
ADMINISTRATIVE DIRECTIVE – 109.008
GENERAL REQUIREMENTS OF CRIMINAL JUSTICE INFORMATION

EFFECTIVE DATE: June 27, 2001
AFFECTS: All Personnel

REVISION DATE: March 9, 2022

I. PURPOSE

Access to criminal justice information is essential to the efficient operation of the police department. This directive outlines the access requirements, basic training and procedural requirements of those personnel whose position duties involve the use of criminal justice information for the purposes of data entry or inquiry.

II. POLICY

In order to ensure continued access to information provided through criminal justice information databases, members of the Plano Police Department will operate within the guidelines and policies specified by the CJIS Security Policy and the Department of Public Safety Crime Records Service.

III. DEFINITIONS

- A. Criminal Justice Information - Refers to all of the Federal Bureau of Investigation provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.
- B. CJIS Security Policy - provides Criminal Justice Agencies and Noncriminal Justice Agencies with a minimum set of security requirements for access to criminal justice information.
- C. Department of Public Safety Crime Records Service - the CJIS System Agency for the State of Texas. The CJIS System Agency is responsible for disseminating and enforcing federal and state policy within the State of Texas.
- D. National Crime Information Center - A nationwide computerized information system established by the Federal Bureau of Investigations to service all criminal justice agencies: local, state and federal.
- E. North Central Texas Crime Information Center - A DFW regional information system established by the Dallas Marshal's Office to service criminal justice agencies in the DFW area.
- F. Texas Crime Information Center - The State of Texas information database established by the Department of Public Safety and operates under the same policies and guidelines, with the same purposes and goals as the National Crime Information Center.

IV. PROCEDURES

A. Access Requirements

- 1. A national fingerprint based criminal history check will be conducted prior to employment for all employee's that have unescorted access to any location that has criminal justice information.
- 2. Unescorted access will not be granted to any new employee to an area with criminal justice information if the individual has the following:
 - a. Conviction of any felony criminal offense.
 - b. Conviction or deferred adjudication of a Class A or B Misdemeanor within the preceding ten years.
 - (1) The Department of Public Safety Crime Records Service may approve access for a person who was convicted for a Class B Misdemeanor at least five years prior.
 - (2) The Chief of Police must submit a request in writing with supporting documentation that mitigating circumstances exist and how the public interest would be served in allowing the person to work in an area with criminal justice information.
 - c. Is currently under indictment for any criminal offense.
 - d. Conviction of any family violence offenses.

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3. Unescorted access will not be granted to any person that was previously granted access to an area with criminal justice information if the individual has the following:
 - a. Conviction of any felony criminal offense.
 - b. Deferred adjudication of a felony within the preceding 20 years.
 - c. Conviction of a Class A or B Misdemeanor within the preceding 10 years.
 - (1) The Department of Public Safety Crime Records Service may approve access for a person who was convicted for a Class B Misdemeanor at least five years prior.
 - (2) The Chief of Police must submit a request in writing with supporting documentation that mitigating circumstances exist and how the public interest would be served in allowing the person to work in an area with criminal justice information.
 - d. During the Term of Deferral for any Class A or B Misdemeanor Deferred Adjudication.
 - e. Conviction of any family violence offense.
 4. Unescorted access is allowed to any person that has an active license from the Texas Commission on Law Enforcement for a peace officer, telecommunicator, or corrections officer regardless of criminal history background.
 5. The City of Plano utilizes the Rapback fingerprint monitoring system to ensure continued compliance by affected personnel.
- B. Training
1. All sworn personnel, while assigned to recruit training, will at a minimum, complete the approved TCIC/TLETS Mobile Operator Training Course.
 2. All non-sworn personnel will receive the following training:
 - a. Non-sworn personnel who handle or receive benefit from criminal justice information but do not operate the National Crime Information Center or Texas Crime Information Center system will receive the Criminal Justice Practitioner course within the first six months of having access to the information.
 - b. Non-sworn personnel who request criminal justice information but do not operate the National Crime Information Center or Texas Crime Information Center system will receive the on-line Peace Officer training within the first six months of having access to the information.
 - c. Non-sworn personnel who perform inquiries and operate the National Crime Information Center or Texas Crime Information Center system will receive the TCIC/TLETS Mobile Operator Training Course within the first six months of having access to the information.
 - d. Non-sworn personnel who operate the National Crime Information Center or Texas Crime Information Center system to perform inquiries and send/receive teletype information will receive the TCIC/TLETS Less Than Full Access Operator Training Course within the first six months of having access to the information.
 - e. Non-sworn personnel who operate the National Crime Information Center or Texas Crime Information Center system to inquire, enter, modify, clear, and cancel information, and send/receive teletype information will receive the TCIC/TLETS Full Access Operator Training Course within the first six months of having access to the information.
- C. Security of Terminals

