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 inquiries 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), International Justice and Public Safety Network (Nlets), and the Canadian Police Information Center (CPIC).

NCIC is a computerized information system established as a service to all criminal justice agencies. The goal is to provide accurate and timely documented criminal justice information (CJI). CJI is information collected from criminal justice agencies to include wanted/missing/unidentified persons, criminal history information, stolen property, and information on identifiable individuals compiled in an effort to anticipate, prevent, or monitor possible criminal activity.

Nlets is a computer-based message-switching system that connects every state, local, and federal law enforcement, justice, and public safety agency for the purposes of sharing and exchanging critical 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 its FBI-assigned ORI.

COMPUTERIZED CRIMINAL HISTORY: Information obtained from SLED/CJIS, NCIC, CPIC, SCDNR, and Nlets is for criminal justice agency use only.

RETENTION / STORAGE - Information obtained from a Computerized Criminal History (CCH) should be processed and used immediately. A new current record should be requested when needed for a subsequent authorized use. Copies of Criminal Histories required for future reference should be secured and forwarded to the appropriate case file in records or NCIC Entry File. Unused copies should be properly disposed of by shredding.

DISSEMINATION - No member of the Sheriff's Office is allowed to disseminate Computerized Criminal History (CCH), other than local ID Packs records originated by the Sheriff's Office, to anyone other than criminal justice agency personnel. Under special approved circumstances, if CCH/III records are disseminated to another agency a dissemination log, form, or equivalent documentation must be completed to include the date, subject of record, reason, and agency/person receiving the CCH. Under state law, only SLED/CJIS can release criminal records from another agency.

CRIMINAL HISTORIES FOR WEAPONS RELEASE – The following procedures apply to running firearm inquiries using MKE QNP which checks NCIC, III, and NICS Indices 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.
   If the query results in a positive response
   a. Positive Response from an NCIC person file - Further evaluation should be considered regarding the Active or Archived NCIC record.
   b. Positive Response from III/CCH File - Evaluate for disqualifying charges.
   c. Positive Response from the NICS Indices File – Indicates an existing disqualification.

2. If the QNP/CCH indicates a negative response to include no felony convictions and/or convictions for a crime of violence (see General Order 139 or 203, RELEASE/RETURN OF FIREARMS) If no other report is being written or no existing case is on file, a new Code 5 must be initiated to support the query for the CCH.

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.

SCDMV RESTRICTIONS PROHIBIT a user from accessing your own record or those belonging to family members, friends, etc. ***SCDMV is to be used for CRIMINAL JUSTICE PURPOSES ONLY.***

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 & Privacy Training.

Security & Privacy Training is required for all personnel who have unescorted access to SLED/CJIS physically secure work areas. Certification is required before authorizing access to the system, information, or performing assigned duties and every year after the initial training.

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 & Privacy Training as well as maintaining all training records.
3. Coordination with SLED on system changes or updates.
4. Must attend all mandatory meetings and conferences
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 the department to appropriate personnel. Maintain communication with the CSO and other local TACs.
8. Perform the monthly validations on the department's records.
9. Function as liaison for the department and attend mandated NCIC audits. Responsible for deleting all users' access and passwords per FBI CJIS Security Policy.
10. Must be NCIC certified to the level of functionality assigned to the agency.

NCIC ENTRY: Persons and property are entered into NCIC daily. 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 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 should confirm extradition through the Extradition Unit of the Warrant Services Division.

To ensure "wanted" person NCIC entries are accurate and complete, the following supporting documentation is to be completed:

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.
5. NCIC Wanted Persons Entry Worksheet
6. Extradition limits decision worksheet.

The Warrant Services Division is the designated location for reviewing requests for wanted person NCIC entries. The Warrant Services Division receives all new warrants assigned to this agency. They verify new warrants for accuracy and assign extradition limits. *All warrants must be assigned extradition limits prior to NCIC entry.* The warrants and Extradition Limits Worksheets are given to the Data Entry Unit for entry into NCIC.

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, and make all necessary additions to pack the NCIC record with all pertinent charges/cautions to ensure officer safety. A second-party check will be performed by an additional NCIC operator to determine accuracy.

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

Evening / Weekend Entries – During non-business hours, the on-duty Communications Teletype Operator enters wanted persons into NCIC. An on-duty road supervisor must approve warrant entry into NCIC for offenses of major crimes and ensure extradition limits have been assigned. Entry requires an 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 NCIC Operations.

NCIC Operations/Data Entry will perform a second-party check of the NCIC entry before filing. 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 or designee. Each order is documented with initials and date indicating the order was received and examined for accuracy and completeness. Orders are scanned and emailed to the NCIC Operations Office via group email and the original order is delivered to NCIC Operations. The order is entered into the NCIC and VConnect program Protection Order Files. The NCIC operator will complete a Brady Decision Form and attach it to

the NCIC entry pack. A separate form is completed on both Respondent and Petitioner for a mutual order. A copy is filed in the Warrant Office for retention and available for verification 24 hours a day. Dismissals and amendments are handled in the same manner.

Magistrate Court Temporary Orders of Protection and Restraining (Harassment and Stalking) Orders – Copies of these orders are emailed directly from each Magistrate Court to the NCIC Operations Center group email. The order is entered into the NCIC and VConnect program Protection Order Files. The NCIC operator will complete a Brady Decision form and attach it to the NCIC entry pack. A separate form is completed on both Respondent and Petitioner for a mutual order. A copy of the order is filed in the Warrant Office for retention. 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 group email for NCIC entry and process. A copy is filed in the Warrant Office for retention.

Incomplete Orders or Orders with Errors – The NCIC Operations Center will return incomplete orders or orders with errors to the issuing court for correction and retain a copy of the incomplete/incorrect orders until corrections are returned. Copies of orders not entered on NCIC are retained on file in the NCIC Operations Center, with documentation of why it could not be entered and a duplicate copy will be placed on file in the Warrant Office for retention. The NCIC Operations Center will assist with follow-ups to facilitate NCIC entry.

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 a copy is filed in the Warrant Office for retention.

Expiration Dates - Restraining order expiration dates should be included on the NCIC entry. Dates can be extended and will necessitate an NCIC update. Non-expiring orders can also be entered on NCIC. Restraining orders remain on NCIC five (5) years after the 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 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 (reference Suzanne's Law).

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 lawnmowers, tractors, and trailers) and license plates into NCIC.

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

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, the 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 person or property. The 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 notice of NOEX on a wanted person, the record will be retired upon any second locate notice with NOEX. When the locating agency intends to hold the subject on local charges, the locate transaction should include DETN/EXTR in the EXT Field. A locate message should be transmitted only when the individual is found within the geographical area of extradition, even if the entering agency responds with NOEX.

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, they 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/EXTR 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 online 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 include Greenville County Magistrate Offices, Bob Jones University Public Safety, 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 or 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