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TELECOMMUNICATIONS TRAINING GUIDE

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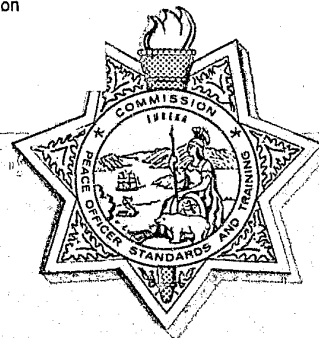
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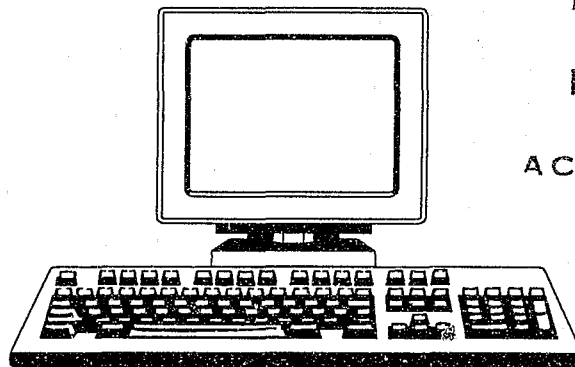
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THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING
STATE OF CALIFORNIA

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TELECOMMUNICATIONS TRAINING GUIDE

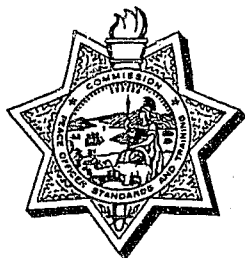


NCJRS

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Commission on Peace Officer Standards and Training
and
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FOREWORD

The California Peace Officer Standards and Training (POST) and the California Department of Justice (DOJ) Law Enforcement Liaison staff, working with subject matter experts, have completed this telecommunications training guide which meets the mandated Federal Bureau of Investigation/National Crime Information Center (FBI/NCIC) and DOJ training requirements. The FBI/NCIC required that training be developed to ensure that all personnel (sworn and non-sworn) i.e., terminal operators, peace officers, investigators, and agency management/supervisors are trained in the operations and policies and procedures of each file that is accessed or updated.

The materials in this manual provide the required minimum levels of training for law enforcement agency employees who have access or input to the Criminal Justice Information System (CJIS) or the National Crime Information Center (NCIC) files as accessed through the California Law Enforcement Telecommunications System (CLETS).

This training guide, in conjunction with the Department of Justice's Telecommunications Train-the-Trainer Course and the CLETS/CJIS Telecommunications Workbooks, available from Law Enforcement Liaison, will provide a comprehensive training resource package for law enforcement agency trainers. These trainers will then be prepared to train their agency personnel.

Questions about this publication and the training requirements should be directed to Law Enforcement Liaison Section at (916) 227-3755.


NORMAN C. BOEHM
Executive Director

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CRITERIA FOR TRAINING

It is the responsibility of all city, county, state, and federal agencies that use information supplied via CLETS to participate in DOJ's training programs to ensure that all personnel (i.e., terminal operators, peace officers, investigators, clerical, agency management/supervisors, etc.) are trained in the operation, policies and procedures of each file that is accessed or updated. Training can only be provided by DOJ's training staff or the user agency's DOJ certified CLETS/NCIC trainer.

Specifically, the training requirements are as follows:

- (a) Initially (within six months of employment or assignment) train, functionally test, and affirm the proficiency of terminal (equipment) operators (Full Access/Less Than Full Access) in order to ensure compliance with CLETS/NCIC policies and regulations.
- (b) Biennially, provide functional retesting, and reaffirm the proficiency of all terminal (equipment) operators (Full Access/Less Than Full Access) in order to ensure compliance with CLETS/NCIC policies and regulations.
- (c) Maintain records of all training, testing, and proficiency affirmation. Individual records must be maintained on Full Access Operators. Training records for Less Than Full Access Operators, practitioners, administrators, and other sworn/non-sworn law enforcement personnel may be maintained in one master file.
- (d) Initially (within 12 months of employment or assignment) all sworn law enforcement personnel must receive basic training in CLETS/NCIC policies and regulations.
- (e) Make available appropriate training on CLETS/NCIC system use for criminal justice practitioners other than sworn personnel.
- (f) All sworn law enforcement personnel and other practitioners should be provided with continuing access to information concerning CLETS/NCIC systems, using methods such as roll call and in-service training.

On a routine basis the Federal Bureau of Investigation (FBI) and/or DOJ conduct CLETS/NCIC compliance audits. Remember, individual training records must be kept on each Full Access Operator and a master listing of all Less Than Full Access Operators.

Any questions should be directed to the California Department of Justice, Law Enforcement Liaison Section, P. O. Box 903427, Sacramento, CA 94203-4270, or telephone (916) 227-3755.

MINIMUM STANDARDS OF TRAINING

At POST approved academies, students receive '4-hour' blocks of practitioner training. This POST academy training will satisfy the CLETS/NCIC training requirements for new sworn personnel. However, they must be provided with continuing access to information concerning CLETS/NCIC systems, using methods such as roll call and in service training. Once a practitioner is assigned access to a terminal (limited or full) they must complete the DOJ provided telecommunications workbook within six months of assignment and be tested and recertified every two years.

At POST approved Dispatcher Academies students receive a 5-hour block of full access operator training. This satisfies the classroom requirements for this classification. In addition to that training they are required to complete the DOJ telecommunications workbook within six months of assignment and be tested and recertified every two years.

Individuals not afforded the opportunity to attend these academies are subjected to the same training requirements.

The primary factor for determining who is to be trained and on what data is dependent upon the persons job duties. Individuals having some, but very limited, use of law enforcement telecommunications equipment or data should be made aware of Section I, Laws, Policies, and Ramifications, and the appropriate system and database from which the information is accessed/received. For example, an employee who does not operate a CLETS terminal, but does process Department of Motor Vehicle (DMV) driver's license printouts received over the terminal, could be trained on DMV, but most definitely should be trained on the confidentiality of law enforcement information. Likewise, a volunteer senior citizen who assist an agency in the monthly validation of vehicle and person records should receive at least the laws and policies training.

When taking advantage of the agency's own certified telecommunications trainer(s), training can also be conducted in-house during briefing sessions over a period of weeks or months, or all at once. The Department of Justice's overriding concern is not necessarily the number of hours of training, but that the content of training matches the student(s) level of CLETS usage. Training enhances job performance and efficiency, while also satisfying the agency's concern for reduced liability exposure.

Your Law Enforcement Liaison Field Representative is available to assist in formulating training plans and monitoring training sessions. Every effort should be made to utilize this valuable resource by calling the DOJ Law Enforcement Liaison Section at (916) 227-3755.

CLETS NETWORK

California Law Enforcement Telecommunications System

CJIS (DOJ)

Stolen Vehicle System
Automated Boat System
Automated Firearms System
Automated Property System
Wanted Persons System
Restraining Order System
Supervised Release File
Criminal History System
Missing/Unidentified
Persons System
Mental Health Firearms
Prohibition System

DMV (State)

Vehicle Registration
Driver License
Occupational Licensing
Parking Citation

OREGON (LEDS)

Articles
Driver License
Guns
Stolen Vehicle
Vehicle/Boat Registration
Wanted Persons

All Points
Bulletins &
Administrative
Messages

CLETS

FBI/NCIC

Vehicle File
License Plate File
Boat File
Article File
Gun File
Wanted Persons File
Violent Felon File
Missing Person File
Foreign Fugitive File
Unidentified Person File
US Secret Service File
Interstate Identification
Index (III)
Securities File
ORI File

NLETS (Interstate)

Vehicle Registration
Driver License
Boat Registration
Snowmobile Registration
Hazardous Material (HAZMAT)
Aircraft Tracking (FAA)
Aircraft Registration (FAA)
ORION ORI File
INTERPOL
Canadian Interface
Criminal History
NICB
Administrative Messages
Interstate Broadcasts
Help Files

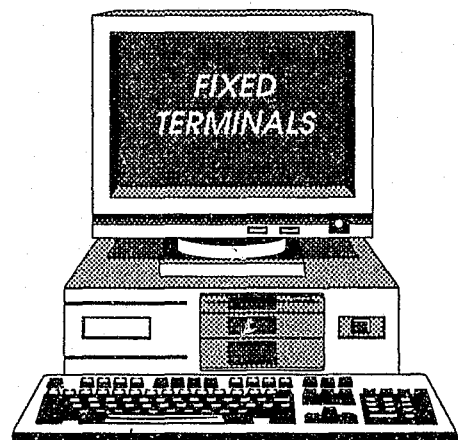
Message
Switching
Computers

CAD
Interfaces

8A1



MOBILE DIGITAL TERMINALS



TELECOMMUNICATIONS INQUIRY TRAINING

COURSE OUTLINE

GENERAL INFORMATION

Background: This course curriculum was developed by the California Department of Justice (DOJ) and POST with the input of an advisory committee. This course meets state and federal training requirements for persons employed in California and Federal law enforcement agencies who inquire, update and/or use information from the CLETS, NCIC or the NLETS. The curriculum has been incorporated into the POST Basic Academy and POST Basic Dispatcher Courses.

Recommended Minimum Instruction Hours: 4

TOPICAL OUTLINE

<u>Subject</u>	<u>Recommended Minimum Hours</u>
TELECOMMUNICATIONS-INQUIRY	
I. Introduction	.5
II. Overview of Systems	
A. CLETS-CJIS-DMV	2.0
B. NLETS	.5
C. NCIC	.5
III. Laws, Policies, Ramifications	.5
	4.0

LEARNING GOAL AND PERFORMANCE OBJECTIVES

Learning Goal: The student will understand law enforcement telecommunication systems/network.

Performance Objective 1--The student will identify the procedures for making inquiry into law enforcement information systems and the capability of cross referencing the information obtained within these systems for:

- A. Wants and warrants
- B. Stolen property--includes vehicles and firearms
- C. Criminal histories
- D. DMV information
- E. Miscellaneous information

Performance Objective 2--The student will identify the statewide information systems directly accessible to California and Federal law enforcement agencies.

Performance Objective 3--The student will identify state laws and policies for obtaining, verifying, and disseminating telecommunication information including:

Restricted and Unrestricted Information

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TELECOMMUNICATIONS - INQUIRY COURSE

A. INTRODUCTION

Many of today's criminal justice information systems were conceived and developed as a result of law enforcement's growing need for vital information in a timely manner. Systems available to most California law enforcement agencies include: California Law Enforcement Telecommunications System (CLETS); Criminal Justice Information System (CJIS); California Department of Motor Vehicles (DMV); National Law Enforcement Telecommunications System (NLETS); National Crime Information Center (NCIC); and Oregon's Law Enforcement Data System (LEDS).

B. ACCESS TO INFORMATION SYSTEMS

The method by which agencies access available information systems is governed by the geographical area or county in which they are located. Some utilize message switching computers (MSC) and computer-aided dispatch (CAD) systems which directly connect to CLETS. Many of these systems have mobile digital terminals (MDTs) which allow an officer in the field to inquire directly into the CJIS data bases from their patrol unit. Regardless of equipment, agencies within California access state, federal, and systems located in other states via the California Department of Justice (DOJ) California Law Enforcement Telecommunications System (CLETS).

DOJ manages a high speed message switching computer and provides communication or data circuits to one point in each county. Many counties have developed and maintain message switching computers with data circuits to terminals located within the county.

Within the Department of Justice, the CLETS Administration Section provides technical assistance regarding local interfaces, produces the Operating Policies, Practices, and Procedures, and is the coordinator for all systems manuals. Their weekday phone number is (916) 227-3677, and CLETS mnemonic is "YME". After hours and weekends contact the Communications Center at (916) 227-3275. The Computer Operations unit is available at (916) 227-3138.

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C. CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATION
SYSTEM

1. ADMINISTRATIVE MESSAGES

CLETS allows the transmission of "free text", or administrative messages, to other agencies within California using the agencies 3 or 4 character mnemonic (MNE). Every CLETS terminal, whether fixed or mobile, should have its own unique mnemonic. Administrative messages may be sent to agencies outside California, via NLETS, using the agencies 9 character originating agency identifier (ORI). The ORI identifies the agency, whereas the MNE identifies a terminal within the agency.

All CLETS messages are **confidential and for official use only**. Messages should be as brief and concise as possible. Examples of messages acceptable for transmission over CLETS are:

- a. Requests for record validation.
- b. Information regarding the circumstances surrounding the death of an officer killed in the line of duty.
- c. Requests for prisoner pickup and transportation.
- d. Requests for mail-back information from data bases.
- e. Notices such as law enforcement related meetings and training and seminar announcements.

Examples of messages not acceptable for transmission over CLETS are:

- a. Personal notices such as social functions, funeral notices, retirement announcements, pistol meets, holiday cheer messages, and CLETS inquiries that are for personal use.

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- b. Profane or obscene language for any purpose including that contained within the description of a crime.
- c. Excessive listing or detailed description of stolen property except that identifiable by serial numbers or unique markings.
- d. Subpoenas relative to civil proceedings, or any subpoenas which could be delivered in a timely manner by other means. All subpoenas transmitted via CLETS must be processed in accordance with Sections 1328b and 1328c of the California Penal Code.

2. ALL POINTS BULLETINS MESSAGES

All Points Bulletins (APB) are administrative messages that are distributed to all law enforcement agencies in California, including some criminal justice agencies. It replaces the Group Bulletin process in that all law enforcement participates in All Points Bulletins, but with the flexibility of the Group Bulletins. Any CLETS terminal with administrative message capabilities may send or receive All Points Bulletins. The sending of messages is performed as needed. The receiving of messages is automatic for all law enforcement agencies, and upon request for criminal justice agencies.

Because all law enforcement agencies receive All Points Bulletins, the sender must use discretion by directing a message to the group code(s) that most associates with the message being sent. The CLETS offers highway, geographic, crime specific, sheriffs, police departments, and all counties groups.

<u>HIGHWAY</u>	<u>GEOGRAPHIC</u>	<u>CRIME SPECIFIC</u>
US50	Northern Coast	Narcotics
I5/SR99	Southern Area	Gangs
US101/ SR1	Central Coast	Sexual Assault
US395	Sacramento Area	Robbery/Burglary
	Mid-East Border	Kidnap/Missing/ Unidentified Persons

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I80 Northern Inland Vehicle Theft
 Area
 San Joaquin Area Homicide
 Bay Area
 Los Angeles Area

All Points Bulletins uses the CLETS administrative message format, and routes from one to six group codes at a time. All Points Bulletins codes and terminal mnemonics may be used as a destination simultaneously when deemed appropriate by the CLETS user, and depending on county message switching computer requirements and restrictions.

All Points Bulletins can include:

- a. Major identifiable property items. Serialized items should always be entered into the Automated Property System.
- b. Crimes against persons, such as murder, rape, robbery, kidnapping, etc., when the suspect's modus operandi (MO) or vehicles can be described sufficiently.
- c. Missing persons or "Be On the Look Out" (BOLO) warnings involving life or death situations, emergencies or suspected foul play.
- d. Death and funeral notices of sworn personnel and executive officials on active status killed in the line of duty.
- e. Acts of nature, including storm warnings, floods, earthquakes and other warnings affecting public safety or law enforcement capabilities.
- f. Training, seminar and law enforcement related meeting announcements.

All Points Bulletins should not include:

- a. Lengthy lists of miscellaneous unidentifiable items, petty theft items, etc.

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- b. Runaway juveniles.
- c. Misdemeanor offenses.
- d. ROIR, reply only if record.
- e. ROIW, reply only if wanted.
- f. Traffic warrants.
- g. Failure to Provide warrants (270 P.C.).
- h. Miscellaneous notices, such as retirements, social functions, holiday cheer, labor/management issues, etc.
- i. Recruitment of personnel, test announcements, job openings.

For further information on CLETS messages, consult the CLETS Operating Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to mnemonic "YME" for copies.

D. CRIMINAL JUSTICE INFORMATION SYSTEM

Through CLETS, access is gained to DOJ's Criminal Justice Information System. The Criminal Justice Information System (CJIS) is actually composed of 10 information systems:

- Wanted Persons System
- Restraining Order System
- Supervised Release File
- Missing/Unidentified Persons System
- Stolen Vehicle System
- Automated Boat System
- Automated Property System
- Automated Firearms System
- Mental Health Firearms Prohibition System
- Criminal History System

The FBI maintains the National Crime Information Center (NCIC), which is the federal counterpart of CJIS. The NCIC is available for inquiries and updates from your CLETS terminal. Many of the NCIC files are corollaries of CJIS and are actually accessed after passing through CJIS.

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1. WANTED PERSONS SYSTEM (WPS) - (916) 227-3689

The Wanted Persons System (WPS) is a pointer system which pertains to arrest warrants maintained by state, local, and federal criminal justice agencies in California. A match made on a WPS record does not, by itself, provide sufficient grounds to arrest a person. Failure to match a person with a WPS record does not mean that the person is not wanted. While WPS has no restriction on the seriousness of the offense causing the warrant to be entered, it does require that the apprehended wanted person be transported by the wanting agency from anywhere in California, regardless of warrant type or bail amount.

a. Types of Warrants in WPS

WPS warrant records are categorized as felony, misdemeanor, and temporary (in which the issuance of an arrest warrant is imminent.)

b. WPS Record Types and Retention Periods

<u>Type of Warrant</u>	<u>Maximum WPS Retention</u>
Temporary	48-72 hours
Misdemeanor	3 yrs. Can be renewed every 3 yrs.
Felony	5 yrs. Can be renewed every 5 yrs.

c. Inquiries into WPS

Inquiries into WPS may be made using the subject's name (NAM), sex (SEX), date of birth (DOB) or age (AGE), CII number (CII), FBI number (FBI), Social Security number (SOC), or operators license number (OLN). For name only searches, NAM and SEX are required for WPS. NAM and a numeric identifier (DOB, SOC, etc.) are required for NCIC.

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Super Message Keys, using Name, Sex, and DOB, will access the Wanted Persons, Restraining Order, Automated Property, Automated Firearm Systems, or combinations thereof. An inquiry using the WPS message keys QW or QWK will access both the Wanted Persons System and Restraining Order System.

The WPS makes it possible for an agency to inquire on their own warrant records. This can be accomplished by using the File Control Number (FCN), Originating Agency Case Number (OCA) and the Warrant Number (WAR). Only warrant records for your agency will be returned when using these three numbers.

d. Inquiry responses from WPS

If no match is made on your WPS inquiry, you will receive a negative response. If your inquiry has been forwarded to NCIC, the response will say so and you should receive an NCIC response shortly thereafter.

Name searches are conducted using the sound alike (Soundex) system for the last name, and a diminutive table for the first name (GREG, GREGG, GREGORY is in the same table). The diminutive table provides for a positive response if a common variation of the first name is used in the inquiry. If the subject's first name of your inquiry is off by only one letter, and that name is not contained within the diminutive table, you will receive a "no want" response. A precautionary second inquiry should be made, using the last name and only the initial of the first name.

When an inquiry is made using the Name, and DOB, and there is no exact match, the WPS database will then scan the current year plus or minus one year. This results in a three-year search of the DOB field. NCIC will only respond on an exact match of the DOB.

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The WPS may return up to 10 possible matching records in response to an inquiry. These 10 records will be full, complete responses.

Positive matches may include Caution Codes, which have been entered to indicate special handling of the subject. Caution Codes include Armed and Dangerous, Mentally Disturbed, Suicidal Tendencies, Escape Risk, and SEE MISCELLANEOUS (MIS) Field.

e. Hit Confirmation

A computer match on a person or property is not probable cause for arrest or confiscation in and of itself.

"CONFIRMATION" is necessary. Computer information does give you probable cause to detain and investigate further.

