By Order of the Police Commissioner

POLICY

This policy educates members of the Baltimore Police Department (BPD) on the purpose and use of the National Crime Information Center (NCIC).

DEFINITIONS

Criminal Justice Information ─ Information collected by criminal justice agencies that is needed for the performance of their legally authorized, required function. Information includes wanted persons, missing persons, stolen property, criminal history, information compiled in the course of the investigation of crimes that are known or reasonably believed to have occurred, and information compiled in an effort to anticipate, prevent, or monitor possible criminal activity.

Hot Desk ─ Unit within the BPD Central Records Section that provides 24 hour service for NCIC transactions, records information (e.g., police reports), and all communications/administrative messages between law enforcement agencies within the United States and Canada via National Law Enforcement Telecommunications Services (NLETS).

NCIC (National Crime Information Center) ─ A computerized index of Criminal Justice Information (e.g., criminal record history information, fugitives, stolen property, missing persons, etc.) that is updated 24 hours a day, 365 days a year.

NCIC Hit ─ A positive response in the NCIC system indicating that records have been found and may be active. A "Hit" is not probable cause. Confirmation and verification is needed before enforcement action can be taken.

NCIC Off-Line Search ─ A unique search function that can be used to obtain information not available through on-line query. To conduct an off-line search, contact the NCIC staff at Maryland State Police Headquarters. The requesting officer must provide a case number related to the incident in question. Although active files can be queried, this type of search is typically used by officers who are attempting to gather information related to inactive file data that they alone are unable to obtain.

NCIC Users – Authorized personnel who are trained and certified to access information from NCIC.

GENERAL

1. Criminal justice agencies work collectively to enter records into NCIC that are accessible to law enforcement agencies nationwide.

2. Members are able to search NCIC during encounters (e.g., traffic stops, investigative stops, etc.) to determine if the vehicle in question is stolen or if the person stopped is wanted by law enforcement.

3. The system responds instantly. However, a positive NCIC Hit is not probable cause for an officer to take action.

4. Members must verify the information via the Communications Unit and the Hot Desk to ensure that the information is accurate and current before taking enforcement action.

5. Once the record is confirmed, the member may take action to arrest a fugitive, return a missing person, recover stolen property, etc.

Confidentiality

1. Information contained in NCIC is confidential Criminal Justice Information. Obtaining and misusing NCIC information, whether accidental or intentional, has criminal and administrative penalties.

2. NCIC file information is made available to criminal justice agencies for criminal justice purposes only and shall not be disseminated further.

3. Sharing logon credentials with another person is prohibited, even in training.

4. NCIC information is only to be used for legitimate criminal justice purposes.

5. Per CJIS Security Policy, NCIC may only be accessed by an authorized criminal justice agency with a valid Originating Agency Identifier (ORI).

6. Only disseminate Criminal Justice Information to authorized individuals such as:

    6.1. Law enforcement officers,

    6.2. State's Attorneys, and

    6.3. District Court Commissioners.

Restrictions

Users of the NCIC system will be restricted to only those privileges necessary to perform an authorized task(s).

NCIC Inquiry

1.   Members may make NCIC inquires via:

     1.1.   An authorized computer terminal,

     1.2.   The Communications Unit, or

     1.3.   The Hot Desk.

NOTE: The Hot Desk does not run wanted checks (10-29's). This function is performed via the Communications Section.

NCIC Hit Confirmation

Member

1.   Upon receiving an NCIC Hit, all surrounding circumstances must be taken into consideration in order to make a determination of whether probable cause exists to make an arrest. An NCIC Hit alone is not sufficient.

2.   Contact the Hot Desk at 410-396-2680 (as well as extension 2681-2685) for NCIC Hit verification.

Communications Unit

1.   Upon receipt of a request, immediately enter the information given into the NCIC system.

     1.1.   Without delay, inform the requesting officer of an NCIC Hit confirmation and/or the results of the inquiry.

     1.2.   Refer the investigating officer to Hot Desk for NCIC Hit verification.

Hot Desk

1.   Upon receipt of a request for information entry into NCIC, immediately enter the given information into the NCIC system.

     1.1.   Without delay, inform the requesting officer of an NCIC Hit confirmation and/or the results of the inquiry.

     1.2.   Upon receipt of an NCIC Hit confirmation, contact the originating agency (on the officer's behalf) to confirm its active status.

Supervisor, Hot Desk

1.   Ensure NCIC inquiry and/or NCIC Hit information is communicated to the inquiring officer.

2.   Upon confirmation of an active NCIC Hit, confirm the NCIC Hit with the originating agency.

     2.1.   Ensure the investigating officer is informed promptly of the results.

2.2. Ensure the investigating officer is provided with written confirmation of the active status of the NCIC Hit, via Departmental mail, for inclusion into the officer's case folder.

3. Upon confirmation of an active NCIC Hit based on an inquiry made by an authorized foreign agency:

    3.1. Ensure a prompt response is made, as well as a follow-up via administrative messaging, to the inquiring law enforcement agency.

    3.2. Contact the Warrant Apprehension Task Force (WATF) immediately and provide information required for the arrangement of extradition proceedings through the State's Attorney's Office of Baltimore City.

    3.3. Update NCIC files relative to the foreign agency NCIC Hit.

4. Ensure that appropriate dissemination of records is maintained for a period of three years on all NCIC/METERS (Maryland Electronic Telecommunications Enforcement Resource) Criminal History Information sent to the Central Records Section terminals.

5. Ensure the originating agency is advised to contact the investigating unit/section for follow up information (e.g., Auto Theft, Missing Persons, WATF, Robbery, etc.).

