated within a month from the request for validation, the NCIC System will generate a \$.F. Failure to Validate Notification to Greenville County Sheriff's Office on the Monday following the first Sunday of the month. The \$.F. notification serves as a warning for Greenville County Sheriff's Office to validate the record or the NCIC System will retire the record during the next purge cycle.

If the record is not validated by the first Sunday of the following month, the NCIC System will retire the record and generate a \$.P. Purge Failure to Validate Notification.

**NCIC - PROVIDING
SERVICES FOR
OTHER AGENCIES:**

The Greenville County Sheriff's Office acts as a servicing agency, providing NCIC functions to other agencies within Greenville County. These agencies are Greenville County Magistrate Offices, Bob Jones University Public Safety, Greenville Technical College Campus Police, Greenville Health System Police, Greenville County Coroner's Office, and concurrent municipal agencies during emergency or equipment outages.

**VIOLATIONS/
DISCIPLINE:**

Improper access, use or dissemination of CHRI and NCIC Non-Restricted Files information is serious and may result in administrative sanctions including, but not limited to, termination of services and state and federal criminal penalties. Any employee found in violation of this policy shall face disciplinary actions based on the seriousness of the infraction.



Hobart Lewis, Sheriff