Confirmation means checking with the originating agency and determining that the person or property is still wanted by the originating agency and is probably the same as the person or property of inquiry.

2. RESTRAINING ORDER SYSTEM (ROS) -
(916) 227-3689

The restraining order information available from your CLETS terminal is maintained by the Department of Justice (DOJ) Restraining Order System. The ROS is a pointer system which pertains to domestic violence restraining orders entered into the state automated system by law enforcement agencies on individuals who have committed an act of domestic violence and have been served with a restraining order. The information entered into the ROS is used by the DOJ Dealer's Record of Sale (DROS) Unit for firearm clearance purposes. It is also accessible to all law enforcement agencies in California through CLETS.

a. Types of Restraining Orders

The ROS maintains the records of a Temporary Restraining Order (TRO) or a Order After

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Hearing issued as a domestic violence
restraining order or a family law
restraining order where violence is
involved.

b. ROS Record Types and Retention Periods

<u>Type of Record</u>	<u>ROS Retention</u>
Temporary Restraining Order	Until date of hearing (or expiration), up to 90 days.
Order After Hearing	Until date of expiration on court order.

c. Inquiries into ROS

Inquiries into ROS may be made by using the
subject's name (NAM), sex (SEX), and date of
birth (DOB) or age (AGE). The use of other
personal descriptor fields will narrow the
search if those fields were used in the
initial entry. Using a two character county
code or single character region code allows
you to inquire into ROS for a specific
county, region, or if no code is used,
statewide.

Super Message Keys, using Name, Sex, and
DOB, will access the Wanted Persons,
Restraining Order, Automated Property, and
Automated Firearm Systems, or combinations
thereof. An inquiry using the Wanted
Persons System message keys QW or QWK will
access both the Wanted Persons System and
Restraining Order System.

The ROS makes it possible for an agency to
inquire on their own records. This can be
accomplished by using the File Control
Number (FCN) or Originating Agency Case
Number (OCA). Only records for your agency
will be returned when using this format.

d. Inquiry responses from ROS

If no match is made on your ROS inquiry, you
will receive a negative response.

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Name searches are conducted using the sound alike system for the last name, and diminutive tables for the first name. The diminutive table provides for a positive response if a common variation of the first name is used in the inquiry. If the subject's first name of your inquiry is off by only one letter, and that name is not contained within the diminutive table, you will receive a "No Restraining Order" response. A precautionary second inquiry should be made, using the last name and only the initial of the first name.

When an inquiry is made using the DOB, and there is no exact match, the ROS computer will then scan the current year plus or minus one year. This results in a three-year search of the DOB field. Using AGE, the computer will search plus or minus three years.

Restraining Order System (ROS) may return up to 10 possible matching records in response to an inquiry.

Positive matches may include Caution Codes, which have been entered to indicate special handling of the subject. Caution Codes include Armed and Dangerous, Mentally Disturbed, Suicidal Tendencies, Escape Risk, and SEE MISCELLANEOUS (MIS) Field.

3. SUPERVISED RELEASE FILE - (916) 227-3754

Supervised Release File (SRF) is the on-line file designed to provide the street officer with an index to subjects on active parole, probation, required to register as a sex or arson offender, or considered a career criminal. An inquiry into CLETS' Wanted Persons System (WPS) will be forwarded to the SRF and may disclosed vital information regarding individuals that are currently involved with the criminal justice system.

a. The SRF is an index of:

The CDC Parolees, entered by the
California Department of Corrections.

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- . The CYA Parolees, entered by the California Youth Authority.
- . Probationers, entered by County Probation Departments.
- . Sex and Arson registrants, entered by the Department of Justice's Registration Unit.
- . Career Criminals, as defined in Penal Code Section 13853, and entered by law enforcement agencies.

b. Inquiry Into SRF

Inquiries into SRF are made via WPS by using the message key QVC for full response, or QVCK for abbreviated response. Inquiries are made by using the subject's name (NAM), Sex (SEX), and Date of Birth (DOB), or age, CII number (CII), Agency Case Number (OCA), Social Security Number (SOC), or Operator License Number (OLN).

c. Inquiry Response from SRF

Depending on whether a full or abbreviated response, the record may provide the subjects name and up to 9 AKA's physical description, any identifying numbers, primary offense, supervising agency, contact person and telephone number, supervision dates, city or county of residence, 290 registration status, and advisory information. Up to ten index records, regardless of type, may be received from an inquiry into WPS.

d. Sharing Information

To provide for a two way communications link, DOJ has created a Contact Message which allows the street officer to send information about his/her contact to the agent or agency that entered the record. The Contact Message identifies the date and time of contact, the officer, a call back telephone number, any enforcement action taken, and the particulars about the contact. The contact message is transmitted

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to DOJ connected to the appropriate record
and forwarded to the agency that entered the
record.

For the SRF to be effective, the transmittal
of a contact message to the holder of the
record is essential.

4. MISSING/UNIDENTIFIED PERSONS SYSTEM (MUPS) -
(916) 227-3290

The Missing Persons File is a file of reports
about missing persons from California agencies.
California Penal Code Sections 14200-14213
requires local police, sheriff and California
Highway Patrol to accept any report, including
telephonic report, of a missing person,
including runaways, without delay and:

forward a copy of that report to:

- the agency with jurisdiction over the
missing person's residence,
- the agency with jurisdiction over the
place where the person was last seen,
and
- via CLETS to the Department of Justice;

and:

- broadcast a "Be-on-the-Lookout
Bulletin" within your jurisdiction if
person is under 12 years old, or any
age if at risk, and
- provide the reporting party with a DOJ
form which authorizes release of dental
records/x-rays, skeletal x-rays, and/or
photographs.

The Unidentified Persons File is a file of
reports about unidentified persons (living and
deceased) and body parts from California and
surrounding states. Reports may include
fingerprints and dental charts (if available).
All missing and unidentified person reports are
crosschecked daily and contributing agencies are
notified of possible matches.

a. Message Types

Missing/Unidentified Person

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Missing/Unidentified Identifier
Missing/Unidentified Suspect
Missing/Unidentified Vehicle
Missing/Unidentified Dentals

b. Inquiries into MUPS

Inquiries may be made using the subject's name and sex, physical descriptors, File Control Number, agency case number, driver license number, vehicle license number, vehicle description, and/or dental data.

c. Responses

Up to 12 possible matches may be returned on a name inquiry. The inquiry is automatically forwarded to NCIC if name and DOB are used and there are less than 12 hits from MUPS. The MUPS search range for DOB is plus or minus 1 year, and for AGE is plus or minus 3 years. The NCIC DOB/AGE is exact match.

If using physical descriptors, the inquiry is forwarded to NCIC if weight, hair and eye information is included with a numeric identifier.

5. STOLEN VEHICLE SYSTEM (SVS) - (916) 227-3686

The Stolen Vehicle System (SVS) is a file containing records of vehicles, license plates, and vehicle parts.

a. Kinds of vehicles/parts in SVS

Automobiles*	Commercial trucks
Motorcycles	Trailers
Motor scooters	Mobile Homes
Mopeds	Motor Homes
Personal trucks	Construction equipment
Farm equipment	Go-Carts
Golf Carts	Snowmobiles
Aircraft (except model aircraft)	Amphibious vehicles

* Vehicle parts (any serialized component part of a vehicle, except radios and stereo equipment which are located in the Automated Property System).

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b. The Stolen Vehicle System (SVS) Record
Types and Retention Periods

There are various types of vehicle records
used in SVS. Different types of records
have different retention periods.

<u>TYPE OF RECORD</u>	<u>MAXIMUM SVS RETENTION</u>
Stolen Vehicle/ Part	Balance of current year plus 4 years
Stolen or Lost License Plate(s)	One year past the year of registration
Found/Evidence Vehicle Part/Plate	6 months
Pawned Vehicle	6 months
Felony Vehicle/ Plate	90 days
Missing Person Vehicle	30 days
Stored Vehicle	30 days
Impounded Vehicle (Stored Vehicle with Police Hold)	30 days
Reported Lost Vehicle	30 days
Repossessed Vehicle	30 days
Cleared Vehicle	30 days
Located Vehicle	30 days

c. Inquiries into SVS

Inquiries into SVS may be made using the
vehicle identification number (VIN), license
number (LIC), engine number (ENG), or owner
applied number (OAN). Vehicle
Identification Number (VIN) inquiries are

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forwarded to NCIC unless a match is made in SVS. Engine (ENG) or OAN inquiries without a VIN are interpreted as VIN inquiries by NCIC.

Inquiries on vehicle parts should contain the brand (BRA) and category (CAT) codes in addition to the serial number (SER) or OAN in order to avoid multiple matches.

d. Inquiry Response from SVS

If no matches are made on your inquiry, you will receive a negative response. If your inquiry has been forwarded to NCIC, the response will say so and you should receive an NCIC response shortly thereafter.

When your inquiry matches a SVS record or nearly matches a SVS record, a positive response is returned to your terminal. Up to eight matching records may be returned.

When there is no exact match, a Near Miss response may be provided on LIC, VIN, ENG, or OAN vehicle inquiries, and on SER or OAN vehicle part inquiries. When you receive a Near Miss response, make a file control number (FCN) inquiry on the Near Miss record to verify the subject of inquiry. No action should be taken on the basis of a Near Miss response. The chances are high that the Near Miss records are not about the same vehicle, part, or license plate on which you based your inquiry.

If the code NOAH (Notify ORI of All Hits) is in the Miscellaneous Field of a record, contact the ORI of the record and furnish details concerning the inquiry.

Positive matches may include Caution Codes, which have been entered to indicate special handling of the vehicle or its occupants. Caution Codes include Armed and Dangerous, Hold for Latent Prints, Detain All Occupants, and others.

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6. AUTOMATED BOAT SYSTEM (ABS) - (916) 227-3686

The Automated Boat System (ABS) is a file of records of boats that are stolen, lost, repossessed and stored, and boat parts that are stolen.

a. Kinds of Watercraft in ABS

Boats	Rafts
Ships	Canoes
Yachts	Hydrofoils
Jet skis	Barges
Wind-powered surfboards	
Motorized surfboard	
Boat parts (any serialized component part of a boat)	

b. Automated Boat System (ABS) Record
Types and Retention Periods

There are various types of boat records used in ABS. Different types of records have different retention periods.

<u>Type of Record</u> <u>Retention</u>	<u>Maximum ABS</u>
Stolen Boat/Part year	Balance of current plus 4 years
Stored Boat	30 days
Reported Lost Boat	30 days
Repossessed Boat	30 days
Cleared Boat	30 days
Located Boat	30 days

c. Inquiries Into ABS

Inquiries into ABS may be made using the registration number (REG), boat hull number (BHN), engine number (ENG), or owner applied number (OAN). Registration (REG) or BHN inquiries are forwarded to NCIC. Engine (ENG) or OAN inquiries are forwarded to NCIC as BHN.

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Inquiries into boat parts should contain the BRA and CAT codes in addition to the SER or OAN in order to avoid multiple matches.

d. Inquiry Response From ABS

If no matches are made on your ABS inquiry, you will receive a negative response. If your inquiry has been forwarded to NCIC, the response will say so and you should receive an NCIC response shortly thereafter.

When your inquiry matches an ABS record or nearly matches an ABS record, a positive response is returned to your terminal. Up to eight possible matching records may be returned.

When there is no exact match, a Near Miss response may be provided on BHN, ENG, SER, or OAN boat or boat part inquiries. When you receive a Near Miss response, make FCN inquiries on the Near Miss records to verify the subject of inquiry. No action should be taken on the basis of a Near Miss response. The chances are high that the Near Miss records are not about the same boat or part on which you based your inquiry.

You may receive vehicle or vehicle part records in response to an ENG or SER inquiry.

If the code NOAH (Notify ORI of All Hits) is in the miscellaneous field (MIS) of a record, contact the ORI of the record and furnish details concerning the inquiry.

Positive matches may include Caution Codes, which have been entered to indicate special handling of the boat or its occupants. Caution Codes include Armed and Dangerous, Hold for Latent Prints, and others.

7. AUTOMATED PROPERTY SYSTEM (APS) -
(916) 227-3688

The Automated Property System (APS) is a file of records of serialized property stolen, lost,

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found, held for evidence, under observation or
pawned, and bearing either manufacturer's and/or
owner applied numbers.

a. Kinds of Property in APS (Listed by
Code and General Category)

B Bicycle	K Keepsakes and Collectables
C Camera	L Livestock
D Data Processing Equipment (computer components and accessories)	M Musical Instruments
E Equipment/Tools	O Office Equipment Typewriters, Calculators, Telephones, etc.
F Furniture and Furnishings (business or home)	P Personal Accessories
G Games and Gambling Apparatus (includes coin operated arcade games, video games, and pool tables)	R Radio, Sound Devices, and Stereos
H Household Appliances and Related Items	S Sports Equipment and Toys
I Special Documents/ Tickets	T Televisions/Video Equipment
	V Optical Viewing Equipment, Binoculars,
	W Well Drilling Equipment
	Y Other
	Z Stolen Credit Cards*

* - Stolen Credit Cards are CJIS only

b. Automated Property System (APS) Record
Types and Retention Periods

There are various types of property records
in APS. Different types of records have
different retention periods.

<u>Type of Record</u>	<u>Maximum APS Retention</u>
Stolen Credit Card	6 Months
Stolen, Lost, Evidence Property Other than Credit Card	3 Years
Under Observation and Found Property Other than Credit Card	1 Year

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Pawn or Buy Property 6 Months

c. Inquiries into APS

Inquiries into APS may be made using a serial number (SER) or owner applied number (OAN) and either the category (CAT), article (ART), or brand (BRA). Users can also inquire into CJIS by subjects name on serialized and non-serialized pawn/buy transactions. Name searches can be conducted by county or statewide, using city/county codes (ccc). National Crime Information Center (NCIC) will not be searched unless the inquiry contains the SER or OAN, and the CAT and ART.

Super Message Keys, using Name, Sex, and DOB, will access the Wanted Persons, Restraining Order, Automated Property, Automated Firearms System, or combinations thereof.

d. Inquiry Responses From APS

If no matches are made on your APS inquiry, you will receive a negative response. If your inquiry has been forwarded to NCIC, the response will say so and you should receive an NCIC response shortly thereafter.

Hit responses you receive will exactly match the inquiry data fields used. Up to twelve possible matching records may be returned to your terminal.

Some articles may be placed, at the entering agency's discretion, in one category or another. A negative response may require changing the CAT data field and completing another inquiry transaction.

8. AUTOMATED FIREARMS SYSTEM (AFS) -
 (916) 227-3687

The Automated Firearms System (AFS) is a file of records pertaining to the law enforcement status of serialized weapons - stolen, lost, found;

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historical records with names of persons
associated with serialized firearms - licenses
to carry concealed weapons, dealer's record of
sale, pawns, and voluntary registration.

a. Kinds of Weapons in AFS (listed by code
and type)

A Cannon	P Pistol
B Submachine gun	R Rifle
C Rifle/Shotgun	S Shotgun
Combination	T Tear Gas Gun
G Grenade	V Silencer
K Rocket	Z All others - weapons or
M Machine gun	firearms that cannot be
O Mortar	described in the above
	types, i.e., taser.

b. Automated Firearms System (AFS) Record
Types and Retention Periods

Law Enforcement
Records

Stolen
Evidence
Found
Institutional
Registration
Lost
Under Observation
Retain for Official Use
Destroyed

Historical Records

Buy
Consignment
Dealer's Record of
Sale (DROS)
Serial Number Assigned
Serial Number Restored
License to Carry
Concealed Weapon
Pawn
Voluntary Registration
Sold at Auction
Assault Weapon Registration

The following record types have a three-year
retention period:

Evidence
Under Observation
CCW License
Pawn
Buy or Trade
Consignment
Sold at Auction

The following record types are kept on-line
indefinitely, or until canceled by the
entering agency*:

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Found*
Lost*
Stolen*
Institutional Registration
Retained for Official Use
Destroyed
Serial Number Assigned
Serial Number Restored
Assault Weapon Registration
Voluntary Registration
Dealer's Record of Sale (DROS)

c. Inquiries into AFS

Inquiries into AFS may be made using the subject's name or the weapon serial number. A sound-alike system is used for name inquiries, and only the Historical segment of AFS files will be searched. Name only inquiries will not be forwarded to NCIC.

Serial Number (SER) only inquiries can access the Law Enforcement segment of AFS, or both the Law Enforcement and Historical segments. Only SER inquiries are forwarded to NCIC.

Super Message Keys, using Name, Sex, and DOB, will access the Wanted Persons, Restraining Order, Automated Property, Automated Firearms Systems, or combinations thereof.

d. Inquiry Response From AFS

If no matches are made on your AFS inquiry, you will receive a negative response. If your inquiry has been forwarded to NCIC, the response will say so, and you should receive an NCIC response shortly thereafter.

The Automated Firearms System (AFS) will respond with up to 12 matching records. Care should be taken when reviewing a response to ensure that the category of the file is understood, i.e., stolen record as opposed to a DROS (Dealer Record of Sale) record.

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9. MENTAL HEALTH FIREARMS PROHIBITION SYSTEM
(MHFPS) (916) 227-3703

The Mental Health Firearms Prohibition System is an inquiry-only data base available via CLETS. The data base contains mental health firearms eligibility information on persons prohibited from owning or possessing firearms. These prohibitions may have resulted from the following:

- . voluntary or involuntary commitment to a mental health facility;
- . report from the person's attending psychotherapist that the individual has made a serious threat of physical violence against a reasonably identifiable victim(s); or
- . superior court judgement concerning mental competency.

Agencies currently authorized to receive criminal history information may access MHFPS via CLETS only when conducting a criminal investigation which involves the acquisition, carrying, or possession of firearms (e.g., to determine a subject's eligibility to control, possess, or receive firearms prior to releasing a confiscated weapon).

Access and use of mental health information in MHFPS is restricted by Welfare and Institutions Code Section 8100 through 8105. As with all CJIS data bases, routine audits will be conducted by DOJ to ensure that the MHFPS data base is being used properly as authorized by law.

a. Inquiries into MHFPS

Inquiries into MHFPS may be made by using the subject's name (NAM), and data of birth (DOB) or age (AGE). The inquiry will determine if a subject may have a record on file in the MHFPS data base. A response will provide a listing of possible matches along with the subject's MHFPS record number. The route (RTE) field is mandatory but the race (RAC) and height (HGT) are optional data elements.

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The Record Number inquiry may be used to directly access a MHFPS record. Usually this inquiry will be initiated subsequent to performing a name inquiry.

A number inquiry may be used to search MHFPS files for a possible hit on a record using an individual's social security (SOC) number, California driver's license or identification (CDE or IDN) number, or Federal Bureau of Investigation (FBI) number.

b. Inquiry response from MHFPS

The specific mental health firearms prohibition will NOT be reflected in the response your agency receives. The response will provide only the person's name, personal description, available identifying numbers such as a driver's license, social security, DMV issued California identification number, military identification or other miscellaneous numbers. It will also include a message that the person may be subject to a mental health firearms prohibition pursuant to 8100/8103 WIC. If an agency needs to specific reason a person is prohibited, this information may be obtained from the Department of Justice.

A NO hit response will read:

"Re: _____ / _____ NO HIT FIREARMS
(subject's name) PROHIBITION FILES".

For further information on CJIS files, consult your CJIS Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies of the CJIS manual.

10. CRIMINAL HISTORY SYSTEM (CHS) -
(916) 227-3849

The DOJ Criminal History System is comprised of the Master Name Index, Automated Criminal History System, and the Manual Criminal History System. Criminal history information is provided to criminal justice agencies on a right-to-know and a need-to-know basis for their official duties.

