



ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: September 1, 2015	Amends/Supersedes: March 1, 2005	By Authority of the Chief of Police  Charles A. Penn
Accreditation Standard(s):			

560.01 Computerized Data

I. Policy

The Department has access to various computerized data banks administered by several law enforcement agencies. As a condition of this access, we must comply with the standards, procedures, formats, and criteria promulgated by these programs to ensure proper operation regarding retrieval and dissemination of the data. Operating manuals for NCIC, VCIN, and ACCIS are located near each ACCIS terminal and in the Emergency Communications Center (ECC). The entry and maintenance of active computerized records is essential for the efficient operation of the Department and for the protection of the community. Data received from a computerized bank is just one of several elements used to establish probable cause.

II. Definitions

- A. Arlington County Crime Information System (ACCIS) - An in-house computerized data bank comprised of several subsystems as well as the capability of connecting to NCIC/VCIN.
- B. Criminal Justice Information (CJI) – Data provided by computerized data banks necessary for law enforcement agencies to perform their mission and enforce the laws, including but not limited to: biometric, identity history, person, organization, property (when accompanied by any personally identifiable information), and case/incident history data.
- C. Department of Motor Vehicles (DMV) - This term may be used generically to refer to any state agency with responsibility for licensing motor vehicles and drivers.
- D. Hit - a positive response to an inquiry from any computerized data bank.
- E. Interstate Identification Index (III) - A nationwide computer system, tying together the FBI and state criminal history files.
- F. National Crime Information Center (NCIC) - A nationwide computerized data bank administered by the Federal Bureau of Investigation (FBI) containing information concerning wanted and missing persons and stolen vehicles and property.

- G. National Law Enforcement Telecommunications System (NLETS) - An interstate computerized message switching system capable of receiving, storing, and forwarding messages from one agency to another.
- H. Police Records Management System (PRMS) - A subsystem of ACCIS providing a wide variety of services and support regarding incidents, names, wanted persons, property, stolen vehicles, arrests, citations, and other law enforcement activities.
- I. Soundex Hit - A response from the NCIC, VCIN, and ACCIS systems which is based on similar names, dates of birth, or social security numbers. These returns may not be valid hits and must be carefully evaluated.
- J. Virginia Criminal Information Network (VCIN) - A statewide computerized data bank administered by the Virginia State Police containing information concerning wanted and missing persons and stolen vehicles; also provides links to DMV, the Central Criminal Records Exchange (CCRE), and other automated data bases.

III. Procedure

- A. Access and Use – Any computer terminal with CJIS information shall be kept in a secure location within the Department, accessible only by authorized employees through swipe card access. Employees shall adhere to the building access restrictions outlined in Manual Section 425.16 *Police Headquarters*.

Information from computerized data banks shall be accessed only for legitimate law enforcement purposes. Authorized employees shall access the information in accordance with the standards in Manual Directive 560.04 *Computer Use and Security*.

- B. NCIC/VCIN - All information contained in NCIC/VCIN entries such as names, dates of birth, numeric identifiers, physical descriptors, and aliases must be documented on the appropriate department forms, properly completed, and signed by the requesting officer. This information must also be included in the report and any supplements.

Requests for NCIC/VCIN entries and/or Administrative Messages will be accepted by phone only under the following circumstances:

- stolen autos, motorcycles, or tags
- wanted persons where the offense is of a violent nature and/or where the possibility of an immediate apprehension exists
- flash lookouts in connection with a recently committed offense

All information contained in NCIC/VCIN entries must be documented in the report and any supplements.

Employees receiving a hit or soundex hit on an NCIC/VCIN inquiry, including mobile computer terminal initiated inquiries are responsible for the following confirmation procedures:

- The hit shall be compared to the inquiry to insure that no errors were made in the name, date of birth, social security number, sex, or race data. CAUTION: The ECC can only confirm that the subject in the hit is still wanted. The ECC cannot determine if the person who is the subject of the inquiry is the wanted person. The burden of verifying a hit or soundex hit rests with the officer conducting the inquiry.
- The data contained in the hit shall be compared to the property or person which is the subject of the inquiry. Special attention should be given to individual descriptors such as scars, marks, tattoos, height, weight, race, etc. Additional information from the originating agency such as a FAX photo may be needed in cases where identification is uncertain. It is always better to release a subject if identification is uncertain. An employee should contact a supervisor when in doubt.
- The employee shall request the ECC to confirm the hit with the originating agency.
- The employee shall request a hard copy (printout) of the hit. This copy is dated and initialed just as though it were evidence and retained until a court hearing or Grand Jury indictment has been completed. The copy should include the incident number.
- A copy of the hit and a copy of the NCIC/VCIN entry removal message/notification of originating agency shall be attached to the original police incident report.

Employees locating a missing person, making an arrest of a subject, or recovering a stolen vehicle or stolen property entered into NCIC or VCIN have the following additional responsibilities:

- If the NCIC or VCIN entry is an Arlington County entry, insure that the entry is cleared and that the entering employee is notified of the arrest or the missing person or property recovery.
- If the NCIC or VCIN entry is by another agency, personally contact that agency to advise them of the arrest or recovery, then contact the ECC to have a "Locate" message appended to the NCIC or VCIN entry.