Commander, Records Management Section

1. Ensure a systematic and scheduled auditing/validation process is implemented to ensure compliance with the validation requirements of the CJIS System Agency Maryland State Police and CJIS Division of the FBI.

2. Upon completion of the validation/audit, execute a required letter of certification to the Maryland State Police CJIS Systems Officer.

NCIC Off-Line Search

1. NCIC Off-Line Searches may be conducted to obtain information on the following:

    1.1. Active records;

    1.2. Inactive (historical) records;

    1.3. Past transactions;

    1.4. Particular years, days, hours; and

    1.5. The records and/or transactions of a particular city or state.

2. Members may request an NCIC Off-Line Search via:

    2.1. A detailed Administrative Report, Form 95, stating the reason for the request and complaint number.

2.2. Submit the Administrative Report, via official channels, to the Commander, Records Management Section (RMS).

2.3. The Commander, RMS, or designee, will contact the CJIS Systems Officer at Maryland State Police Headquarters to determine the feasibility and/or possibility for the off-line search request.

Canadian Warrant File NCIC Hit

An NCIC Hit in this file does not automatically give an officer the power to arrest. The NCIC Hit is an indication that the subject has committed an extraditable offense per the Criminal Code of Canada. However, an arrest based upon a Canadian warrant alone is not sufficient in the United States. Contact the Royal Canadian Mounted Police to initiate a United States extradition warrant.

Training and Certification

1. NCIC training is conducted by the Professional Development and Training Academy (PDTA).

2. Members have the option to schedule training outside of the BPD via METERS.

3. Initial Certification or Expired Certification requires an 8 hour training course (16 hours for CN1certification).

4. Re-certification (required every two years) requires a 4 to 8-hour training course, depending upon the level of authorized access.

NOTE: By way of the Department of Public Safety and Correctional Services (DPSCS) mandate, members are able to schedule themselves for class three months (90 days) prior to their certification expiration date. If, however, users have not logged into the system for two or more years, the State requires that the member be fingerprinted at the Department of Public Safety and Correctional Services, located at:

6776 Reisterstown Road
Baltimore, MD 21215 (410)764-4501

An appointment is not required. DPSCS accepts walk-ins.

APPENDIX

A. NCIC File Listing

RECISSION

Remove and recycle/destroy General Order M-1, National Crime Information Center (NCIC), dated 19 April 1985.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.

APPENDIX A

NCIC File Listing

Person Files

- **Wanted Persons File:** Records on individuals (including juveniles who will be tried as adults) for whom a federal warrant or a felony or misdemeanor warrant is outstanding.

- **Missing Persons File:** Records on individuals, including children, who have been reported missing to law enforcement and there is a reasonable concern for their safety.

- **Unidentified Persons File:** Records on unidentified deceased persons, living persons who are unable to verify their identities, unidentified victims of catastrophes, and recovered body parts. The file cross-references unidentified bodies against records in the Missing Persons File.

- **Protection Order File:** Records on individuals against whom protection orders have been issued.

- **National Sex Offender Registry File:** Records on individuals who are required to register in a jurisdiction's sex offender registry.

- **Supervised Release File:** Records on individuals on probation, parole, supervised release or released on their own recognizance or during pre-trial sentencing.

- **Foreign Fugitive File:** Records on persons wanted by another country for a crime that would be a felony if it were committed in the United States.

- **Immigration Violator File:** Records on criminal aliens whom immigration authorities have deported and aliens with outstanding administrative warrants of removal.

- **Identity Theft File:** Records containing descriptive and other information that law enforcement personnel can use to determine if an individual is a victim of identity theft of if the individual might be using a false identity.

- **Known or Appropriately Suspected Terrorist File:** Records on known or appropriately suspected terrorists in accordance with Homeland Security Presidential Directive 6 (HSPD-6).

- **Protective Interest:** Records on individuals who might pose a threat to the physical safety of protectees or their immediate families. Expands on the U.S. Secret Service Protective File, originally created in 1983.

- **Gang File:** Records on violent gangs and their members.

- **National Instant Criminal Background Check System (NICS) Denied Transaction File:** Records on individuals who have been determined to be "prohibited persons" according to the Brady Handgun Violence Prevention Act and were denied as a result of a NICS background check.

- **Violent Person File:** Once fully populated with data from NCIC users, this file will contain records of persons with a violent criminal history and persons who have previously threatened law enforcement.

Property Files

- **Article File:** Records on stolen and lost articles as well as public safety, homeland security, and critical infrastructure identification.

- **Gun File:** Records on stolen, lost, and recovered weapons and weapons used in the commission of crimes that are designated to expel a projectile by air, carbon dioxide, or explosive action.

- **Boat File:** Records on stolen boats.

- **Securities File:** Records on serially numbered stolen, embezzled, used for ransom, or counterfeit securities.

- **Vehicle File:** Records on stolen vehicles, vehicles involved in the commission of crimes, or vehicles that may be seized based on a federally issued court order.

- **Vehicle and Boat Parts File:** Records on serially numbered stolen vehicle or boat parts.

- **License Plate File:** Records on stolen license plates.

Other Files

- **Interstate Identification Index (III):** III is not an NCIC file but an index accessible through the NCIC System. This index contains personal descriptor information that an authorized agency can use to determine if a subject has a state or federal criminal history record on file.

- **Originating Agency Identifier (ORI):** Contains contact information such as the address and telephone number of agencies that have a ORI.

- **Image File:** Contains images associated with NCIC records to assist agencies in Identifying people and property items.