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Terminals are not authorized to access automated California Criminal Offender Record Information (CORI) through CLETS for licensing, certification or employment purposes, including pre-employment background investigations for sworn peace officers and/or law enforcement employees as specified in 830 P.C. et al; or remotely accessing a record for review and/or challenge by the subject of the record. Most non-criminal record checks require the submission of a fingerprint card.

In addition, Section 11142 of the California Penal Code states, "Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person who is not authorized by law to receive the record or information is guilty of a misdemeanor."

Information in the criminal history files is based on the fingerprint card provided by the arresting or booking agency. There will be no record of an arrest if the fingerprint card is not sent to DOJ.

As a general criteria, records of misdemeanor arrests with or without a conviction and felony arrests without a conviction are retained by DOJ for 10 years from the date of arrest. Records of felony convictions and Misdemeanor Priors (a misdemeanor conviction where a prior conviction constitutes a felony) are retained until the subject is 70 years old. Records of subjects convicted of registrable sex offenses per Section 290 of the California Penal Code are retained until age 100. All entries on the rap sheet must meet the purge criteria before the record can be destroyed.

a. MASTER NAME INDEX (MNI)

The Master Name Index (MNI) is an automated on-line file that contains the personal descriptor records for all subjects on file in the Department of Justice's criminal history files.

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(1) Inquiries into MNI

Inquiries into MNI may be made using the subject's name (NAM), Sex (SEX), and, Date of Birth (DOB) or AGE (AGE), CII Number (CII), FBI Number (FBI), Social Security Number (SOC), Operator's License Number (OLN), or California Department of Corrections or Youth Authority Institution's Number (INN).

The routing data field is required when you access this system. Requestor's name, unit or division, and case number or official purpose should be entered in this field. This information is stored on a security tape and is available for audit purposes.

An alpha inquiry (non-numeric identifiers) will cause the last name to be searched by the sound-alike system (Soundex), and the first name to be searched using the diminutive tables (GREG, GREGG, GREGORY). Initials for the first and middle names should be used when the initial inquiry is unsuccessful or if the spelling of the name is questionable.

When possible, an X for the sex code should be used in place of M (Male) or F (Female). The MNI computer will then search both sides of the file.

(2) Inquiry responses from MNI

MNI will return up to 12 possible matches in response to an Alpha (NAM) inquiry.

Each possible match will be identified with a CII number, name, and physical descriptors (sex, race, height, hair and eye color). The CII numbers preceded by an "A" identify automated records. The CII numbers preceded by

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an "M" with a less than 90 million CII number are manual records. The CII numbers preceded by an "M" with a greater than 90 million CII number are Single Applicant Only records.

During a DOB search, the MNI computer searches plus or minus three years from the DOB. This results in a six-year search of the DOB field. For AGE the search is current year plus or minus three years, for a seven-year range.

Numeric inquiries will receive up to 12 exact matches in the response. The response will contain the numeric identifier used in the inquiry, and the personal data record (PDR) for each subject whose record contains the numeric identifiers searched.

The PDR consists of the subject's physical descriptors, aliases, monikers (MON) miscellaneous numbers (MNU) (DOB, FBI, INN, SOC, etc.), scars, marks, and tattoos (SMT), miscellaneous descriptors (MIS) (missing body parts, etc.), occupation (OCC), and the subject's Parole and Registration summaries.

b. AUTOMATED CRIMINAL HISTORY SYSTEM
(ACHS)

The Automated Criminal History System (ACHS) is a centralized automated system designed to provide authorized criminal justice agencies with criminal history record (rapsheet) information. When a response from the MNI identifies a subject's CII number preceded with an "A", there are three types of automated records available: Last Cycle, On-line Transcript, and Mailed Transcript. All three responses contain the subject's Personal Data Record (PDR), probation and parole flags, registration data, and various elements of the criminal record. The CII number is the only data element allowed for an automated record inquiry.

(1) Last Cycle Response

As the name implies, the response contains the last or latest available criminal arrest cycle. This allows an agency to determine the subject's most recent involvement with the criminal justice community.

(2) On-line Transcript Response

The on-line rapsheet contains the subject's complete and entire reported activity throughout the state of California.

(3) Mailed Transcript Response

This response contains the same information as the On-Line Transcript, but is mailed to the authorized agency. The request is made from the agency's CLETS terminal using the agency's "CHS Requestor Code," and a copy of the automated transcript is mailed usually within 24 hours.

c. MANUAL CRIMINAL HISTORY SYSTEM -
(916) 227-3244

The Manual Criminal History System is comprised of criminal and applicant files that have not been automated. These files can be obtained through the Department of Justice's Command Center by telephone, teletype, or mail. Manual records are identified with an "M" preceding the CII number.

(1) Telephone Inquiry

A telephone request for a manual record should be limited to agencies that do not have a CLETS terminal and/or for urgent situations. The purpose, subject's CII number, name, sex, date of birth, physical descriptors, and all available miscellaneous numbers will be requested by the Command Center's Criminal Identification Specialist.

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The Specialist will call back in approximately 20 minutes for "extremely urgent" requests, and approximately two hours for less urgent "immediate response" requests. The Specialist will have the entire record available to answer all questions.

(2) Teletype Inquiry - MNE is "DOJ"

Requests for records which do not require an immediate response by telephone can be made via your CLETS terminal. ~~Request only one subject per teletype.~~ The response will usually be returned within six hours of receipt of the teletype request. Use the Administrative Message format with the mnemonic DOJ as the addressee. The request must include the subject's CII number, name, sex, date of birth, and purpose. The purpose of the request should identify the type of criminal investigation being conducted (arson, burglary, drug, etc.). Always include the requestor's name and case number if available.

If there are more than six arrests on the criminal record, the agency will receive a summary record of any felony convictions or arrests similar to the indicated investigation and the last arrest on record. In addition, a complete transcript will be sent in the mail. The requestor's name, agency, address, and telephone number must end the teletype request.

(3) Mail Inquiry

All requests for record checks of a routine nature should be sent by mail to:

Department of Justice
Command Center
P. O. Box 903417
Sacramento, CA 94203-4170

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The subject's CII number, name, sex, date of birth and purpose, plus the requestors full name and address should be included. The average response time is 15 working days.

For further information on access to criminal history records, consult the Criminal History Inquiry Manual, or for interpreting responses from the criminal history system, consult the Criminal History Users Guide. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies.

11. NON-AUTOMATED DOJ FILES

a. SEX AND ARSON REGISTRATION FILE -
(916) 227-3288

The Sex and Arson Registration Program maintains a statewide file on convicted persons required to register as sex offenders pursuant to Penal Code Section 290, and convicted arsonists pursuant to Penal Code Section 457.1.

(1) Information in the file:

- (a) Names and physical characteristics of offenders, including blood grouping and saliva information for sex offenders, prior to being released from a prison, jail or state hospital, or upon being released on probation.
- (b) Types of offenses associated with the offender in regard to the registration requirement.
- (c) Offender's registration history, including last registered date and address.

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(2) Services available upon request:

Requests for the following may be
directed to DOJ by telephone, teletype,
in person, or in writing.

- (a) Listings of registrants
residing in specific
geographic areas for
updating of registration
information.
- (b) Assistance in providing
statistical data from
registration information for
training, reporting,
legislative, etc., purposes.

b. CHILD ABUSE CENTRAL INDEX -
(916) 227-3285

The Child Abuse Central Index (CACI) is a
statewide file of known and suspected child
abuse cases reported to the Department of
Justice by investigating child protective
agencies (law enforcement, welfare, and
probation agencies).

(1) Information contained in CACI:

- (a) Reports of suspected
incidents of child abuse
involving physical, sexual
and mental abuse, and severe
neglect.
- (b) Incident subject and case
information to include
suspect(s) and victim(s)
names, personal descriptors,
and types of abuse
investigated.
- (c) Agency names and file
numbers to direct
investigators to the
investigating child
protective agency which
maintains complete case
files on the incidents.

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(2) Services available from the DOJ
Child Abuse Unit:

- (a) Checking of all authorized inquiries submitted by investigators against CACI.
- (b) Acceptance of investigator inquiries by telephone, teletype or mail.
- (c) Assistance in clarifying the process for reporting child abuse to DOJ.
- (d) Training on DOJ child abuse reporting requirements and services.

c. STATEWIDE SEXUAL HABITUAL OFFENDER
PROGRAM (916) 227-4199

The Sexual Habitual Offender Program (SHOP) analyzes and provides law enforcement and prosecuting agencies information on sexual assaults, sexually related homicides, and suspects, including MO information, to assist in identifying, apprehending, and prosecuting sexual habitual offenders (SHOs). The program combines the efforts of state and local criminal justice agencies investigating sexual assault crimes to determine the impact of focused law enforcement on the number of sex crimes committed, number of arrests and convictions for sex offenses, and the length of sentence given to repeat sex offenders who reoffend.

The program also refers information on individuals identified as SHOs to the CAL-DNA Laboratory for analysis and entry into a statewide DNA data base. Upon an agency's request, SHOP submits selected unsolved sexual assault cases to the CAL-DNA Laboratory to identify serial activity and suspect(s).

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(1) Responsibility of participating agency:

- (a) Department of Justice - Identify the most habitual and compulsive sex offenders as SHOs using legislative criteria and criminal history information, search program files, including the SHOP MO System to identify possible suspects for local agencies in unsolved sexual assault cases, create comprehensive files and summary profiles, prepare bulletins, disseminate information to local law enforcement agencies, and train local law enforcement agencies relative to SHOP processes and procedures.
- (b) Law Enforcement Agencies - Designate a SHOP Coordinator with knowledge of sexual assault investigations who will act as a liaison between DOJ and the agency, send DOJ information on SHOP Report Forms regarding SHOs they determine to be most at risk to reoffend, periodically verify the residence of each SHO residing within that agency's jurisdiction, notify DOJ and the District Attorney when a known SHO is arrested, and send completed SHOP Report Forms to DOJ of all data maintained on a SHO.
- (c) District Attorneys - Identify SHOP prosecutor, coordinate communication between DOJ and law enforcement agencies, and prosecute all SHOs to the fullest extent of the law.
- (d) Department of Motor Vehicles - Provide DOJ access to DMV information (i.e., drivers license file and vehicle history information) for flagging SHOs' or other serious offenders at high risk to reoffend.

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- (e) California Department of Corrections - Provide DOJ with records and updates of each SHO, and provide a listing of sex offenders to be paroled within 6 months of their release date.

d. COMMAND CENTER (916) 227-3244

The Command Center is a unit which provides criminal record information to law enforcement and criminal justice agencies 24 hours a day, 7 days a week. The Command Center also provides information and assistance with all DOJ programs during off hours and weekends.

For further information on services provided by the Division of Law Enforcement, refer to the DLE Directory of Services. Contact Law Enforcement Liaison Section at (916) 227-3755 for copies of the DLE Directory of Services.

E. DEPARTMENT OF MOTOR VEHICLES (DMV)

ACCESS TO DMV FILES THROUGH CLETS IS GOVERNED BY THE CLETS OPERATING POLICIES, PRACTICES, AND PROCEDURES. INFORMATION SUPPLIED TO LAW ENFORCEMENT AGENCIES FROM DMV RECORDS IS INTENDED STRICTLY FOR THE PURPOSE OF ENFORCING THE LAW.

CALIFORNIA VEHICLE CODE SECTION 1808.47 STATES, "ANY PERSON WHO HAS ACCESS TO CONFIDENTIAL OR RESTRICTED INFORMATION FROM THE DEPARTMENT (OF MOTOR VEHICLES) SHALL ESTABLISH PROCEDURES TO PROTECT THE CONFIDENTIALITY OF THOSE RECORDS.

DMV maintains automated files for:

- Driver License,
- Vehicle and Vessel Registration,
- Parking Citation Information, and
- Occupational Licensing.

1. DRIVER LICENSE (DL)

The Drivers License (DL) database maintains automated records of all California licensed drivers, unlicensed drivers, and those persons who have been issued a California Identification (ID) Card. Drivers License (DL) and ID records are initially established from information

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extracted from an application. Index (X)
records are established by information forwarded
from law enforcement and courts.

a. The Driver License File:

- (1) Basic record - items such as the driver license number or index number, individual's birthdate, name, AKA's and addresses.
- (2) Status of driving privilege - license issuance information, the year of license expiration, plus information on reapplications and the mailing date of new identification cards; additional information on the special conditions surrounding the license (revocation, cancellation, refusal and restrictions) and identification card information.
- (3) Legal history - description of the major legal actions taken against the driver and reinstatement information.
- (4) Abstract of conviction - violation date, conviction date, statute and section violated, docket number, court, court action, final court disposition, and vehicle license number.
- (5) Description of subject's legal actions - including cases in which subject failed to appear before the court (FTA).
- (6) Records of subject's accidents - dates, locations, vehicle license number, whether cited, accident report number, and financial responsibility case number.
- (7) Endorsements and certificates - type of endorsement or certificate, issue date, expiration date, applications other than original or renewal,

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type of application, issue date,
and office of issue.

- (8) Identifying information - physical
description, known addresses, and
AKA's.

b. Driver License Inquiry:

To obtain information from this system, you must provide the driver license number or the driver name - last name, first name, and optional middle initial. When using the DL or ID number, the number must be entered in an eight position format. If the DL or ID is less than eight characters, enter a zero between the alpha prefix and the first numeric character.

For name inquiries, the last name is matched by the Soundex system, but the first name must be spelled exactly as it appears on the driver license. Include the date of birth (or age), and if no exact match, the computer will search plus or minus three years on DOB, or plus or minus five years on age. The city of residence is helpful in the inquiry, and the first three numerics of the person's street address can be used to narrow the search.

c. Request for copy of photo and
application:

A request for a copy of a person's driver license photo or application should contain the driver license number, name, sex, and date of birth, agency DMV requestor code, and agency name and address. This request can be sent over your CLETS terminal to mnemonic DDL using the Administrative Message format.

2. VEHICLE/VESSEL REGISTRATION (VR)

The Department of Motor Vehicle (DMV) maintains an ongoing record of vehicle and vessel ownership. This file includes all vehicles and vessels registered, or with planned non-operation status. Records initially established from original registrations are updated by

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renewals, changes of address, and transfers. Parking, owner responsibility citations, and delinquent property taxes on vessels can temporarily become part of these records.

a. The Vehicle/Vessel Registration File:

- (1) The license plate number or vessel CF number.
- (2) Description of the vehicle or vessel.
- (3) Name and address of the registered owner, lessee, lessor, and if present, the legal owner.
- (4) The status of the record.
- (5) Owner-as-of-information (prior-pending-current owner information - to determine owner of vehicle "as-of" specified date and time).

b. Vehicle/Vessel Registration Inquiry:

To obtain information from this system, you must provide the vehicle license number, vehicle identification number, hull identification number, or boat registration number. Also allowed is Personal Name (last name, first name) and Company Name (first 35 characters of name).

c. DOJ Stop, Restraint, and Referral:

When a stolen or felony vehicle entry is accepted by the DOJ Stolen Vehicle System, the corresponding DMV Vehicle Registration record is flagged. This is intended to prevent the registration of stolen vehicles. If the SVS stolen vehicle record is entered with a VIN and license number, the DMV record is flagged with a Stop. If the SVS stolen vehicle record is entered only with a VIN, then a Restraint is placed on the DMV record. If the vehicle is a felony vehicle, or a stolen with caution code Armed and Dangerous, the DMV record is flagged with a DOJ Referral. When you encounter one of the above responses, check SVS to determine if

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the vehicle is still an outstanding stolen or felony vehicle. The SVS may have more timely information about the vehicle's status than DMV does. If you encounter a Stop, Restraint, or Referral on a vehicle which you know to be recovered, contact the Stolen Vehicle Unit.

3. PARKING CITATION INFORMATION

The Department of Motor Vehicle (DMV) records and collects fees for parking citations referred to it by California courts and parking agencies. California Vehicle Code (CVC) Sections 40200-40522 governs procedures for enforcement and prosecution of violations. This process requires DMV to refuse registration renewal on a vehicle when an agency or court places an unpaid parking violation "hold" on a vehicle registration record. The "hold" will remain until payment or proof of payment is received. Section 22651(i)CVC allows law enforcement agencies to impound certain vehicles with unpaid parking citations.

a. The Parking Citation File:

- (1) A brief description of the vehicle.
- (2) The registered owner's name and address.
- (3) A listing of parking citations applied to the vehicle. A maximum of 75 citations for each vehicle record will be furnished.

b. Parking Citation Inquiry:

Inquiries may be made using the vehicle license number.

4. OCCUPATIONAL LICENSING

The Department of Motor Vehicle (DMV) has the responsibility of maintaining a complete record of every person or business who holds an occupational license (OL). Occupational License (OL) record information is established from application forms.

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a. The Occupational Licensing File:

- (1) Firm File - Contains the organizations licensed by the department to do certain types of business in California. These files contain the firm license records filed by a unique number assignment. A firm may be a Dealer, Remanufacturer, Driving School, Vessel Agent, Lessor, Retailer, Distributor, Dismantler, Transporter, Manufacturer, Registration Services or All Terrain Vehicle (ATV) Safety Training Organization.
- (2) Individual File - Contains the names of people licensed by the department either as separate entities or connected with the organizations stored in the Firm File. These files hold the individual license records filed by a unique number assignment or by the individual's name. An individual may be a Driving Instructor, Driving Operator, Vehicle Verifier, Representative, Salesperson or ATV Safety Instructor.

b. Occupational Licensing Inquiry:

Inquiries may be made using the Firm or Individual Record Identifier number (if less than 8 characters space fill through the eighth position), or the Firm or Individual name (up to 30 characters).

For further information on DMV records, consult the DMV Manual for CLETS. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies.

F. NATIONAL LAW ENFORCEMENT TELECOMMUNICATIONS
SYSTEM(NLETS)

The National Law Enforcement Telecommunications System (NLETS) is a computer message switching system, similar to CLETS, linking all states, Puerto Rico, District of Columbia, and several federal law enforcement agencies together for the purpose of exchanging information.

Using NLETS, access to the following is available:

- Administrative Messages
- ORION ORI File
- Vehicle Boat/Snowmobile Registration
- Driver's License
- Criminal History
- Help Files
- Fixed Format Hit Confirmation Transactions
- Canadian Interface
- INTERPOL
- Hazardous Material File
- Aircraft Tracking System
- Aircraft Registration System
- National Center for Missing and Exploited Children
- National Insurance Crime Bureau

1. ADMINISTRATIVE MESSAGES

An agency may transmit administrative messages (free text) to agencies located in another state. Regional Broadcasts or All Points Broadcast (APB) messages are also available. These messages may be sent to one or up to five agencies/addressees simultaneously. Address the message to a 9-character ORI, 2-character state code, 2-character Regional code or a combination thereof.

NLETS Message Policy

- a. The use of non-standard abbreviations must be avoided. Abbreviations and code sections commonly used within one department or state may be confusing or unknown to another department or state.
- b. No social announcements (i.e., holiday messages or retirements).

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- c. No recruiting of personnel.
- d. No attempts to locate vehicles or property without a warrant.
- e. No transmission of subpoenas.
- f. No curiosity inquiries.
- g. No excessively long messages.
- h. No messages supporting/opposing political, labor, or legislative issues.
- i. No messages relating to requests for information concerning salary, uniforms, personnel that can be routinely obtained other than through NLETS.
- j. No messages relating to the advertisement or sale of equipment.
- k. No messages regarding wanted subjects or vehicles if they can be entered into NCIC.
- l. In regards to APB's, no messages regarding seminars, training classes or convention announcements, runaways or missing persons.

2. ORION ORI FILE

ORION is an on-line originating agency identifier (ORI) file developed by NLETS. The file provides responses for an inquiry by location of agency or ORI. The file also includes information on federal agencies located in the United States as well as federal agencies with offices in foreign countries that can receive messages via NLETS.