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1. Computer systems with access to criminal justice information will be operated in a secure environment that has been approved by the Department of Public Safety Crime Records Service. These locations include but are not limited to:
 - a. Police Department Buildings
 - b. Municipal Courts
 - c. Public Safety Communications
 - d. Technology Services
 - e. Emergency Operations Center
 - f. All Police Vehicles
 - (1) Patrol riders will not be permitted direct access or view criminal justice information.
- D. Security and Storage of Criminal Justice Information
 1. Requests for criminal justice information are to be limited to official, criminal justice purposes only.
 2. Personnel will accept requests for criminal justice information from approved personnel that has completed Peace Officer, Mobile Operator, Less Than Full Access, or Full Access Operator certification training.
 3. Criminal justice information that is identified as “restricted files” governed by the CJIS Security Policy and the TLETS Operating Manual cannot be stored within our internal agencies criminal justice databases.
 - a. Gang Files
 - b. Known or Appropriately Suspected Terrorist Files
 - c. Supervised Release Files
 - d. National Sex Offender Registry Files
 - e. Historical Protection Order Files
 - f. Identify Theft Files
 - g. Protective Interest Files
 - h. Person with Information data in the Missing Persons Files
 - (1) Entries may be entered in the initial investigation and will be removed when the criteria for the entry no longer applies
 - i. NICS Denied Transaction File
 - j. Criminal History
 - (1) TCOLE licensed personnel’s Criminal History information that was received when hired will be maintained in the Records Management System for five years after their separation date.
 - (2) Five years after separation the Criminal History will be removed from the Records Management System.
 - k. The following protected information on Registration and Driver License

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- (1) Driver License Number
 - (2) Name
 - (3) Address (not the 5 digit zip code)
 - (4) Medical History/Medical Certification
 - (5) Disability/Communication Impairment Information
- E. Tracking Police Report History and/or Criminal History Inquiries
- 1. The National Crime Information Center and the Texas Crime Information Center
 - a. Desktop Access
 - (1) The requestor's title (DET, OFCR etc.) and full name (first and last) are to be placed in the "REQ" field. If there are two persons with the same name at this agency, the fields must also contain the employee's badge number or employee ID number.
 - (2) The operator's title (DO, SUPV, OFCR etc.) and full name are to be placed in the "OPR" field. If there are two persons with the same name at this agency, the fields must also contain the employee's badge number or employee ID number.
 - (3) The Reason for Inquiry (RFI) must be provided by the requestor. A file number and the specific reason or call type (traffic stop, Burg, Assault, UUMV, PD applicant etc.). Generic terms such as Investigation or Meet Complainant are not acceptable.
 - b. Mobile Computer Access
 - (1) Criminal History can be accessed on a mobile computer when a user is assigned to a call for service.
 - (2) The required Operator and Attention fields will automatically be populated using the login information for the user
 - (a) Callsign
 - (b) First and Last Name
 - (3) The required Reason for Inquiry (RFI) will automatically be populated using the full incident number and the calltype that is listed on the call for service.
 - (4) Calltypes that are generic, such as Investigation or Meet Complainant, or those that indicate the original police response was for another city department or government agency will deny criminal history access from the mobile system.
 - c. Requests from Outside Agencies
 - (1) The requestor's agencies ORI is to be placed in the "ORI" field
 - (2) The requestor's full name and agency name is to be placed in the "REQ" field
 - (3) The operator's full name is to be placed in the "OPR" field
 - (4) Reason for Inquiry (RFI) must be provided by requestor. A file number and the specific reason or call type (traffic stop, Burg, Assault, UUMV, PD applicant etc.). Generic terms such as Investigation or Assist Other Agency are not acceptable.
 - 2. National Data Exchange

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- (1) The Search Reason field must be provided by the requestor. A file number and the specific reason or call type (traffic stop, Burg, Assault, UUMV, PD applicant etc.). Generic terms such as Investigation or Meet Complainant are not acceptable.
- F. Maintaining criminal justice information in the National Crime Information Center, Texas Crime Information Center, and North Central Texas Crime Information Center systems
1. The Crime Information Center will enter, modify, clear and cancel most information into the National Crime Information Center and Texas Crime Information Center systems.
 2. Stolen Property with Serial Numbers
 - a. Personnel must forward the information to the Crime Information Center for entry at the time of the report.
 - (1) Property defined as Articles will be entered after the report has been approved through the Automatic Field Reporting process.
 - b. When stolen property has been located personnel must notify the Crime Information Center for removal in the system.
 3. Felony Vehicles
 - a. Sworn personnel will identify outstanding vehicles that were used in the commission of a felony and locating the vehicle may provide further information for the investigation of the crime.
 - b. Personnel must forward the vehicle information to the Crime Information Center for entry.
 - c. The felony vehicle entry will automatically purge after ninety (90) days on the system. The Crime Information Center will notify the investigating officer of the removal to determine if re-entry will be needed.
 - d. When locating a felony vehicle that has been entered into the system personnel must notify the Crime Information Center for removal in the system.
 4. Lost Guns
 - a. Lost guns will be identified by the violation on the offense report in conjunction with the serial number of a gun listed in the property section of the report.
 - b. Lost guns will be entered after the report has been approved through the Automatic Field Reporting process.
 - c. When a lost gun has been located personnel must notify the Crime Information Center for removal in the system.
 5. Felony Guns
 - a. Sworn personnel will identify outstanding guns that were used in the commission of a felony and having possession of the gun may provide further information for the investigation of the crime.
 - b. Personnel must forward the information to the Crime Information Center for entry.
 - c. When locating a felony gun that has been entered into the system personnel must notify the Crime Information Center for removal in the system.
 6. Missing Persons