C. Wanted Persons - The following criteria shall be used to determine which computerized file should contain the wanted persons entry:

1. NCIC - An individual for whom a felony or serious misdemeanor warrant is outstanding or who is wanted for a probation or parole violation where the original offense was a felony or serious misdemeanor or who is wanted for a probation or parole violation where the original offense was a felony or serious misdemeanor providing that extradition has been authorized for this individual or where past practices would lead to a reasonable conclusion that extradition would be sought.

2. VCIN - Wanted persons who otherwise meet the criteria for NCIC entry but who will not be extradited. The Commonwealth's Attorney has determined that Class I and Class 2 misdemeanors satisfy the criteria for VCIN entry.
3. ACCIS/PRMS - Wanted persons who do not meet the criteria for NCIC or VCIN entry may be entered in the ACCIS/PRMS wanted persons file. If, at the time of entry, a known limitation on extradition exists, information concerning the limitation must be included in the entry. Only one entry per agency can be made in the system regardless of the number of charges against the subject.

For entries other than a temporary felony want record, the warrant must be kept on file in this department. By written agreement, Metro Transit Police can have entries made through our system if the subject is wanted for an offense which occurred in Arlington. They must keep their warrants on file in Arlington.

RMS has the capability of producing a list of wanted persons who live in Arlington County. This information can be obtained by using the (WRPT P) screen, users may search by geographic ranges of county, census tract or reporting area. Date ranges should be limited to no more than 60 days. Whenever possible, inquiries should be run during non-peak times. No law enforcement action should be taken on the basis of the WRPT printout alone as it is merely a list of warrants that should be on file with the Department. The existence of a warrant should always be verified via the Emergency Communications Center (ECC).

All available information concerning a subject must be documented on the Wanted Persons Entry Request form at the time of entry. Under Virginia State Code, law enforcement agencies are required to enter the accused's name and other appropriate information required by the Virginia Department of State Police identifying an individual for whom a felony warrant or capias was issued. The entry is to be filed within seventy-two hours of the receipt of the warrant or capias.

When additional information becomes available, the entry must be updated to include the newly acquired information. Computerized criminal history inquiries through the III system should be made prior to or soon after making the wanted persons entry. A positive response to this inquiry may reveal physical descriptors, identifying numbers and aliases not known to the inquirer and also arrest, court and/or custody-supervision data which might provide investigative leads. Any additional identifying data gained through the III inquiry should be added to the wanted person's entry.

- D. Criminal History - Requests for computerized criminal history (CCH) may be made through the ECC or ACCIS-PRMS.

Requests made through the ECC may be in person, by signed memorandum, or informal memorandum. Telephone requests are permitted, but the call-taker must use extreme caution to verify the identity of the caller as an employee of the Arlington County Police Department. (In person requests are preferred.)

A CCH logbook is located in each room housing a terminal with computerized criminal history information (CCHI) capability. All requests for CCHI which will be released to anyone outside this Department (secondary dissemination) must be recorded in a CCH logbook. Secondary dissemination is permitted from only these locations: the ECC, NOVARIS, Records Management Unit, Drug Task Force and booking terminals. (The use of the ACCIS-PRMS request screen for recording the transaction does not meet VCIN/VSP standards.)

Requests made through the ACCIS-PRMS are restricted to terminals which have that capability and to employees who have authorized access. The PRMS automatically records the employee's name, time, date, and terminal each time a request is made. CCHI responses received through the ACCIS-PRMS for primary dissemination are not required to be recorded into the CCH log and will not be released to anyone outside of this Department.

The radio shall not be used routinely for the transmission of CCHI beyond that information necessary to effect an immediate identification or to ensure adequate safety for officers and the general public. When an officer determines there is an immediate need for this information to further an investigation or there is a situation affecting the safety of an officer or the general public, then details of CCHI may be transmitted.

Dissemination of CCHI by FAX machine is prohibited.

CCHI will be received immediately if the information is available on-line, otherwise it will be received by U.S. Mail.

Officers and employees receiving a hard copy of CCHI are responsible for its safekeeping. When it is no longer needed, it shall be destroyed by shredding or by tearing it into pieces no larger than two (2) square inches.

CCHI received by any member of this department may be shared with any other member of this department, provided that person also needs the information and is also authorized to have the information.

Access to CCHI is limited to criminal justice agencies, and may be used only for criminal justice purposes. CCHI should not be placed on the Hot Sheet or Roll Call boards. An automated record is maintained of all requests for CCHI. EMPLOYEES WHO WILLFULLY DISREGARD THE CONFIDENTIALITY OF CCHI OR THE PROVISIONS OF THIS PROCEDURE WILL BE SUBJECT TO DISCIPLINARY ACTION.

- E. NLETS/DMV - Information concerning vehicles and drivers obtained via NLETS or VCIN will be used by law enforcement personnel and for law enforcement purposes only. Printed transcripts must be destroyed when they have served the purpose for which they were obtained.

Those inquiries initiated as part of an ongoing criminal investigation where disclosure of the inquiry would compromise the investigation must be indicated as such in the RMS inquiry field.

Non-law enforcement agencies and personnel requiring access to DMV-type information should be referred to the state agencies responsible for such information.