Information in the file includes the following: ORI, agency name, agency address, city, zip, phone number, alternate phone number, hours of service, if user is authorized to receive criminal history information via NLETS, FAX phone number, alternate FAX phone number, and remarks up to 160 characters.

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Only the California Department of Justice can
make corrections to the ORION ORI file.

3. VEHICLE REGISTRATION

To obtain information from out-of-state agencies on vehicles, boats, or snowmobiles, you must provide the vehicle license number, year of expiration, state of issuance, and type of license (passenger, commercial, etc.). The VIN number, engine number, or owner applied number may also be used if no license number is available. Up to five states may be accessed on one message, or, if the VIN is used, up to five regions may be accessed using the Regional Broadcast Codes.

4. DRIVER'S LICENSE

To obtain information from out-of-state agencies inquire with the driver's license number, or name, sex, and date of birth or age. Regional inquiries can be accomplished using the driver's name and date of birth.

5. CRIMINAL HISTORY

The NLETS Criminal History Record Information formats can be used to retrieve criminal history records that are not presently available through NCIC's Interstate Identification Index (III). It should never be used as a substitute for the Triple I system, but rather as a secondary inquiry after: a) one has inquired on the Triple I system and received a no record; or, b) one has received a record from Triple I yet feels that there may be more record information in a specific states file.

Criminal record inquiries to out-of-state agencies can be sent using the subject's last name, first name, middle name or initial, sex, date of birth, and miscellaneous numbers (FBI, Social Security, State Identification Number). When race is included, use the NCIC race codes:

- A - Asian or Pacific Islander
- B - Black
- I - American Indian or Alaskan Native
- U - Unknown
- W - White

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Name inquiries may be sent to up to five addressees using the two-character state codes.

6. HELP FILES

The NLETS has installed HELP files within the NLETS system. If you are having difficulty interpreting information received from state data files such as vehicle registration, driver's license or criminal history, an inquiry to the Help file may resolve your difficulty. The response will be a computerized message.

7. FIXED FORMAT HIT CONFIRMATION TRANSACTIONS

NCIC hit confirmation policy states:

"When an agency receives a positive response from NCIC and an individual is being detained, or a piece of property may be seized, an immediate confirmation with the agency that originated the record in the system is necessary. This ensures the validity of the hit before an arrest or seizure is made. Likewise, the originating agency has the duty to promptly respond with the necessary confirmation and other pertinent details." (NCIC Operating Manual, Introduction, Section 1.7, System Discipline.)

"An originating agency must within ten minutes furnish to an agency requesting a record confirmation, a response indicating a positive or negative confirmation or a notice of the specific amount of time necessary to confirm or reject." (NCIC Operating Manual, Introduction, Section 4, item III(A), Ten-Minute Hit Confirmation Policy.)

To standardize the hit confirmation transaction, the use of fixed formats are mandatory for both NLETS and CLETS; however, only applicable data fields must be completed.

8. CANADIAN INTERFACE

To improve communications with Canada a computer interface has been established between the INTERPOL offices in Canada and the United States. Through this interface a variety of information is available on a semi-automated

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basis. Canadian information is provided from a number of sources. The Canadian Police Information Centre (CPIC), a system somewhat similar to FBI/NCIC, provides hot file and vehicle registration and driver license information for several provinces and the two territories that do not maintain their own files. Those provinces that maintain their own files provide their vehicle registration and driver license information directly.

The Canadian Police Information Centre has both confidentiality and dissemination policies regarding the use of the information they provide. The Canadian Police Information Centre requires that the states restrict access to criminal justice agencies for criminal justice purposes. Per Canadian policy, under no circumstance shall any data be released outside the criminal justice system without specific written approval of the CPIC Advisory Committee.

The Canadian Police Information Centre can be accessed via 2 character province/territory codes, or 9 character Canadian agency codes. The 9 character code has similar features to an NCIC ORI number. The 9 character codes are listed only in the NLETS ORION ORI File.

<u>PROVINCE</u>	<u>CODE</u>
Alberta	AT
British Columbia	BC
Manitoba	MB
New Brunswick	NK
Newfoundland	NF
Nova Scotia	NS
Ontario	ON
Prince Edward Island	PE
Quebec	PQ
Saskatchewan	SN

<u>TERRITORIES</u>	
Northwest Territories	NT
Yukon Territories	YT

Files available are:

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a. Administrative Messages

Send to a single addressee only using 9 character code, or for a country-wide broadcast, send to CN. Canada cannot broadcast messages to individual provinces; therefore, do not send AM messages to two character province or territory codes.

Note: Every fixed format hot file inquiry directed to Canada must have a Reason Code (narcotics, fraud, violent crime, traffic violation, theft, or humanitarian) and a Person/Property in Site (yes or no) code.

Also, some records (person and vehicle) require manual intervention by INTERPOL/Canada for the purpose of confirming the hit. There may be a delay because of this mandatory hit confirmation process. If the delay is lengthy, an advisory message will be sent. All other files not manually intervened on require the user to contact the Canadian agency of record for confirmation purposes.

b. Persons File

Note: Take no official action on any response from the Canadian Person File without obtaining specific instructions from INTERPOL/Washington, D.C.

- (1) Wanted - A person who is arrestable and/or for whom a warrant has been issued.
- (2) Charged - A person against whom legal proceedings have commenced, who is awaiting final disposition.
- (3) Prohibited - An Order of Prohibition is in effect with regard to liquor, firearms, vehicle driving and boat operation, hunting or any other court or statute-imposed prohibition.

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- (4) Parolee - A person released on parole, mandatory supervision, or temporary absence over 24 hours from a federal penitentiary.
- (5) Probation - A person on probation, given a suspended sentence, placed on OR, or a young offender in "open custody".
- (6) Refused - Used to record data on a person who has been refused the issuance of a Firearm Acquisition Certificate or a Firearm Registration Certificate.
- (7) Observation - Used to record data on a person who is suspected of committing criminal offenses and sufficient information is not available to prosecute, or known to be dangerous to him/herself or to others, or involved in a serious criminal investigation, and confidential information as to his or her whereabouts is required.

Note: Take no action based on this information and do not divulge the existence of this information to any non-criminal justice personnel.

- (8) Missing - A person reported missing, or who has been admitted/committed to a mental institution or hospital psychiatric ward and who has left without permission or formal discharge.

c. Vehicle File

- (1) Stolen - A vehicle stolen, or taken from its rightful owner.
- (2) Crime - Known to be connected to the commission of a crime.

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- (3) Abandoned - Obtained through abandonment, seizure or impounding by other means.
- (4) Pointer - A vehicle record which points to a prime record in the system, such as a wanted person record for the possible driver of this vehicle.
- (5) Observation - A vehicle connected with criminal activities and may or may not be related to a specific individual.

d. Vehicle Registration File

This inquiry will result in a check of the province/territory registration file and CPIC's vehicle file. Direct a vehicle registration inquiry to the appropriate province/territory code using the license plate or VIN.

e. Driver License File

Include subjects name, DOB, sex, operator's license number, reason and if person/property is in sight. This inquiry will result in a check of both the driver license file in the province/territory and the Person file. Canada does not provide a search of driver license files by NAM/DOB only.

f. Article File

All inquiries require the serial number and Article Type codes. Records for stolen, lost or missing, recovered, found or seized, and pawned or loaned are available.

g. Boat File

A single inquiry will access the stolen Boat File and will also generate an administrative request for registration information. Inquire with the boat license,

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boat hull number (BHN), registration number, owner applied number, or serial number. Records for stolen, abandoned and missing are available.

h. Gun File

Each inquiry will access both the stolen Gun File as well as the Canadian gun registration file. Inquire with the Gun Type Code and serial number. Records for stolen, lost or missing, recovered, and pawned or loaned are available.

i. Securities File

Inquire with the serial number, name of issuer, name of the corporation or individual registered as owner, and the type of security. Records for stolen, lost or missing, pawned or loaned, counterfeit, fraudulent and recovered securities are available.

j. Criminal History File

Access to Canadian criminal records is handled exactly as accessing a state criminal record through NLETS, using the same formats and CN as the two character state code. Up to three possible matching records will be returned initially on a name inquiry, with the capability to receive up to 25 matches with additional inquiries.

Canada has some unique dissemination requirements for records transmitted internationally. Therefore, it is possible to retrieve a valid identity record, request the full record using the identification number provided, and receive a message that states the record contains information that cannot be disseminated outside Canada.

9. INTERPOL

The International Criminal Police Organization (INTERPOL), through the U. S. National Central Bureau, can assist local law enforcement during

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a criminal investigation involving any of the INTERPOL member countries. Investigations may be of the following types:

- Criminal history check
- License plate/driver's license check
- Locating of suspects/fugitives/witnesses
- APB's to any or all member countries
- International Wanted Circular
- Trace weapons/motor vehicles abroad
- Full investigation leading to arrest and extradition

Initial inquiries into INTERPOL should be made via the state liaison at the California Department of Justice, Bureau of Investigation. This will keep the turn around time of requests going abroad to a minimum. To contact INTERPOL through the state liaison, send a teletype to terminal CIB, call the representative at (916) 227-4181, or send a Facsimile message to (916) 227-4097; or mail to:

Department of Justice
Bureau of Investigation
Attn: INTERPOL Liaison
P. O. Box 163029
Sacramento, CA 95816-3029

All requests directly to INTERPOL for assistance must identify the specific type of criminal investigation/offense, and the relationship of the subject to the investigation. INTERPOL can be contacted by using the NLETS Administrative Message format to the ORI of DCINTER00, or telephone (202) 272-8383.

10. HAZARDOUS MATERIAL FILE

An agency may request on-line information on hazardous materials through NLETS. The inquiry will be made on the four-digit, internationally recognized code called a "UN number." This number, normally found on a placard on the vehicle, will relate directly to the hazardous material therein. The response will indicate a variety of information including:

- chemical name
- personal safety precautions
- general handling procedures

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- disposal methods
- degree of hazard to public health
- availability of countermeasure materials

Every response will direct the user to contact CHEMTREC at 1-800-424-9300 if this is an actual emergency. CHEMTREC not only can provide one on one contact, but may also have additional and/or more detailed information on the chemical in question.

11. FAA/TECS AIRCRAFT TRACKING SYSTEM (ACTS)

The Aircraft Tracking System provides NLETS users with the capability of accessing information on the movement and location of private aircraft. In order to be accomplished, the ACTS integrates Visual Flight Rules (VFR) flight plan data from FAA Flight Service Stations (FSS) and Instrument Flight Rules (IFR) flight plan data from FAA Air Route Traffic Control Centers with aircraft arrival, departure and sighting data from Customs Inspectors, Control Officers, and other federal, state, and local law enforcement agencies (via NLETS).

Agencies may query the ACTS by inquiring on:

- Registration number (with a date as an optional delimiter), or
- Data range (with aircraft type and/or ORI as optional delimiter).

Should the aircraft be the subject of a Treasury Enforcement Communication System (TECS) record, a hit notification message will be sent to those officers having an interest in the suspect aircraft.

12. FAA/TECS AIRCRAFT REGISTRATION SYSTEM (ACRS)

Agencies may request an aircraft registration by sending an inquiry message through NLETS. The Aircraft Registration System (ACRS) provides information about commercial and private aircraft registered with FAA. A single two-character address "FA" is used for all inquiries. Information may be requested by three different identifiers:

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- Registration number (Tail #),
- Serial number (or VIN), or
- Name of Registrant.

Should the aircraft be the subject of a TECS record, a hit notification message will be sent to those officers on TECS who have an interest in the suspect aircraft.

Unlike registration number, both Name and Serial Number queries may generate hit lists of up to 50 matches. Person names are queried Last, First, Middle Initial; while business names are queried with spaces between each name. All name queries are soundexed with the exact matches being at the top of the hit list on multiple hits. Upon receipt of the hit list of abbreviated information on each aircraft, the user must enter another query using the registration number which is displayed on each hit list entry.

13. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC)

The National Center for Missing and Exploited Children serves as a clearinghouse of information, provides technical assistance to law enforcement and parents, and offers training programs to the law enforcement community.

For technical assistance or additional information, law enforcement officers may contact:

National Center for Missing and Exploited
Children
2101 Wilson Blvd., Suite 550
Arlington, VA 22202
Phone: 703/235-3900
FAX: 703/235-4069
ORI: VA007019W

In addition, the National Center maintains a toll-free telephone line to those who have information that could lead to the location or recovery of a missing child. That number is 1-800-843-5678.

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14. NATIONAL INSURANCE CRIME BUREAU (NICB)

The National Insurance Crime Bureau, formerly the National Automobile Theft Bureau (NATB), is an organization assisting law enforcement in the prevention, detection and prosecution of the financial crimes of theft, fraud and arson as they relate to vehicles.

The National Insurance Crime Bureau (NICB) maintains an international index including manufacturer's shipping and assembly, vehicles imported and exported, thefts, impounds and salvage. To track a motor vehicle's complete life cycle from assembly to dismantling, the database is designed to include vehicle liability, physical damage, and related homeowner claims. The NICB files include data on passenger vehicles, multipurpose vehicles, trucks, trailers, motorcycles, snowmobiles, construction and farm equipment, boats, and uniquely identifiable parts.

The NICB provides automated access to five different files:

- Manufacturer's Shipping File
- Impound File
- Export File
- Salvage File
- International Index File

Any law enforcement agency may request data from NICB. For more information contact:

National Insurance Crime Bureau
2025 East Financial Way, Suite 107
Glendora, CA 91740
Phone: 818/335-9499
FAX: 818/914-7939

For further information on NLETS files, consult the CLETS Operating Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies.

G. NATIONAL CRIME INFORMATION CENTER (NCIC)

The National Crime Information Center (NCIC) is a nationwide computerized information system under the auspices of the FBI, established as a service to all criminal justice agencies.

Agencies granted access to NCIC files may retrieve information from the following:

- Wanted Person File
- Missing Person File
- Unidentified Person File
- Vehicle File
- License Plate File
- Boat File
- Article File
- Gun File
- Securities File
- Interstate Identification Index
- Foreign Fugitive File
- U.S. Secret Service Protective File
- Violent Felon File
- ORI File
- Off-Line Search

1. WANTED PERSON FILE

This file contains information about persons with outstanding felony, federal, or serious misdemeanor warrants. Inquiries can be made by name and one or more than one of the following: complete date of birth, FBI number, miscellaneous number, Social Security number, and operator's license number. Inquiries can also be made by using the CJIS Wanted Persons System.

2. MISSING PERSON FILE

The Missing Person File is a locator-type file that is used by state and local criminal justice agencies to assist in the location of missing juveniles, persons of any age missing and under physical/mental disability or who are senile, persons missing under circumstances indicating that their physical safety may be in danger or their disappearance may not have been voluntary.

An inquiry of the NCIC Missing Person file may be made by name and any or all of the following: date of birth, FBI number, miscellaneous number, Social Security number, or operator's license number. If only the name and date of birth are used, sex and race should be included to minimize multiple hits. Inquiries into this file can also be made using the CJIS Missing/Unidentified or Wanted Persons System.

3. UNIDENTIFIED PERSON FILE

The intent of this file is to assist investigators in the identification of unidentified found bodies, parts, and of unidentified living persons, such as amnesia victim, infant, etc. The type of descriptive data that are included in an unidentified person record are not unique or uncommon and include blood type, estimated year of birth, approximate height and weight, jewelry worn by the deceased, and dental characteristics.

An inquiry of the NCIC Unidentified Persons File may be made using age, sex, race, height, weight, and eye and hair color, or the Body Parts Status Field only, or the Originating Agency Case Number (OCA), or the NCIC (NIC) file control number. Inquiries into this file can also be made using the CJIS Missing/Unidentified Persons System.

4. VEHICLE FILE

For NCIC purposes, a vehicle is any motor-driven conveyance designed to carry its operator, including aircraft and trailers. The Vehicle File contains three types of records. The first type of record is for stolen vehicles or for those loaned, rented, or leased vehicles that have not been returned (providing a theft report has been filed).

The second is a record for a felony vehicle which describes a vehicle used in the commission of a felony (e.g., robbery, kidnapping, etc.) and the whereabouts of the vehicle is unknown.

Finally, stolen vehicle part records may be entered in the Vehicle File for the following items: certificate of title; certificate of

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origin; vehicle identification number plate; engine; transmission; backhoe; rear axle; and numerous other major parts.

Inquiries can be made using the vehicle identification number (VIN), license or license and state, and serial/owner applied numbers when interpreted by NCIC as the VIN. Inquiries into this file can also be made by using the CJIS Stolen Vehicle System.

5. LICENSE PLATE FILE

This file is used to store information regarding stolen license plate(s). Inquiries can be made using the license number and license state. Inquiries into this file can also be made by using the CJIS Stolen Vehicle System.

6. BOAT FILE

For NCIC purposes, a boat is a vessel for transport by water, constructed to provide buoyancy by excluding water and shaped to give stability and permit propulsion. The file contains information regarding stolen/embezzled boats which have a registration or document number affixed and/or a permanently attached hull serial number. Information regarding boat trailers and/or boat parts stolen along with the boat are also included in the file.

Inquiries can be made using the registration number or hull serial number, vehicle identification number, license or owner applied number. Inquiries into this file can also be made using the CJIS Automated Boat System.

7. ARTICLE FILE

The Article File is used to store information concerning stolen property not meeting the entry criteria for any of the other NCIC property files. Records entered in the Article File are categorized as: bicycles; camera equipment; data processing equipment; equipment not otherwise categorized (includes measuring devices and tools); furniture and furnishings; games and gambling apparatus; household appliances; identification cards, special documents, food stamps, and tickets; keepsakes

and collectibles; livestock; musical instruments; office equipment; personal accessories (includes badges, credentials, and jewelry); radios, televisions, and sound entertainment devices; sports equipment; viewing equipment; well drilling equipment; and items not listed. An inquiry must include type of article (CAT and ART codes) and serial number/owner applied number. Inquiries into this file can also be done using the CJIS Automated Property System.

8. GUN FILE

For NCIC purposes, a gun is any weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by air, carbon dioxide, or the action of an explosive. Included are antique guns; cannons; machine guns; pistols; rifles; shotguns; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; destructive devices such as grenades, mines, missiles, and rockets; and disguised guns such as knife guns, pen guns, belt buckles, and cane guns. BB guns are excluded and should be entered in the Article File.

Inquiries can be made using the serial number, or serial number and make and/or caliber. This file stores only stolen and recovered guns. Inquiries into this file can also be done by using the CJIS Automated Firearms System.

9. SECURITIES FILE

For NCIC purposes, a security is:

- a. currency (Federal Reserve Notes, Silver Certificates, U.S. Notes, Canadian Notes, etc.);
- b. those documents or certificates which are generally considered to be evidence of debt (Treasury-issued bills, bonds, and notes; municipal and corporate bonds; debentures); or ownership of property (common or preferred stock);
- c. documents which represent subscription rights (stock warrants, stock rights);

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- d. other types traded in securities exchanges in the United States except for commodities futures;
- e. postal and other types of money orders;
- f. traveler's checks;
- g. warehouse receipts;
- h. saving certificates; and
- i. interest coupons on stocks and bonds.

Items which do not meet the criteria for entry in the Securities File are as follows: personal notes; cashier's checks; bank drafts; bank officer's checks; certified checks; personal checks; company checks; U.S. Treasury checks and other types of government checks (state and local); lost or stolen credit cards; gold or silver coins, ingots, and medals; gift certificates; and savings and checking account passbooks.

An inquiry of the NCIC Securities File is made by using the type of security, serial number, and denomination. The issuer should be included for securities other than U.S. Treasury issues and currency. When all of this information is not available, an inquiry may be made by owner, owner and type, owner and Social Security number, or by Social Security number only. There is no matching automated file with the California Department of Justice.