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- a. Personnel must forward the information to the Crime Information Center for entry at the time of the report
 - (1) Persons under the age of 21 must be entered within 2 hours of receiving the initial Missing Person or Runaway report.
 - (2) Persons over the age of 21 where a Missing Person report has been filed should be entered at time of report as soon as the minimum data requirements are met (i.e. name, DOB, physical description).
 - (3) Missing persons, of any age, that is known by the agency to have or is reported to have chronic dementia, including Alzheimer's dementia, whether caused by illness, brain defect or brain injury shall be entered into the National Crime Information Center within two hours of receiving the report.
- 7. Unidentified Persons
 - a. Unidentified living or deceased persons when identity cannot be confirmed may be entered into the National Crime Information Center.
 - b. Once description information has been obtained, personnel may forward the information to the Crime Information Center for entry.
 - c. The National Crime Information Center system will cross reference the information with the missing person files to provide possible leads in identification.
 - d. Once identification has been made, personnel must notify the Crime Information Center for removal in the system.
- 8. Wanted Persons
 - a. Wanted persons with a Class B or above offense where the offense occurred in Denton County will be entered into the National Crime Information Center and Texas Crime Information Center systems by the Crime Information Center.
 - b. Wanted persons with a Class B or above offense where the offense occurred in Collin County will be entered by the Collin County Warrant Division.
 - c. Wanted persons with a Class C Misdemeanor offense will be entered by the Municipal Courts into the North Central Texas Crime Information Center.
- 9. Violent Persons
 - a. Requirement for Entry
 - (1) If there is a threat to law enforcement and the officer reasonably believes the person intends to commit an assault or other violent act against law enforcement, an entry request for Violent Person can be submitted.
 - b. Request for a Violent Person Entry
 - (1) Requests for entry shall be submitted through SharePoint.
 - (a) The SharePoint entry will notify the appropriate personnel that a request has been made.
 - (2) Requests will be sent to the officer's chain of command, up to a deputy chief, for review. Comments from the chain of command should be sent to the Crime Information Center.

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- (3) The Crime Information Center will track Violent Person requests and entries through the court process and appropriately keep or remove the entry based on the situation and the court disposition status.
 - c. Offense Report
 - (1) Some Violent Persons will be identified based on an approved violation listed on an offense report.
 - d. The Crime Information Center will track Violent Person entries through the court process and appropriately keep or remove the entry based on the situation and the court disposition status.
- 10. Threat Against Peace Officer or Detention Officer and Hazardous Address or Person
 - a. Requirement for Entry
 - (1) If there is information that leads an officer or detention officer to reasonably believe that a safety or hazardous situation either potentially or could exist, an entry request for a Threat Against Peace Officer or Detention Officer or Hazardous Address or Person can be submitted.
 - b. Request for Entry
 - (1) Requests for entry shall be submitted through SharePoint.
 - (a) The SharePoint entry will notify the appropriate personnel that a request has been made.
 - (2) Requests will be sent to the officer's chain of command, up to a deputy chief, for review. Comments from the chain of command should be sent to the Crime Information Center.
 - (3) The Crime Information Center will review the request and make the appropriate NCIC entry and make notification to Public Safety Communication for entry into the CAD system.
- 11. Protective Orders
 - a. Upon issuance, personnel must forward the Protective Order to the Crime Information Center for further processing.
- 12. National Sex Offender Registry
 - a. The Crimes Against Persons Unit is responsible for updating the Department of Public Safety Sex Offender system.
 - b. The Department of Public Safety Sex Offender system will automatically update the National Sex Offender Registry information within the National Crime Information Center.
- 13. NCIC Gang File
 - a. The Neighborhood Patrol Officer assigned to gang investigations, is responsible for updating the Department of Public Safety TXGANG system.
 - b. The Department of Public Safety TXGANG system will automatically update the gang information in the National Crime Information Center and Texas Crime Information Center systems.

G. Violation of Requirements and Procedures

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The violation of requirements and procedures established by this administrative directive and as determined by the CJIS Security Policy and the Department of Public Safety Crime Records Service may result in disciplinary action up to and including dismissal.