10. INTERSTATE IDENTIFICATION INDEX (III)

The Interstate Identification Index (III) is an automated system which provides for the decentralized storage and interstate exchange of criminal history record information. It functions as part of the NCIC system and presently includes the personal identification data of over 18 million individuals who have been arrested for serious crimes, with nearly 1 million new records added yearly.

The index contains records on persons arrested in the United States with the year of birth of 1956 or later; persons arrested for the first

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time on or after July 1, 1974, regardless of their dates of birth; and some older arrest records that have been entered for a variety of reasons.

Twenty-three states currently participate in III and will provide criminal history information directly from their files. They are:

Alaska	Montana
California	New Jersey
Colorado	New York
Connecticut	North Carolina
Delaware	Ohio
Florida	Oregon
Georgia	Pennsylvania
Idaho	South Carolina
Michigan	Texas
Minnesota	Utah
Missouri	Virginia
	Wyoming

a. III Inquiries

Two basic messages are used for III inquiries. One message is used to determine if an index to a person's criminal history record is in III. This message provides the capability to search the NCIC III using a subject's personal identifiers (name, sex, DOB, race, etc.), State Identification Number (SID), or assigned FBI number. Another message is used to obtain the criminal history record(s) for a subject. When using this message, the subject's FBI number or SID number must be used.

b. III Responses

A name inquiry will provide either a single or multiple III response. Based on the response, the user will determine if the record matches the person who is the subject of the inquiry. The response will include information regarding where the record is maintained (individual state files and/or the FBI) and should be used as a "table of

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contents". Also, this response provides additional identifiers (aka's, dates of birth, etc.) which may not be included on the actual criminal history record received from a particular state.

The response to an inquiry for the actual record from a participating state will be received through NLETS. A record to be received from the FBI will be returned via NCIC.

If the response indicates no identifiable record exists in III, this does not preclude the possible existence of records in local, state, or FBI identification Division files that are not indexed in III. And, some III participating states may have manual records not accessible through III. If there's reason to believe a person may have been involved with that state's law enforcement community, a follow-up inquiry through the NLETS Criminal History Record Inquiry process should be initiated. Requests to the FBI for a manual record search should be sent to ORI DCFBIWAD2 via NLETS.

11. FOREIGN FUGITIVE FILE

The inclusion of foreign fugitive data in the NCIC System provides a warning to U.S. law enforcement officers who might confront the fugitive so that they may use appropriate caution, provides assistance in locating and arresting foreign fugitives, and helps provide for the public safety. Inquiries are not made directly into this file, but positive responses are provided when your message is processed through the NCIC Wanted Persons File.

Foreign Fugitive records (except Canadian Warrants) are maintained by the International Criminal Police Organization (INTERPOL). Upon receipt of a response, the agency making an inquiry on a foreign fugitive will be advised that the fugitive cannot be arrested solely upon the NCIC hit, and to contact the U.S. National Central Bureau/INTERPOL. The USNCB is responsible for confirming that the foreign arrest warrant is still outstanding, determining whether the foreign country will proceed with

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extradition, and notifying other U.S. Justice Department officials to have a U.S. arrest warrant issued.

Canadian Warrants stored in the NCIC computer are maintained by Canada, and any agency receiving a response is advised in a caveat that the fugitive is wanted on a Canadian warrant and no arrest can be executed in the U.S. solely on the basis of the Canadian warrant. The caveat further directs the inquiring agency to contact the Royal Canadian Mounted Police (RCMP) to confirm the hit and to initiate the process of obtaining a U.S. extradition warrant.

If the subject of the Canadian warrant or INTERPOL warrant is not a U.S. citizen, contact the nearest office of the U.S. Immigration and Naturalization Service. Advise the INS of the situation and determine whether INS wishes to investigate the legality of the subject's entry into the United States.

12. U.S. SECRET SERVICE PROTECTIVE FILE

The U.S. Secret Service Protective File is designed to aid the U.S. Secret Service (USSS) in protecting the President and other authorized protectees. It provides investigative leads on: (1) the whereabouts of those individuals who may pose a threat to a protectee; and (2) an individual's criminal activity which may be related to one of the protectees.

An agency making an inquiry into the NCIC Wanted Persons File and receiving a U.S. Secret Service Protective File record is instructed not to arrest or detain the individual based solely on the information furnished in the hit. Further, this data is not to be used for other than criminal justice purposes and should not be disseminated outside of the inquiring agency. The United States Secret Service (USSS) will initiate the process of any further investigation involving the person in question.

13. VIOLENT FELON FILE

The Bureau of Alcohol, Tobacco and Firearms (ATF) Violent Felon File (VFF) contains records on individuals who have three or more previous

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convictions for a violent felony or serious drug offense and are barred by Federal law from possessing a firearm or ammunition. The subject of the record has a minimum of three prior felony convictions for crimes of violence or drug trafficking, has a felony conviction for a violent crime when a firearm or other weapon was used, has a conviction for a crime when the subject injured or killed the victim, and has either been on probation, parole, or released from supervision within the last five years.

An inquiry into the NCIC Wanted Persons File may produce a response from the ATF/VFF with a caveat distinguishing the violent felon record from wanted person records. When receiving an ATF Violent Felon File record on a subject who is in possession of a firearm or ammunition, the law enforcement officer should take the following steps:

- a. Proceed with caution, but do not search, detain, or arrest based solely on the ATF Violent Felon File hit.
- b. Verify that the person is identical to the subject in the record by comparing physical and numerical descriptors.
- c. Immediately contact ATF using the 800 telephone number in the record to confirm the subject's identity and advise that the subject is in possession of a firearm or ammunition. The ATF Communications Center will respond to the inquiring criminal justice agency within ten minutes. ATF will determine whether the circumstances constitute a Federal firearms violation. If appropriate, Federal firearm charges will be filed against the subject in addition to local charges.
- d. If all of the criteria have been met, ATF may request the law enforcement officer to arrest the subject. A local ATF agent will proceed to the location where the subject is detained.

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Hits on the ATF File provide immediate on-line criminal history information in "hot" file format. A caveat at the end of the record emphasizes that access and dissemination is restricted to criminal justice agencies for criminal justice purposes only.

14. ORI

The FBI/NCIC assigns a unique Originating Agency Identifier (ORI) number for every law enforcement or criminal justice agency that is serviced by NCIC. The NCIC ORI file gives users the capability to inquire upon an ORI and receive the agency name, address, and telephone number in the response. This will aid in hit confirmation. ORI data is modifiable by the ORI, if they have terminal update capability.

15. OFF-LINE SEARCH

An off-line search is a special technique to obtain information from the NCIC computer which cannot be obtained with an on-line inquiry. The results may provide an investigator with information to:

- a. Determine if any agency(s) made an inquiry on a particular individual or item of property;
- b. Determine if a record for a person or item of property was previously entered into NCIC and subsequently removed; and
- c. Inquire on a possible Wanted Person with the subject's name only.

NCIC off-line searches use three types of NCIC information:

- a. Active records (also called Hot Files);
- b. Historical data, which includes canceled and expired records; and
- c. Transaction data, from the historical transaction log.

The NCIC staff will assist in determining the feasibility and/or possibility of an off-line

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search being generated. The requests for an off-line search should be directed to the NCIC Training Staff at (202) 324-6242, or an administrative message may be sent using DCFBIWAT8 as the destination ORI. The results of the search will be furnished on a computer printout or, if circumstances require, a magnetic tape.

For further information on NCIC files, consult the NCIC Operating Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies.

H. OREGON LAW ENFORCEMENT DATA SYSTEM (LEDS)

The computer interface with Oregon LEDS allows CLETS users direct inquiry to the Oregon Wanted Persons, Stolen Vehicle, Article, Gun, Vehicle Registration, and Drivers License Files. The direct interface with Oregon provides CLETS users more complete and timely information than is available from inquiries via NCIC or NLETS.

1. WANTED PERSONS FILE

This file contains felony warrant, felony warrant pending, and misdemeanor warrant records. Inquiries may be made using the subject's name, sex, and optional DOB and race. When using the race field, be sure to use the appropriate NCIC race codes.

2. STOLEN VEHICLE FILE

This file contains records on stolen vehicles, parts, and plates; vehicles used in felony; and impounded, repossessed, and missing vehicles. Inquiries may be made using the vehicle license plate number, VIN, or part number.

3. ARTICLE FILE

Inquiries on stolen property can be accomplished using the serial number or owner applied number, and the TYPE field, which consists of the category and article descriptors.

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4. GUN FILE

Inquiries are made using a serial number or owner applied number. The gun file contains records of stolen, lost, pawned, and recovered guns.

5. VEHICLE REGISTRATION FILE

Inquiries may be made using the vehicle license number or VIN, or for boats use the boat hull number. If a boat registration response indicates that a boat is stolen, check the boat for stolen in NCIC and confirm the status with the reporting agency. Direct access to LEDS provides complete registration information.

6. DRIVERS LICENSE FILE

Inquiries may be made using the license number, or DOB and name. If the exact DOB is not known, add the SEX. If a name inquiry results in too many possible matches, also add the SEX to limit the search. A LEDS response will provide complete violation and conviction information not available from NCIC or NLETS.

Oregon criminal history inquiries and administrative messages must be routed through NLETS. Oregon is a participant in the NCIC Interstate Identification Index for automated criminal history records.

For further information on LEDS files, consult the CLETS Operating Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies.

I. LAWS, POLICIES, RAMIFICATIONS

1. INTRODUCTION

a. The use of any CLETS provided information for other than official business may be a violation of Penal Code Sections 182.1, 502, 11140-11143, 13301-13304, and California Vehicle Code 1808.47.

The use of CLETS for other than official law enforcement purposes may result with the employing agency

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seeking dismissal and/or prosecution of
the employee.

- b. A computer match on a person or property is not probable cause for arrest or confiscation in and of itself. "CONFIRMATION" is necessary.

Since source reports for automated file records are maintained at the contributing agency, it is essential that all automated file "hits" which match the person or property in an inquiry be confirmed with the record contributor prior to an arrest or confiscation under normal circumstances.

(1) Definition of confirmation

Confirmation means checking with the originating agency and determining that the person or property is still wanted by the originating agency and is probably the same as the person or property of inquiry.

- (2) Officer responsibility to check and verify information.

Example:

- (a) Several states issue new license plates each year that duplicate plates issued the previous year. If the previously issued plate is entered as stolen, the computer will give a hit based on the numbers and letters matching, including the year of the stolen plate. The officer should verify the year on the hit with the license plate in question.
- (b) Aka's are cross-referenced so that if a person uses another name a hit can be made in the system.

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(c) Look at physical - check details,
physicals, license, and car
descriptions/descriptors.

- c. The agency employee may be held
negligent if a concerted effort is not
made to carefully determine the facts.

2. CLETS SECURITY

In order to maintain the integrity of CLETS and
to ensure the security of information received
and transmitted by use of the system, the
following policies shall be adhered to:

- a. Reasonable measures shall be taken to
locate equipment in a secure area to
provide protection from vandalism or
sabotage and to preclude access by
other than authorized personnel.
- b. Mobile digital terminals may be allowed
access to the DOJ Criminal History
System. Access shall not be used
~~routinely~~ for the transmission of
summary criminal history information to
effect an immediate identification or
to ensure the safety of officers and
the general public. However, details
of summary criminal history may be
transmitted via MDT or radio when a
peace officer determines all three of
the following criteria exists.
 - (1) There is reasonable cause to
believe the safety of the officer
and/or the public is at significant
risk.
 - (2) There is an immediate need for
summary criminal history
information.
 - (3) Information from other data bases,
such as Wanted Persons or Stolen
Vehicles, would not be adequate.

Each agency shall ensure the length of
such transmissions from the agency to
the officer does not create a potential
safety hazard to the officer. The use

of such transmissions and the method of transmission shall be at the discretion of the local agency. Agencies will be responsible for training officers using MDTs when making requests for criminal history information. Furthermore, the agency must keep an audit trail with justification of the need to know for each inquiry seeking summary criminal history information and any subsequent third party dissemination of that information.

Examples of situations where the transmission of summary criminal history information to a peace officer via a MDT or radio would be justified:

- (1) A hostage situation, or
- (2) An armed suspect.

Examples of situations that do not justify the transmission of summary criminal history information are:

- (1) Routine traffic enforcement, or
- (2) Routine Investigation.

- c. Personnel authorized terminal access to CLETS may be sworn law enforcement personnel, non-sworn law enforcement personnel, or non-criminal justice and private vendor technical or maintenance personnel that have been subject to a character or security clearance that shall include the following checks:

- Department of Motor Vehicles - DDL check
- Department of Justice - Bureau of Criminal Identification and Information (BCII) fingerprint check.
- * All federal agencies are exempt from conducting a DOJ fingerprint clearance.
- FBI fingerprint check

Note: Public agency employees temporarily assigned to a law enforcement or criminal justice agency are not required to obtain fingerprint clearance from the FBI. However, DOJ fingerprint clearance is required.

Depending on circumstances, other checks may be made to arrive at satisfactory conclusions:

- Employer(s) for the last year
 - Local credit association
 - High school or other educational institution
 - All police files in jurisdiction(s) where applicant has lived.
 - References
 - Any or all previous employers
 - Present neighbors
 - Military records, if applicable
- d. All persons, including non-criminal justice and private vendor technical or maintenance personnel, with ongoing, physical access to CLETS provided information or to Criminal Offender Record Information (CORI) are required to undergo a background check.

Where CLETS access is available without CORI, all persons, including non-criminal justice and private vendor technical or maintenance personnel, accessing areas on an on-going basis where CLETS or CLETS information is located are required to undergo a background check.

Persons without on-going access and visitors to a computer center, such as a tour group, where the computer center has CORI access are not required to undergo a background check. They must, however, be escorted at all times.

The final responsibility for maintaining the confidentiality of criminal justice information rests with the individual agency head or

administrator.

- e. Personnel shall not operate CLETS equipment or access CORI until a background investigation is completed and approved by the agency head. Following approval of the completed investigation, a memorandum or other notation should be placed either in the employee's personnel file or in another pertinent file indicating that authorization has been granted to operate CLETS equipment and/or to access CORI.

In all matters pertaining to personnel security, the agency head will be responsible for making the final determination of the individual's suitability for the job.

When a person with access to CLETS is no longer employed or no longer accessing CLETS on behalf of the law enforcement agency, the agency is responsible for removing all related passwords, security authorizations, tokens, etc., from the system.

3. CRIMINAL OFFENDER RECORD INFORMATION (CORI)

The term Criminal Offender Record Information (CORI) is defined in Penal Code Section 11075 as summary information relating to arrests, pretrial proceedings, sentencing information, incarcerations, parole and probation.

- a. The California Department of Justice maintains summary criminal history in both manual and automated formats. The summary criminal history records are commonly referred to as "rap sheets." Data submitted on fingerprint cards, disposition of arrest and citation forms and probation flash notices create the entries on the rap sheet. Agencies are mandated by state law to submit fingerprint cards on almost all arrests and a disposition form which shows the outcome of that arrest (Penal Code Sections 13150 and 13151).

Release of California rap sheets, or information taken from the rap sheets, is governed by Penal Code Section 11105.

Local law enforcement agencies maintain their own summary criminal history, either on index cards or on a local computer system. The release of this local summary criminal history information is governed by Penal Code Section 13300.

Release of data from the Federal Bureau of Investigation (FBI) rap sheets is governed by the FBI.

When releasing state or local CORI, an agency must first determine if the person or agency is authorized to receive CORI (right-to-know) and the compelling reason the CORI is being requested (need-to-know). The agency can then determine what information can be released. If a background investigator for a law enforcement agency requests information on a peace officer applicant, for example, you could NOT give him a state rap sheet, but you would give him your local CORI. Even though the law enforcement agency is an authorized agency, its "need-to-know" would not allow your agency to furnish the state rap.

- b. Penal Code Section 11120-11127 allows the subject of record to obtain a copy of his/her state criminal history in order to ensure the accuracy of the record and to refute any erroneous information contained in the record. The subject must complete an Application to Obtain Copy of State Summary Criminal History Record, Form BCII 8705, submit applicant fingerprint cards and a check or money order for the appropriate amount to the Department of Justice. If the subject is indigent, the fee will be waived. The department will then mail a copy of the record to the subject.

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If it is determined that an error exists on the record, the correction will be made within 30 days, and the department will notify everyone who received the incorrect record within the past 90 days of the correction. The applicant shall be informed that the notification has been made.

Penal Code Section 13320-13326 gives the subject the right to review his local summary record that is maintained by local agencies. If it is determined that an error exists in the local record, it must be corrected within 60 days. The agency must notify all criminal justice agencies to which were furnished the incorrect record from an automated system for the past two years of the correction to the record. The agency must also furnish a list of all noncriminal justice agencies who received the incorrect data stored in their automated system during the past two years.

The subject can also obtain a copy of the FBI record by contacting the Federal Bureau of Investigation.

c. The Attorney General provides a list of agencies or individuals who shall or may have access to CORI. This list is commonly referred to as the "Authorized Agency" list. Agencies are placed on this list if there is a California State law (Penal Code Section 11105) which grants them access to CORI for employment, licensing, certification, or criminal investigations. This list should not be used to determine if an agency or individual should have access to an individual arrest or crime report. The release of information from these reports is covered in Government Code Sections 6251-6255.

d. Other laws related to CORI and some important court decisions include:

11076 PC - Dissemination to

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authorized agencies

11077 PC - Attorney General duties

11078 PC - Listing of agencies to
whom information is released or
communicated

11079 PC - Investigations,
cooperation by agencies

11080 PC - Right of access of
information authorized by other
provisions of law

11080.5 PC - Federal parolees
residing or domiciled in city or
county request for information by
chief of police or sheriff

11081 PC - No access on information
unless otherwise authorized by law

11105 PC - State summary criminal
history information

11105.1 PC - State summary criminal
history information; persons
entitled to receive

11142 PC - Authorized person
furnishing record or information to
unauthorized person-misdemeanor

11143 PC - Unauthorized person
receiving record or information;
misdemeanor

13300 PC - Furnishing to authorized
persons

13301 PC - "Record" A person
authorized by law to receive a
record

13302 PC - Furnishing to
unauthorized person by employee of
local agency

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13303 PC - Furnishing to
unauthorized person by authorized
person

13304 PC - Receipt, purchase or
possession by unauthorized person

13326 PC - Request of employee to
obtain record or notification of
existence of record; prohibition;
violations; penalty

6200 GC - Theft, destruction,
falsification, or removal by
officer custodian

6201 GC - Theft, destruction,
falsification, or removal by person
other than officer custodian

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CIIB-limited criminal history
information

4. RELEASE OF INFORMATION

- a. Vehicle Code Sections 20008-20012 deal
with the release of information from
accident reports.
- b. Government Code Sections 6251-6255
govern the release of information from
individual crime or arrest reports.
- c. The Presiding Judge of the Juvenile
Court in each county dictates who can
receive the names and addresses of
juveniles named in reports. This order
varies from county to county. It is
commonly called a TNG Order.

If an agency is not certain if a report
containing a juvenile's name can be
released, it should contact the
presiding judge of the juvenile court.

If an agency isn't sure if it should
furnish a copy of an arrest or crime
report involving an adult, the agency
should contact its city or county
attorney. The DOJ Criminal Record

Audits and Security Section cannot advise an agency on the release of information from local reports.

- d. When CORI is destroyed, it must be destroyed in a manner that the identity is no longer legible. Shredding, burning, and recycling are accepted forms of destruction.
- e. An audit trail must be maintained for three years when CORI is furnished to another agency. The audit trail must contain the name of the person who received the information, the agency, date, what information was given, and how the information was transmitted. When agencies release information over the telephone, they should call back the agency at the public number listed for that agency. There have been many instances of unauthorized persons claiming to be employed by a criminal justice agency.
- f. An audit trail must be maintained on each release of CORI from the automated system. The audit trail must be available for inspection for not less than three years. The audit trail must contain the date of release, the requesting terminal identifier, the receiving terminal identifier and what information was given. Most data systems have a computer program which logs this information.
- g. The Criminal Record Audits and Security Section conducts routine audits to ensure that criminal offender record information is used correctly. It obtains a computer printout of requests made at the agency during a specific time frame, obtains copies of the rap sheets, and verifies that the requests were made in connection with criminal investigations.

If misuse is discovered, it is brought to the administrator's attention. The Department of Justice requests that

disciplinary action be taken and that DOJ be notified of the type of discipline. If the misuse is severe in nature, authorized persons or agencies may lose direct access to the criminal offender information maintained by the California Department of Justice. If an agency is constantly misusing the data, DOJ has the authority to remove access by that agency to the Automated Criminal History System.

The Criminal Record Audits Security Section also handles complaints from private citizens regarding the misuse of the subject's record.

5. LIABILITY ISSUES

- a. Local department policies and procedures.
- b. Personal punitive damages paid by sworn or non sworn employee (or department).
- c. Disciplinary issues at department level. "Ethics" of misuse and failing to follow standard law enforcement practices.
- d. Possible prosecution under one or more of the following sections:

California Penal Code Sections 182.1, 502, 11140-11143 and 13301-13304, and California Vehicle Code Section 1808.47

For further information, consult the following:

- CLETS Operating Policies, Practices and Procedures
- CLETS Subscriber Agreement
- DOJ Database Audits Section (916) 227-3746
- DOJ Criminal Record Audits and Security (916) 227-3460
- DOJ CLETS Administration Section (916) 227-3677.

FULL ACCESS
TELECOMMUNICATIONS UPDATE OPERATOR TRAINING

COURSE OUTLINE

GENERAL INFORMATION

Background: This course curriculum was developed by the California Department of Justice and POST with the input of an advisory committee. This course meets federal and state training requirements for persons employed by California or general law enforcement agencies who update records in CJIS and NCIC.

Recommended Minimum Instruction Hours: 2

TOPICAL OUTLINE

<u>Subject</u>	<u>Recommended Minimum Hours</u>
<u>TELECOMMUNICATIONS-UPDATE</u>	
I. Introduction	.25
II. CJIS	1.25
III. NCIC	.25
IV. Reference Material	<u>.25</u> 2.0

LEARNING GOAL AND PERFORMANCE OBJECTIVES

Learning Goal: The student will understand the procedures and responsibilities for updating entries into CJIS and NCIC.

Performance Objective 1--The student will identify the procedures for updates input into CJIS and NCIC.

TELECOMMUNICATIONS - FULL ACCESS OPERATOR COURSE

A. GENERAL PROCEDURES

1. RELATIONSHIP OF CRIMINAL JUSTICE INFORMATION
SYSTEM (CJIS) AND NATIONAL CRIME INFORMATION
CENTER (NCIC)

At the time of entry, you may elect to enter a record into CJIS only or into both CJIS and NCIC (All entries into MUPS are automatically forwarded to NCIC). In order for a record to be accepted by NCIC, it must meet NCIC entry criteria. Otherwise, depending on the CJIS system, the record will either be rejected by NCIC or not forwarded from CJIS. Your agency may subsequently remove a record from NCIC but retain it in CJIS by a simple modification (not applicable to MUPS entries). To change a record from CJIS only retention to CJIS and NCIC, the record must be removed from CJIS and re-entered into CJIS and NCIC. An exception is a Wanted Persons System record which only needs to be modified for NCIC entry. With the exception of the Securities file, CLETS terminals cannot enter NCIC only records.

The Criminal Justice Information System (CJIS) record maintenance criteria prevail in the systems for which there are corollary NCIC files. You cannot use NCIC features which are not available in the CJIS systems. Generally, CJIS offers a much wider range of record types and more precise inquiry search parameters in its systems than NCIC does in its files. Consequently, you may receive more positive and possible matches to CJIS inquiries than to NCIC inquiries. Since the technologies of the two systems and the contributors differ, there may be different results to an inquiry made of both systems.

2. RECORD VERIFICATION

The primary responsibility for the maintenance of CJIS records belongs to the users of the system. To control the quality and accuracy of record information all record entry data must be verified by a second party. This can be

accomplished either through a sight verification process by other entry personnel, supervisory personnel, or review of the record by the case officer.

3. RECORD MAINTENANCE

All records contributed to CJIS must be backed by a master case record (e.g., crime report or warrant). The master case record must contain complete information and be available at all times. Whenever information is received which would change the data in or status of the CJIS record, you must update the CJIS record as soon as possible. Some of the transactions which affect CJIS records and remedial actions are:

- a. New data is added to the master case record - MODIFY the CJIS record to include the new data.
- b. Data in the CJIS record is incorrect and correct data is available - MODIFY the CJIS record to correct the data in a particular data field.
- c. Data in the CJIS record is inaccurate and the correct data is unavailable - if the data is in an optional data field, MODIFY the record to delete the data. If the data is in a mandatory field, CANCEL the CJIS record.
- d. The reliability of the master case record is in doubt - CANCEL the CJIS record.
- e. The property of record is recovered - CLEAR or CANCEL the CJIS record (depending on the system).
- f. The subject of a WPS record is apprehended - CANCEL the WPS record.
- g. The master case record is unavailable - CANCEL the CJIS record.
- h. The restraining order has been terminated by the court - cancel the ROS record.

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4. RECORD VALIDATION

The purpose of validation is to determine, through comparison with originating source documents, that each record in CJIS/NCIC files is accurate, complete, represent an and active case. Validation procedures for all CJIS/NCIC record entries are as follows:

- a. The records on the validation listing are reviewed by the contributing agency.
- b. The records which are no longer current must be removed from CJIS/NCIC and all records remaining in the system are valid and accurate.
- c. All records contain all available information.

The Gun, Securities, Boat, Vehicle, License Plate, Wanted Persons, and Missing Unidentified Persons Files are validated monthly. Validation is accomplished by reviewing the original entry and current supporting documents, and by recent consultation with any appropriate complainant, victim, prosecutor, court, motor vehicles registry files 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 original entry in the file. Recent consultation with the victim or complainant for Gun, Boat (only) and Securities records is not mandatory.

Records identified on the monthly validation listings are subject to purging by NCIC if not validated using the appropriate definition.

5. HIT CONFIRMATION

When a file inquiry results in a positive match (hit) and it appears that the person or property of record is the same as the person or property of inquiry, you, as the inquirer, must either telephone or teletype the originating agency of the record for confirmation. Because names,

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physical descriptions, and property description are not unique, DO NOT TAKE ANY FURTHER POLICE ACTION BASED ON A "HIT" UNTIL IT IS CONFIRMED THAT THE PERSON OR PROPERTY IS THE SAME AS THAT OF AN ACTIVE RECORD.

- a. The contributing agency of the computerized record must be available at all times to confirm the hit. This means:
 - (1) Twenty-four-hours-a-day, seven-days-a-week, coverage by the contributing agency; or
 - (2) Arrangements with another agency to cover the contributor's terminal to include the ability to confirm a hit by consulting the contributing agency's master case file.
- b. The following procedures are in force for responding to hit confirmation requests.
 - (1) When you receive a hit confirmation request, you must make a substantive response within ten minutes.
 - (2) If you are requesting a hit confirmation and you do not receive a substantive response within ten minutes, send a second request. If your second request again fails to receive a substantive response within 10 minutes, then send a message to:
 - (a) DOJ, terminal mnemonic DOJ, and if from a state other than California;
 - (b) The out-of-state control terminal of the agency that originated the record; and,
 - (c) FBI, NCIC, ORI/DCFBIWAOO.

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- (3) The state control terminal officer of the state holding the record will institute appropriate action to ensure proper response and compliance with system standards. Failure on the part of any control terminal to ensure compliance will be brought to the attention of the California Control Terminal Officer or, if applicable, to the NCIC Advisory Policy Board.

c. A substantive response is:

- (1) The subject/item of inquiry is probably the same as the subject/item of the active record - hit confirmed.
- (2) The subject/item of inquiry is probably not the same as the subject/item of the active record - hit denial.
- (3) A notice of the time necessary to confirm or deny the hit confirmation request.

Failure to respond to a hit confirmation request may result in the cancellation of the unconfirmed record by DOJ. Repeated failure to respond to hit confirmation requests may result in curtailment of CJIS or NCIC service. If an agency takes further action against a person without having received hit confirmation, the action may be incorrect. Under certain circumstances, failure to confirm a hit could have legal liabilities.

6. LOCATE RESPONSIBILITY

When an inquiry to CJIS results in a match (hit) and the hit confirmation is positive and you have probable cause to believe they are the same, you must place a locate on the CJIS record. This is the only correct procedure for placing a locate. The locate signifies that property has been recovered or a wanted person apprehended. Failure to enter a locate transaction could have legal liabilities.

7. PROPERTY RECOVERED AND WANTED PERSON
APPREHENSION DEFINITIONS

When a locate is placed on a CJIS record, the contributor of the record must promptly clear or cancel the record. Although some users consider property unrecovered until it is returned to the originating agency, this is insufficient reason to retain a CJIS record. Although some users consider a person still wanted until he is held to answer in the contributor's jurisdiction, this does not qualify the record for CJIS retention. The correct placement of a locate on a CJIS record discharges DOJ's responsibility to include the record in CJIS. If a record is in locate status, DOJ may clear or cancel the record without the permission of the contributor.

B. CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

1. WANTED PERSONS SYSTEM (WPS) - (916) 227-3689

The Wanted Persons System (WPS) is a pointer system which pertains to arrest warrants maintained by state, local, and federal criminal justice agencies in California. A match made on a WPS record does not by itself provide sufficient grounds to arrest a person. Failure to match a person in WPS does not mean that the person is not wanted. The person may be listed as wanted in a local file or the WPS record may not have been entered yet. Users are not required to submit wanted person records to DOJ. Users should not submit records to WPS unless certain rules are followed. DOJ reserves the right to remove any record from WPS if it is found that these rules have been violated.

The only valid purpose for the entry of a record to WPS is for the detention and arrest of a person for whom an arrest warrant has been issued. All WPS records must be based on an arrest warrant. WPS does allow for the entry of wanted persons in cases in which the issuance of an arrest warrant is imminent. Such records are purged within 48 to 72 hours if arrest warrant data is not added. Do not place a record in WPS if your agency does not intend to secure a warrant for the person's arrest.

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If the subject of your WPS record is apprehended anywhere in California, your agency must transport the individual to your jurisdiction. You cannot place any limitations on the distance your agency is willing to transport from within the state. Limitations stated in the miscellaneous field (MIS), e.g., TRANSPORT BAY AREA ONLY, are not allowed. If it is found that an agency has refused to transport a wanted person, the pertinent WPS record will be canceled by DOJ. If transportation restrictions are found in a record's MIS field, the WPS record will be canceled.

All records contributed to WPS must be based on a master case record maintained by your agency. The master case record must be available at all times in order that hits on the WPS record can be confirmed. If your agency does not have provisions for confirmation coverage at all times, do not enter a WPS record. If any changes are made to the master case record, you must change the WPS record to agree with it.

When you enter a wanted person record into WPS, you may enter the record into NCIC Wanted Person File at the same time. For NCIC entry, place a "2" in the Entry Level Code Field (ENT). In order to qualify for NCIC entry, your agency must agree to extradite the person from at least one state outside California. If there are limitations on your agency's willingness to extradite, you must state the limitations in the MIS field, e.g., EXTRADITE ADJACENT STATES ONLY. The NCIC Wanted Person File is intended for persons whose warrants are for serious misdemeanors or felonies.

NOTE: DOJ reserves the right to remove any record from WPS for violations of the above rules.

a. WPS Record Types and Retention

There are three types of records in WPS. Each of the types has a different retention period.

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<u>Type of Warrant</u>	<u>Maximum WPS Retention</u>
Temporary	48-72 hours
Misdemeanor	3 yrs. Can be renewed every 3 yrs.
Felony	5 yrs. Can be renewed every 5 yrs.

b. Entry Transactions

Use an entry transaction to place a record into WPS. Each entry you make generates a search for matching records. If a duplicate record is found, your entry will be rejected.

- (1) There must be a warrant for the subject's arrest or the arrest warrant must be imminent.
- (2) Your agency must be willing to transport the wanted person, when apprehended, from anywhere in California.
- (3) Enter all available information from your master case record warrant. If you have the information for an optional data field, use it. When more information is available to the inquirer of a WPS record, it is easier to identify or discount a subject as being a wanted person.
- (4) Inquiries should be made into the DOJ Master Name Index and the DMV Automated Name Index files to gather complete or additional identifying data for the WPS entry.
- (5) Caution Codes should be entered to indicate special handling of a person (health problems) or to relay vital information for officer safety.

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- Armed and Dangerous
- Mentally Disturbed
- Suicidal Tendencies
- Escape Risk
- See Miscellaneous (MIS)
Field

- (6) The WPS will allow for more than one record for the same person by the same ORI. Entries will be rejected if the same case number is used or the warrant numbers are identical. The NCIC will not allow two records for the same ORI and person.
- (7) License plate and vehicle data will be allowed into WPS and/or NCIC only when the record is for a felony or a misdemeanor with a caution code.
- (8) When you make a WPS entry, the computer searches the files for possible multiple entries. Sometimes the search will identify WPS records contributed by other agencies with identical CII or FBI numbers, or name and DOB. Up to ten of these associations will be returned to you with your entry acknowledgment.
- (9) Review the entry acknowledgment to verify the accuracy of all information.

c. Modify Transactions

Use a modify transaction to add, delete, or correct information in one or more data fields of an existing WPS record.

- (1) Only the contributor of an original WPS record or DOJ can modify the original record.
- (2) Once a locate transaction is placed in a record, the original record contents cannot be modified.

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- (3) The message key (MKE), originating agency identifier (ORI), file control number (FCN), NCIC identifier (NIC), and CII fields cannot be modified.
- (4) Any modification of information in the miscellaneous (MIS) field supersedes original contents. Be sure to re-enter the original information you wish to retain.
- (5) A temporary want record can be modified to a permanent want record by entering the date of warrant (DOW) and warrant number (WAR).

d. Cancel Transactions

Use a cancel transaction to delete an entire record from WPS. Only the contributor of an original WPS record or DOJ can cancel a record. Use the cancel transactions when:

- (1) The warrant has been cleared by arrest, bail, or subject being in custody.
- (2) The warrant has been recalled or purged by the court.
- (3) A locate has been placed on your WPS record and you have made arrangements for transportation or have placed a hold with the arresting agency.
- (4) The warrant was entered in error.
- (5) The subject of the warrant is deceased.
- (6) If a WPS record is nearing its retention period, DOJ will notify the entering agency approximately

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90 days before purging. If the record is to remain active, modify the date of purge (DOP) field. This field can only be modified during the quarter it is purgeable.

e. Locate Transactions

Use a Locate Transaction when your agency has apprehended a subject of a wanted person record. However, you cannot place a locate on a record contributed by your own agency. You must cancel the record. The NCIC will cancel its Wanted Person File records which have a locate appended after five days have lapsed from the date of locate shown in the record. DOJ will cancel within five to eleven days.

- (1) Before you place a locate on a record, make sure that the contributor of the record has confirmed that the person of record is:
 - (a) the same as the person who is the subject of the inquiry; and
 - (b) the warrant is still outstanding; and
 - (c) the wanting agency will transport the fugitive.

DO NOT PLACE A LOCATE ON A RECORD UNTIL A POSITIVE HIT CONFIRMATION IS RECEIVED FROM THE RECORD CONTRIBUTOR.

- (2) Improperly placed locates can cause a wanted person to go unapprehended and could jeopardize the safety of the officer in the field.

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- (3) Failure to place a locate could result in the unnecessary inconveniencing of a person who is no longer wanted. This could result in legal liability for your department.
- (4) The Wanted Persons System (WPS) merely points to Want, Warrant, and Fugitive files maintained by its contributors. Do not confuse a "HIT" (match) on WPS with positive identification of the subject in question.
- (5) When your locate transaction is accepted in WPS, the computer will return a locate acknowledgment to your terminal as well as sending a notice of locate message to the contributor of the want record. Be sure to check the acknowledgment for accuracy when you receive it. If the locate was entered in error, contact the DOJ Wanted Persons Unit.
- (6) If your agency locates a person not in CJIS but in NCIC, use the NCIC locate format.

2. RESTRAINING ORDER SYSTEM (ROS) -
(916) 227-3689

The restraining order information available from your CLETS terminal is maintained by the Department of Justice (DOJ) Restraining Order System. The ROS is a pointer system which pertains to domestic violence restraining orders entered into the state automated system by law enforcement agencies on individuals who have committed an act of domestic violence and have been served with a restraining order. The information entered into the ROS is used by the DOJ Dealer Record of Sale (DROS) Unit for firearm clearance purposes. It is also accessible to all law enforcement agencies in California through CLETS.

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All records contributed to the ROS must be based on a master case record maintained by your agency. Your ROS record must be backed up by a copy of the Temporary Restraining Order and a copy of the Proof of Service associated with it or by a copy of the Order After Hearing and a copy of the Proof of Service associated with it. These records must be available at all times.

a. ROS Record Types and Retention Periods

ROS maintains the records of a Temporary Restraining Order (TRO) or a Order After Hearing issued as a domestic violence restraining order or a family law restraining order where violence is involved.

<u>Type of Record</u>	<u>ROS Retention</u>
Temporary Restraining Order	Until date of hearing (or expiration), up to 90 days.
Order After Hearing	Until date of expiration on court order or three years.

b. Entry Transactions

Use an entry transaction to place a record into ROS. Duplicate records (ORI, NAM, SEX, DOB, and OCA) are not allowed.

- (1) There must be proof of service before a restraining order can be placed into the ROS.
- (2) Enter all available information from your temporary restraining order (TRO) and proof of service associated with the TRO. The expiration date cannot be greater than 90 days from issue date on the TRO.

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- (3) To enter an order after hearing (OAH), enter all available information from the OAH document and proof of service associated with it.
- (4) If the defendant was present in court, the service date equals the date of the proceeding. The "served by" field equals the last name of the presiding judge.
- (5) When your entry transaction is accepted by ROS, the computer will send an Entry Acknowledgment to your terminal. The acknowledgment contains the complete record, including the assigned File Control Number (FCN). If the records do not agree, correct the information in the ROS record.

c. Modify Transactions

Use a modify transaction to add, delete, or correct the information in one or more data fields of an existing ROS record.

- (1) Only the contributor of an original ROS record or DOJ can modify the original record. You cannot modify a record entered by another agency.
- (2) Mandatory data fields can be corrected, but not deleted.
- (3) The name used in identifying the record to be modified must be spelled and spaced exactly the same as the record on file.
- (4) When modifying the AKA field, the format will require old (incorrect) value and new (correct) value with the period as a position indicator (ex: AKA/TRAUX.TRUAX).

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- (5) When the modification transaction is complete, check the Modify Acknowledgment for accuracy.
- (6) The Temporary Restraining Orders (TRO's) that have reached their date of expiration will be placed in a suspense file, available only to the entering agency and DOJ. Modify the expiration date to place the record into active status. Suspense file records are retained for 90 days.

d. Cancel Transactions

Use a cancel transaction to delete an entire record from ROS. Only the contributor of an original ROS record and DOJ can cancel a record. You should use a cancel transaction when:

- (1) The restraining order has been terminated by the court.
- (2) The restraining order was entered in error.
- (3) The subject of the restraining order is deceased.
- (4) The name used in identifying the record to be canceled must have the exact spelling and spacing as shown in the record on file.
- (5) Compare the Cancel Acknowledgment for accuracy.

3. MISSING PERSONS SYSTEM (MUPS) -
(916) 227-3290

The Missing Persons File is a file of reports about missing persons from California agencies. California Penal Code Sections 14200-14213 requires local police, sheriff, and the California Highway Patrol to accept any report, including telephonic report, of a missing person, including runaways, without delay and:

forward a copy of that report to:

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- the agency with jurisdiction over the missing person's residence,
- the agency with jurisdiction over the place where the person was last seen, and
- via CLETS to the Department of Justice;

and:

- broadcast a "Be-on-the-Lookout Bulletin" within your jurisdiction if person is under 12 years old or any age if at risk, and
- provide the reporting party with a DOJ form which authorizes release of dental records/x-rays, skeletal x-rays, and/or photographs.

A record for a missing person who is declared emancipated may be entered in MUPS providing the entering agency has documentation in its possession supporting the conditions under which the person is declared missing. This written documentation will aid in the protection of the individual's right to privacy. The documentation must be from a source other than the investigating police agency.

A record of a missing person who is declared unemancipated should be immediately entered in the Missing Person File. A missing person report filed with an agency which has jurisdiction is sufficient documentation for entering a juvenile into MUPS.

The entry of a Missing Person record is automatically forwarded to NCIC.

If a missing person case is resolved prior to the entry of the case into MUPS, the agency should make an entry, and then immediately cancel the entry.

a. Missing Person Record Types and Retentions

A missing person record may be entered for

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the following and will be retained
indefinitely:

- (1) Disability - A person of any age who is missing under proven physical/mental disability or is senile, thereby subjecting himself/herself or others to personal and immediate danger.
- (2) Endangered - A person of any age who is missing under circumstances indicating that his/her physical safety may be in danger.
- (3) Involuntary - A person of any age who is missing under circumstances indicating the disappearance was not voluntary.
- (4) Catastrophe Victim - A person of any age who is missing after a catastrophe.
- (5) Juvenile - A person who is missing and declared unemancipated and does not meet any of the above criteria.

b. Entry Transactions

- (1) When two or more missing persons are known to be associating with each other, the name and NIC number of each person's record should be placed in the MIS field of the other person's record.
- (2) The Missing Identifier message is used to enter additional missing person identifying characteristics. The mandatory data fields include the FCN and NAM, which must be entered exactly as they appear in the base record.
- (3) The Missing Suspect message is used to enter suspect information and is supplemental to the base record. This message can be used three times per FCN to add three

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separate suspects to any one
record. No suspect information is
passed on to NCIC.

- (4) The Missing Vehicle message is used to enter vehicle information and is supplemental to the base record. This message can be used three times per FCN to add three separate vehicles to any one record. The vehicle make, model, year, and VIN are required for the message to be forwarded to NCIC.
- (5) Agencies are required to send dental records to DOJ.
- (6) At specific time intervals, the newly entered missing person record will be automatically searched against all unidentified person records on file.

c. Modify Transactions

Modification of a record is restricted to the agency that entered the record. Modification is used to add, delete, or change data in a base record.

- (1) After a record has been modified, a new search of all unidentified person records will automatically be conducted.
- (2) Mandatory data fields can be modified, but not deleted.
- (3) On each modify transaction, up to nine different data fields may be modified; however, no single field can be mentioned more than once.
- (4) Only one set of data can be added, changed, or deleted from multiple frequency fields at one time.
- (5) Any addition or correction of the information in a freeform text field supersedes the original contents of the field. Enter new

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information and any of the
original contents you want
retained.

d. Cancel Transactions

Cancellation of a record is restricted to the agency that entered the record. The Missing Unidentified Persons System has freeform cancel formats that allow for the removal of blocks of information or an entire record.

- (1) Cancellation of the base record also cancels a supplemental record.
- (2) There are separate messages for canceling the Missing Suspect, and Vehicle data.

e. Locate Transactions

Any agency that finds a person entered in MUPS, other than the entering agency, must place a locate on the missing person record.

The inquiring agency must contact the originating agency (ORI) to confirm the hit before placing a locate on that record.

- (1) The originating agency has the responsibility to immediately advise the locating agency concerning disposition of the individual.
- (2) The notation DETN (detained) must be included in the locate message when the ORI advises that arrangements are being made to return the missing person to the proper authorities.
- (3) The notation (RELD) (released) must be included in the locate message when the ORI advises that the missing person should not be detained since that person will not be returned to proper authorities, or when, after

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concerted efforts by the locating agency, the ORI fails to advise what action should be taken with regard to the missing person.

- (4) The complete missing person record and all supplemental data is automatically purged when a locate is placed in the record. The ORI and the control terminal servicing the ORI is advised when this occurs.

f. Clear Transactions

Clearance of a record is restricted to the agency that entered the record. A clear message is entered when:

- (1) The agency finding the missing person is the agency that entered the record.
- (2) The agency that entered the missing person record is advised that the missing person has been located, and the locating agency has not transmitted a locate message.

4. UNIDENTIFIED PERSONS FILE (MUPS)
(916) 227-3290

The Unidentified Persons File is a file of reports about unidentified persons (living and deceased) and body parts from California and surrounding states. Reports may include fingerprints and dental charts (if available). All missing and unidentified person reports are computer cross-checked daily and contributing agencies are notified of possible matches.

The following categories qualify for entry into the Unidentified Person File:

- any unidentified deceased person,
- any unidentified catastrophe victim,
- any person of any age who is living and unable to ascertain his/her identity, e.g.,

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amnesia victim, infant, etc., provided the information on the person is included with the consent of the person, or they are physically or mentally unable to give consent, and

- any body part when a body has been dismembered.

a. Unidentified Person Retentions

Unidentified Person File records will be retained for the remainder of the entry year plus nine years.

b. Entry Transactions

When law enforcement agencies transmit reports to the MUPS, the system will automatically forward copies of all unidentified person reports to NCIC.

- (1) The Unidentified Identifier message is used to enter additional unidentified person characteristics. This message can be used only once per record. The FCN and NAM mandatory fields must be entered exactly as they appear in the base record.
- (2) The Unidentified Suspect message is used to enter suspect information associated with the unidentified person.
- (3) The Unidentified Vehicle message is used to enter vehicle information and is supplemental to the base record.
- (4) Agencies are required to submit to DOJ the dental records of the unidentified deceased.
- (5) Following entry of an unidentified deceased or catastrophe victim record, an inquiry should be made to retrieve a copy of the record. This copy should be forwarded to the medical examiner's or

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coroner's office that completed
the data collection forms.

c. Modify Transactions

Modification of a record is restricted to
the agency that entered the record. A
modification message is used to add, delete,
or change data.

- (1) After a record has been modified,
a new search of the missing person
file records will automatically be
conducted.
- (2) After modification, a new copy of
the record should be retrieved and
forwarded to the medical examiner
or coroner.

d. Cancel Transactions

Cancellation of a record is restricted to
the agency that entered the record. A
cancellation message is used when the
entering agency determines that the record
is invalid. A cancellation message will
cause the entire record, including
supplemental and dental information, to be
removed from the file.

e. Clear Transactions

Clearance of a record is restricted to the
agency that entered the record. A clear
message is entered when:

- (1) The agency identifying the person
is the agency that entered the
record.
- (2) The agency that entered the record
is officially advised that the
person has been identified by
another agency.

5. STOLEN VEHICLE SYSTEM (SVS) - (916) 227-3686

The California Vehicle Code (Section 10500) and
Penal Code (Section 11108) require all serial
numbered vehicles, which are reported to peace

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officers as taken, stolen, lost, or recovered and license plates which are stolen or lost, to be entered in SVS. In addition, stolen, lost, or recovered vehicle parts - with serial numbers - must be entered in SVS or the Automated Property System (APS). If SVS does not have a code for a particular part, check APS. If neither system has a code, contact the Stolen Vehicle Unit for assistance.

You are required to enter a stolen vehicle record into SVS even if the vehicle is recovered before the entry is made. In such a case, enter the stolen vehicle record and immediately remove it (clear the record).

The Stolen Vehicle System (SVS) also offers other record types for stolen, pawned, impounded, and repossessed vehicles. You should enter these types of records to avoid the later entry of an erroneous (unfounded) stolen vehicle record.

All records contributed to SVS must be based on a master case record maintained by your agency. The master case record must be available at all times in order that hits on the SVS record can be confirmed. If any changes are made in the master case record, you must change the SVS record to agree with it.

When you enter a stolen vehicle, felony vehicle, vehicle part, or license plate record in SVS, the record may be entered into the NCIC Vehicle File at the same time. If you omit the entry level code field (ENT), the record is automatically forwarded to NCIC. If you use the ENT, the record is restricted to SVS. The only records which you are required to submit to NCIC are out-of-state records dealing with stolen vehicles, felony vehicles, and license plates which have a license state (LIS) other than California. The entry of stolen vehicles and a felony vehicles into NCIC will increase the chances of recovering the vehicle, and at the same time provide a level of safety for the inquiring officer.

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a. SVS Record Types and Retention Periods

There are various types of vehicle records used in SVS. Different types of records have different retention periods. When you try to enter a record with a date of transaction (DOT) which is older than the purge date of the SVS record type, the entry will be rejected.

<u>TYPE OF RECORD</u>	<u>MAXIMUM SVS RETENTION</u>
Stolen Vehicle/Part	Balance of current year plus 4 years
Stolen or Lost License Plate(s)	One year past the year of registration
Found/Evidence Vehicle Part/Plate	6 months
Pawned Vehicle	6 months
Felony vehicle/plate	90 days
Impounded Vehicle (Stored Vehicle with Police Hold)	30 days
Missing Person Vehicle	30 days
Stored Vehicle	30 days
Reported Lost Vehicle	30 days
Repossessed Vehicle	30 days
Cleared Vehicle	30 days
Located Vehicle	30 days

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b. Entry Transactions

Use an entry transaction to place a record into SVS. Each entry you make generates a search for matching records. If a duplicate record is found, your entry will be rejected. However, if the entry matches a cleared vehicle the cleared vehicle entry will be purged and your entry accepted.

- (1) All available information from your master case file should be entered, using the optional data fields if necessary.
- (2) Check the DMV Registration File to verify or obtain a vehicle identification number (VIN).
- (3) You may enter embezzled vehicles as stolen if an arrest warrant has been issued for the suspected embezzler.
- (4) Caution codes are to be entered to indicate special handling of the vehicle or to relay vital information for officer safety. Examples of caution codes are:
 - Armed and Dangerous
 - Caution: Detain all occupants
 - Caution: Hostage/Kidnapping involved
 - Other plate still on vehicle
 - Hold for Latent Prints
 - Carjacking
 - Explosives in vehicle
 - Weapons in vehicle
 - Hazardous materials
- (5) When vehicles and/or vehicle parts and/or boat and/or boat parts are stolen at the same time and are reported in the same theft or crime report, enter them as a group record. No more than three vehicles and/or boats or seven vehicle parts and/or boat parts may be included in a group record.

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- (6) You may enter stolen or lost license plates if both plates are missing or if only one plate is missing and 1) you are certain that the other plate is not being used; or 2) you use Caution Code L (OTHER PLATE STILL ON VEHICLE); or 3) if vehicle was issued only one license plate, such as a motorcycle or trailer. Records using CAU-L will not be forwarded to NCIC. If a vehicle is recovered without its license plate(s), you must clear the SVS record, and then enter the stolen license plate(s) record.
- (7) Enter a vehicle as a felony vehicle only if it is known to have been used in the commission of a felony. You must enter the crime (literal translation as opposed to statute), and if available, a brief description of the suspect(s) in the MIS field.
- (8) You may enter a vehicle associated with a missing person if a report has been filed on the missing person and you have reasonable grounds to believe that the missing person may be operating the vehicle.
- (9) The California Vehicle Code requires all vehicles stored at the direction of a criminal justice agency must immediately be entered into SVS as stored vehicles if the owner cannot be notified (22853 CVC).
- (10) When your entry transaction is accepted by SVS, the computer will send an entry acknowledgment to your terminal. Verify the accuracy of the information.

c. Modify Transactions

Use a modify transaction to add, delete, or correct the information in one or more data fields of an existing SVS record.

- (1) Only the contributor of an original SVS record or DOJ can modify the original record.
- (2) Once a locate or a clear transaction is placed on a record, the original record contents cannot be modified.
- (3) The message key (MKE), originating agency identifier (ORI), file control number (FCN), associate record identifier (AID), and cross reference (XRF) fields cannot be modified.
- (4) Any modification of information in the miscellaneous (MIS) field supersedes original contents. Be sure to re-enter the original information you wish to retain.

d. Cancel Transactions

Use a cancel transaction to delete an entire record from SVS. Only the contributor of an original SVS record or DOJ can cancel a record. Use the cancel transactions when:

- (1) The master case record of an SVS record is lost, misplaced, or otherwise unavailable for hit confirmation.
- (2) The original report which is the basis for an SVS record is dubious or unfounded.
- (3) A record was originally entered with the wrong entry MKE (e.g., a stolen vehicle entered as stored, rather than stolen). Cancel the original record and re-enter it with the right MKE.

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- (4) A felony vehicle record is located.
- (5) The outstanding stolen parts of a recovered (cleared) vehicle have the same serial number as the vehicle's VIN.
- (6) You cannot cancel a located record. It must be cleared and then canceled.

When you cancel a base record, SVS automatically cancels all of the associate records.

e. Clear Transaction

Use a clear transaction to remove a record from active status when the vehicle, vehicle part, or license plate has been recovered. When you clear a stolen vehicle record, it will remain in SVS for 30 days in clear status. When you clear any other type of record, (i.e., stolen part or plate) the computer purges the record.

- (1) When your agency is notified that another agency has recovered (located) a vehicle for which you have an SVS record, you must notify the victim about the location and condition of the vehicle. Notification must be made within 48 hours, excluding weekends and holidays. The victim may be the person who reported the theft, the registered owner, legal owner, insurer who has paid off the vehicle claim, or a person who owns but has never registered the vehicle in DMV. To avoid problems, check your master case record and DMV to determine the identity of the victim.
- (2) You may clear a record which is in Locate status or your record which is in active status. Only your agency or DOJ can clear a record entered by your agency.

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- (3) When you receive a Notice of Clear, compare it with your agency's master case record. If the vehicle is still an outstanding STOLEN, you should cancel it and re-enter the record. Stolen vehicle part or license plate records are canceled when cleared.

f. Locate Transactions

Use a locate transaction when your agency has recovered a vehicle, part, or plate, listed in an SVS record. You cannot place a locate on a record entered by your own agency. You must clear the record.

- (1) Before you place a locate on a record, make sure the contributor of the SVS/NCIC record has confirmed that the vehicle, part, or license plate of record:
 - (a) Is probably the same as the vehicle, part, or license plate that your inquiry was based on; and
 - (b) Is still outstanding and wanted by the contributor of the record.

DO NOT PLACE A LOCATE ON A
RECORD UNTIL A POSITIVE HIT
CONFIRMATION IS RECEIVED
FROM THE RECORD CONTRIBUTOR

- (2) An improperly placed locate could cause a stolen vehicle not to be recovered, and it could jeopardize officer safety. This could result in legal liability for your department.
- (3) Failure to place a locate could result in the unnecessary inconveniencing of an innocent person because a vehicle record is still in "stolen" status when it should be in locate status. This

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could also result in legal
problems for your department.

- (4) If the locating agency orders a vehicle stored, the agency must notify the registered and legal owners of the location and condition of the vehicle pursuant to California Vehicle Code Section 22852. Also, the locating agency must immediately notify the original police reporting agency (ORI of record) of the location and condition of the vehicle pursuant to the California Vehicle Code Section 10500.
- (5) If a locate is erroneously placed on a record, only the locating agency can delete the locate.
- (6) A Status Code (STA) is mandatory in all locate and clear transactions. The status code refers to the condition of a recovered vehicle/part/plate and if a suspect is in custody.
- (7) If your agency locates a vehicle not in CJIS but in NCIC only, use the NCIC locate format.

g. \$.8. (Dollar Sign Eight) Records

When California registered vehicles are entered into the NCIC Vehicle, Wanted Person, and Missing Person Files by other states, the NCIC computer sends a \$.8. message to DOJ. If the vehicle is stolen, DOJ (ORI/CA0349457) enters an EV record in SVS. All \$.8. generated records have the ORI/CA0349457 and ORI literal "DOJ STOLEN VEHICLE UNIT." The actual ORI of the record will be included in the record's MIS field. In order to confirm a hit on a \$.8. generated record, you must contact the ORI listed in the MIS field.

If the victim of a vehicle theft in another state reports to your agency that his California registered vehicle was stolen, do

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not make an SVS entry. If the vehicle record was entered in NCIC, DOJ will enter it in SVS.

When you make an inquiry and it matches a \$.8. generated record, SVS will forward the inquiry to NCIC. The response from NCIC should be the same as the SVS response. If there is no hit in NCIC, disregard the SVS response. The NCIC Vehicle File may have more timely information about the vehicle than SVS does.

h. DOJ Stop, Restraint, and Referral - DMV

When a stolen or felony vehicle entry is accepted by the DOJ Stolen Vehicle System, the corresponding DMV Vehicle Registration record is flagged. This is intended to prevent the registration of stolen vehicles. If the SVS stolen vehicle record is entered with a VIN and license number, the DMV record is flagged with a DOJ Stop. If the SVS stolen vehicle record is entered only with a VIN, then a DOJ Restraint is placed on the DMV record. If the vehicle is a felony vehicle, or a stolen with caution code Armed and Dangerous, the DMV record is flagged with a DOJ Referral.

When you encounter one of the above responses, check SVS to determine if it is still an outstanding stolen or felony vehicle. The Stolen Vehicle System (SVS) may have more timely information about the vehicle's status than DMV does. If you encounter a Stop, Restraint, or Referral on a vehicle which you know to be recovered, contact the Stolen Vehicle Unit.

6. AUTOMATED BOAT SYSTEM (ABS) - (916) 227-3686

The California Vehicle Code (Section 10551) requires every peace officer to immediately report to the Department of Justice Automated Boat System any reliable report the peace officer receives regarding stolen or recovered boats.

You are required to enter a stolen boat into ABS even if it is recovered before the ABS entry has

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been made. In such a case, enter the stolen boat record and immediately clear it.

The Automated Boat System also offers other record types for stored and repossessed boats. You should enter these types of records to avoid the later entry of erroneous stolen boat records.

All records submitted to ABS must be based on a master case record maintained by your agency. The master case record must be available at all times in order that hits on the ABS record can be confirmed.

If any changes are made in the master case record, you must change the ABS record to agree with it.

The NCIC Boat File will only accept stolen boat and certain stolen part records. Other types of boat and boat part records are restricted to ABS. When you enter a stolen boat or part record into ABS, the record may be entered into NCIC at the same time. If you omit the entry level code field (ENT), the stolen boat record is automatically forwarded to NCIC. If you use the ENT, the record is restricted to ABS. The only records which you are required to submit to NCIC are stolen boats which have a registration state other than California. However, you should enter stolen boat records into NCIC to increase the chances of recovering the boat.

a. ABS Record Types and Retention Periods

There are various types of boat records used in ABS. Different types of records have different retention periods. When you try to enter a record with a date of transaction (DOT) which is older than the purge date of the ABS record type, the entry will be rejected.

<u>Type of Record</u>	<u>Maximum ABS Retention</u>
Stolen Boat/Part	Balance of current year plus 4 years
Stored Boat	30 days

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Reported Lost Boat 30 days

Repossessed Boat 30 days

Cleared Boat 30 days

Located Boat 30 days

b. Entry Transactions

Use an entry transaction to place a record into ABS. Each entry you make generates a search for matching records. If a duplicate record is found, your entry will be rejected. An exception to this will be if a recovered (cleared) vehicle record is in SVS for the same vehicle you are entering. The cleared record will be purged and the record you are entering will be accepted.

- (1) All available information from your master case file should be entered, using the optional data fields if necessary.
- (2) Check the DMV Vessel Registration File to determine the accuracy of a boat hull number (BHN), if available.
- (3) Caution codes should be entered to indicate special handling of the vessel or to relay vital information for officer safety.
 - Armed and Dangerous
 - Hold for Latent Prints
 - Both Armed and Dangerous and Hold for Latent Prints
- (4) When boat and/or boat parts and/or vehicle and/or vehicle parts are stolen at the same time and are reported in the same theft or crime report, enter them as a group record.

No more than three boats and/or vehicles and seven boat parts and/or vehicle parts may be included in a group record.

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- (5) All boats stored at the direction of a criminal justice agency should be entered into ABS as stored.
- (6) When your entry transaction is accepted by ABS, the computer will send an entry acknowledgment to your terminal. The acknowledgment contains the file control number (FCN) of the record and the complete ABS record. Check the acknowledgment and compare it to your master case record.

c. Modify Transactions

Use a modify transaction to add, delete, or correct the information in one or more data fields of an existing ABS record.

- (1) Only the contributor of an original ABS record or DOJ can modify the original record.
- (2) Once a clear or locate transaction is placed on a record, the original record contents cannot be modified.
- (3) The message key (MKE), originating agency identifier (ORI), file control number (FCN), and cross reference (XRF) fields cannot be modified.
- (4) Any modification of information in the miscellaneous (MIS) field supersedes original contents. Be sure to re-enter the original information you wish to retain.

d. Cancel Transactions

Use a cancel transaction to delete an entire record from ABS. Only the contributor of an original ABS record or DOJ can cancel a record. Use the cancel transactions when:

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- (1) The master case record of an ABS record is lost, misplaced, or otherwise unavailable for hit confirmation.
- (2) The original report which is the basis for an ABS record is dubious or unfounded.
- (3) A record was originally entered with the wrong entry MKE (e.g., a stolen boat entered as stored, rather than stolen). Cancel the original record and re-enter it with the right MKE.
- (4) The outstanding stolen parts of a recovered (cleared) boat have the same serial number as the boat's BHN.
- (5) When you cancel a base record, ABS automatically cancels all of the associate records.

e. Clear Transactions

Use a clear transaction to remove a record from active status when the boat or boat part has been recovered. When you clear a stolen boat record, it will remain in ABS for 30 days in clear status. Boat part records, will be canceled when the entry is cleared.

- (1) You may clear a record which is in locate status or your record which is in active status. Only your own agency or DOJ can clear a record entered by your agency.
- (2) When you receive a Notice of Clear, compare it with your agency's master case record. If the boat is still outstanding, cancel the cleared boat record, then re-enter the boat record. If a boat part is still outstanding, re-enter the boat part record.

f. Locate Transactions

Use a locate transaction when your agency has recovered a stolen boat or part listed in an ABS record. You cannot place a locate on a record contributed by your own agency, you must clear the record.

- (1) Before you place a locate on a record, make sure that the contributor of the ABS/NCIC record has confirmed that the boat or part record:
 - (a) is the same as the boat or part that your inquiry matched; and
 - (b) is still outstanding and wanted by the contributor of the record.

DO NOT PLACE A LOCATE ON A RECORD UNTIL A POSITIVE HIT CONFIRMATION IS RECEIVED FROM THE RECORD CONTRIBUTOR.

- (2) An improperly placed locate could cause a stolen boat not to be recovered and it could jeopardize officer safety. This could result in legal liability for your department.
- (3) Failure to place a locate could result in the unnecessary inconveniencing of an innocent person because a boat record is still in "stolen" status when it should be in "locate" status. This could also result in legal problems for your department.
- (4) If a locate is erroneously placed on a record, only the locating agency or DOJ can delete the locate.
- (5) A status (STA) code is mandatory in all locate transactions. The status code refers to the

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condition of a recovered boat or
part and if a suspect is in
custody.

- (6) If your agency locates a boat not
in CJIS but in NCIC, use the NCIC
locate format.

g. DOJ Stop and Restraint - DMV

When a stolen boat entry is accepted by ABS,
the corresponding DMV Vessel Registration
record is flagged. This is intended to
prevent the registration of stolen boats.
If the ABS stolen boat record is entered
with a VIN and boat hull number, the DMV
record is flagged with a STOP. If the ABS
stolen boat record is entered only with a
VIN, then a Restraint is placed on the DMV
record.

When you encounter one of the above
responses, check ABS to determine if the
boat is still an outstanding stolen record.
The Automated Boat System may have more
timely information about the boats status
than DMV does. If you encounter a Stop or
Restraint on a boat which you know to be
recovered, contact the Stolen Vehicle Unit.

7. AUTOMATED PROPERTY SYSTEM (APS) -
(916) 227-3688

The California Penal Code (Section 11108)
requires that every law enforcement agency
immediately enter all property reported as
stolen, lost, found, held as evidence, or under
observation into the appropriate automated data
base.

The timely entry of all reports of pawn or buy
transactions into APS is vital to the system's
built-in tracking and stolen property recovery
capabilities. Additionally, these entries will
facilitate the monitoring of individuals whose
activities are of interest to law enforcement
agencies.

All records contributed to APS as stolen, lost,
found, evidence, or under observation, must be
based on a master case record maintained by your

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agency. The master case record must be available at all times to confirm hits on APS records. If any changes are made to the master case record, you must update the APS record accordingly.

When you enter a stolen property record into APS, you may enter the record into the NCIC Article File at the same time by placing a "2" in the entry level code field (ENT/2). Note that NCIC will not accept property records which are reported as lost, found, evidence, under observation, pawn, or buy. These record types must be entered in APS as an entry level "1" (ENT/1).

The criteria for entry into the NCIC Article File are limited to individual property items valued at \$500 or more, or multiple (group) property items totaling \$5,000 or more in one theft. Office equipment (typewriters, copy machines, etc.) and color television sets may also be entered regardless of value. Additionally, any item of property may be entered at the discretion of the reporting agency if:

- (1) The circumstances of the theft indicates that there is a probability of interstate movement, or
- (2) The seriousness of the crime indicates that such entry should be made for investigative purposes.

a. APS Record Types and Retentions

There are various types of property records in APS. Different types of records have different retention periods.

<u>Type of Record</u>	<u>Maximum APS Retention</u>
Stolen Credit Card (CJIS ONLY)	6 Months
Stolen, Lost, Evidence Property Other than Credit Card	3 Years

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Under Observation 1 Year
and Found Property
Other than Credit
Card

Pawn or Buy 6 Months
Property

b. Entry Transactions

Use an entry transaction to place a record into APS. Each entry you make generates a search for matching records. If, in the entry process, a duplicate record is found, your entry will be rejected and an appropriate response will be sent to your terminal.

- (1) All available information from your master case file should be entered, using the optional data fields if necessary.
- (2) Consult the Article/Brand/Category User's Guide (also available on-line) to verify the entry of proper codes.
- (3) If an owner applied number (OAN) or serial number (SER) exceeds 20 characters, enter the last 20 characters in the OAN or SER fields, and then enter the full OAN or SER in the miscellaneous (MIS) field.
- (4) When multiple items of property are reported stolen, lost or placed under observation in the same theft, crime report, field interrogation card, etc., they may be associated with one another via the cross reference (XRF) field. No more than 19 records can be associated with the base record.
- (5) Identical items of property which are consecutively serialized may be entered into APS as group records. A maximum of 100 records may be entered.

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- (6) Serialized and non-serialized property reported to law enforcement agencies by pawnshops and secondhand stores as pawned, bought, traded, or consigned, can be entered into APS. The Department of Justice (DOJ) does not enter pawn or buy reports into APS for law enforcement agencies. The responsibility for timely entry of pawn or buy reports resides with the agency that has jurisdiction over the store that reported the transaction.

NOTE: Entering stolen articles via crime reports will pay investigative dividends when pawn/buy entries are matched to stolens in APS and reports of these matches are delivered to your terminal.

- (7) Whenever an agency places a stolen or lost record entry in APS which matches a pawn, buy, or under observation record entry already on file, they will receive the message response "POSSIBLY MATCHES PAWN/BUY/UNDER OBSERVATION ON APS." The reverse is also true, when a pawn, buy or under observation record entry matches a stolen or lost record already on file, the response will be "POSSIBLY MATCHES STOLEN/LOST ON APS."

These responses will be accompanied by a complete printout of the matching record. When you receive this response, you should alert the investigative officer to the possibility of a stolen property item having been pawned or sold to a pawnshop or secondhand store. Proper use of

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this capability will enhance recovery of stolen property, but only if your agency regularly enters its reports of pawned or bought property.

The Department of Justice also receives notices of all Pawn/Stolen matches which are then analyzed. Notification is then sent to the burglary detail of the agency which entered the stolen article for follow-up investigation.

- (8) When your entry transaction is accepted by APS, the computer will send an acknowledgment to your terminal. The acknowledgment contains the file control number (FCN) of the record and other record information. You should check the acknowledgment and compare it to your master case record. If the acknowledgment agrees with the master case record, file them together. If the records do not agree, correct the APS record. You will need the FCN of the APS record for all subsequent updates.

c. Modify Transactions

Use a modify transaction to add, delete, or correct the information in one or more data fields of an existing APS record.

- (1) Only the contributor of an existing APS record or DOJ can modify the existing record. You cannot modify a record entered by another agency.
- (2) Once a locate is placed on a record, the original contents cannot be modified.
- (3) The message key (MKE), originating agency identifier (ORI), file control number (FCN), serial

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number (SER), owner applied number (OAN), name (NAM), date of birth (DOB), document code (DOC), and cross reference (XRF) fields cannot be modified.

- (4) Any modification of information in the miscellaneous (MIS) field supersedes original contents. Be sure to re-enter the original contents you wish to retain.

d. Cancel Transactions

Use a cancel transaction to remove an entire record from APS and NCIC. Only the contributor of an original APS record or DOJ can cancel a record. You should use a cancel transaction when:

- (1) The master case record documenting an APS record is lost, misplaced, or otherwise unavailable for hit confirmation.
- (2) The original report which is the basis for an APS record cannot be substantiated.
- (3) An item of property was entered in error.
- (4) An item of property is recovered.

e. Locate Transactions

Use a locate transaction when your agency has recovered an item of property. You cannot place a locate on a record contributed by your agency; you must cancel the record. You may locate a complete group, or parts thereof, in a locate transaction.

- (1) Before you place a locate on a record, make sure that the contributor of the APS/NCIC record has confirmed that the article(s):

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- (a) is probably the same as the article that your inquiry is based on; and
 - (b) is still outstanding and wanted by the original entering agency.
- (2) An improperly placed Locate could cause a stolen item of property not be recovered and it could jeopardize the officers safety. This could result in legal problems for your department.
 - (3) Failure to place a Locate could result in the unnecessary inconveniencing of an innocent person because a property record is still in "Stolen" status when it should be in Locate status. This could also result in legal problems for your department.
 - (4) An APS record merely points to property from master case records entered by contributors. Do not confuse a "HIT" on APS with positive identification of the item(s) in question. Since many items of property could have similar identifying numbers, care should be exercised when obtaining positive confirmation of a stolen article of property which will help to avoid placing a Locate on an item with a duplicate number.
 - (5) If your agency recovers an item of property which was stolen in another state, and it is in the NCIC Article File but not in APS, you must use the Locate format of the NCIC Article File, and not that of APS. The format corresponds to the requirements of NCIC.

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8. AUTOMATED FIREARM SYSTEM (AFS) -
(916) 227-3687

The California Penal Code (Section 11108) requires that every law enforcement agency enter all property reported as stolen, lost, found, recovered, or under observation into the appropriate automated data base. Also, in order to assist in the investigation of crime, the arrest and prosecution of criminals, and the recovery of lost, stolen, or found property, the Attorney General is directed in Penal Code Section 11106, to keep and properly file a complete record of the copies of applications for licenses to carry concealed weapons and dealer's record of sales (DROS) on all firearms, and reports of stolen, lost, found, pledged, or pawned property in any city or county of this state.

All records entered in AFS must be based on a master case record maintained by your agency. The master case record must be available at all times so that any hit on an AFS record can be promptly confirmed. If any changes are made in the master case record, you must modify the AFS record to agree with it.

Stolen and found firearm records may be entered into AFS only, or both in AFS and in the NCIC Gun File. If you desire the record to be in AFS only, place a '1' in the entry level code field (ENT/1). If you enter '2' (ENT/2), the record will be placed automatically in both the AFS file and the NCIC Gun File.

a. AFS Record Types and Retentions

Law Enforcement
Records

Stolen
Evidence
Found
Institutional
Registration

Lost

Under Observation
Retain for Official Use

Historical Records

Buy
Consignment
Dealer's Record of
Sale (DROS)
Serial Number
Assigned
Serial Number
Restored
License to Carry
Concealed Weapon

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Destroyed

Pawn
Voluntary
Registration
Sold at Auction
Assault Weapon
Registration

The following record types have a three-year retention period:

Evidence
Under Observation
CCW License
Pawn
Buy or Trade
Consignment
Sold at Auction

The following record types are kept on-line indefinitely, or until canceled by the entering agency*:

Found*
Lost*
Stolen*
Institutional Registration
Retained for Official Use
Destroyed
Serial Number Assigned
Serial Number Restored
Assault Weapon Registration
Voluntary Registration
Dealer's Record of Sale (DROS)

b. Entry Transactions

Use an entry transaction to place a record in AFS. Each entry you make generates a search for matching records. If the record you are entering in the law enforcement segment of AFS matches one already in file in the SER, MAK, CAL, and TYP fields, AFS will provide a response: "Matches in AFS" and will display the record(s) matching your entry. If the record is a historical entry, only matching law enforcement records will be returned. Entries that receive a "Matches in AFS" response will be accepted. However, if a duplicate record is found (matching in ORI, SER, MAK, CAL, TYP, DOC, and OCA) your entry will be rejected.

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- (1) All available information from your master case file should be entered using the optional data fields if necessary.
- (2) Enter the model of a firearm if it is known. The serial number on many firearms is unique only when used in conjunction with the name of the manufacturer and the model number.
- (3) When your entry transaction has been accepted by AFS, the computer will send an entry acknowledgment to your terminal. The acknowledgment contains the file control number (FCN) assigned to the record you entered and other record information. You will need the FCN of the AFS record for all subsequent updates.
- (4) When an agency places a stolen, lost, or under observation record in AFS which matches a pawn, buy, or consignment record already on file, the response received from AFS is "Matches in AFS Pawn/Buy Consignment." Conversely, when a pawn, buy, or consignment entry matches a stolen, lost, or under observation record already in file, the response is "Matches in AFS Stolen/Lost/Under Observation."

The matching records will be returned with these responses. Burglary details should be alerted when these responses are received, since they can be of great assistance in recovering a stolen or lost firearm. The success of this feature depends on pawn and buy records being entered quickly into AFS by all agencies.

c. Modify Transactions

Use modify transactions to add, delete, or

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correct information in one or more data
fields of an existing AFS record.

- (1) Only the contributor of the original AFS record of DOJ can modify that record. You cannot modify a record entered by another agency.
- (2) Once a Locate transaction is placed on a record, the original record contents cannot be modified if the record is in entry level 2 (ENT/2).
- (3) The file control number (FCN), serial number (SER), and the document code (DOC) fields cannot be modified.
- (4) If the record is in the NCIC Gun File (ENT/2), the originating agency case number (OCA) and cross reference number (XRF) fields cannot be modified.
- (5) Any modification of information in the miscellaneous (MIS) field supersedes the original contents. Be sure to re-enter the original contents you wish to retain.

d. Cancel Transactions

Use a cancel transaction to delete an entire record from AFS. Only the contributor of the original AFS record or DOJ can cancel a record. Use the cancel transaction when:

- (1) The master case record of an AFS record is lost, misplaced, unavailable for hit confirmation, or can't be substantiated.
- (2) A record was entered in error.
- (3) The firearm in the AFS record is recovered or its status has changed.

e. Locate Transaction

Use a locate transaction when your agency has recovered a firearm and has received a positive hit confirmation that it is the same as the one reported stolen or lost that appears in AFS and/or NCIC. You cannot place a Locate message on a record entered by your agency (you must cancel this record).

- (1) Before you place a locate on a record, make sure that the contributor of the AFS/NCIC record has been contacted to confirm that the firearm:
 - (a) is probably the same as the one your inquiry is based on; and
 - (b) is still outstanding and wanted by the contributor of the record.

DO NOT PLACE A LOCATE ON A RECORD UNTIL A POSITIVE CONFIRMATION IS RECEIVED FROM THE ENTERING AGENCY.

- (2) An improperly placed locate could cause a stolen firearm not to be recovered. This could jeopardize officer safety and/or cause legal problems for your agency.
- (3) Failure to place a locate could delay or prevent the return of a stolen firearm to its owner because the record shows it as "Stolen" when it should be shown as "Located." This could also cause legal problems for your agency.
- (4) If your agency recovers a firearm which was stolen in another state, and the record is in the NCIC Gun File but not in AFS, you must use the locate format of the NCIC Gun File, and not that of AFS.

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For further information on these systems, consult your CJIS Manual. Contact the CLETS Administration Section at (916) 227-3677, or teletype to "YME" for copies of manual.

C. NATIONAL CRIME INFORMATION CENTER (NCIC)

1. SECURITIES FILE

Securities, for purposes of this file, are: currency, documents which are considered evidence of debt or ownership of property, documents which represent subscription rights, postal and other money orders, traveler's checks, warehouse receipts, savings certificates, interest coupons on stocks and bonds, and other types of documents traded in securities exchanges.

Securities do not include personal notes, bank drafts, cashier's checks, certified checks, personal checks, company checks, government checks, lost or stolen credit cards, gift certificates, and savings and checking account passbooks.

a. Security File Record Types and Retentions

<u>Type of Record</u>	<u>Retention</u>
Unrecovered, Stolen, Embezzled, or Counterfeited Securities	Current Year Plus Four Years
Travelers Checks Money Orders	Current Year Plus Two Years

b. Entry Transaction

Securities which have been stolen, embezzled, or counterfeited may be entered into the file if a theft report has been made.

- (1) Only the agency holding the theft report and having primary jurisdiction over the place of actual theft may make the entry.
- (2) Significant information not called for in a specific data field

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should be placed in the
miscellaneous field.

- (3) Consecutively serialized securities may be entered in the same record. No more than 100 consecutive serial numbers are allowed.

c. Modify Transactions

Modification of a record is restricted to the agency that entered the record. Modification is used to add, delete, or change data. A securities record cannot be modified if it is in locate status.

d. Cancel Transactions

Cancellation of a record is restricted to the agency that entered the record. A cancellation message is used when it is determined that the record is invalid.

A single security or more than one security may be canceled in a consecutively serialized group record.

e. Locate Transaction

Any agency that recovers a security which is indexed in the Securities File, except the agency that entered the record, must place a locate on that record.

The inquiry agency must contact the originating agency (ORI) to confirm the hit before placing a locate on that record.

f. Clear Transaction

Clearance of a record is restricted to the agency that entered the record. A clear message is entered when:

- (1) The agency recovering the security is the agency that entered the record.
- (2) The agency that entered the record is officially advised that the

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security has been recovered by
another agency.

For further information on NCIC files, consult the NCIC
Operating Manual. Contact the CLETS Administration Section at
(916) 227-3677, or teletype to "YME" for copies.

The following NCIC files must be entered directly
through the correlative CJIS files:

1. Wanted Persons
2. Missing/Unidentified Persons
3. Vehicle/License Plate
4. Boat
5. Article
6. Gun