



## Arkansas Department of Community Correction

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### ADMINISTRATIVE DIRECTIVE: 05-07 ACIC/NCIC CRIMINAL INFORMATION SYSTEMS

TO: DEPARTMENT OF COMMUNITY CORRECTION (DCC) EMPLOYEES

FROM: G. DAVID GUNTARP, DIRECTOR

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SUPERSEDES: AD 03-12

APPROVED: \_\_\_\_\_

EFFECTIVE: APRIL 10, 2005

- I. **APPLICABILITY.** This policy applies to DCC employees
- II. **POLICY.** It is DCC policy to comply with all applicable provisions of laws, rules, regulations and guidelines pertaining to access and use of crime information systems and messages transmitted through the National Law Enforcement Telecommunications System (NLETS).
- III. **DEFINITIONS.**
  - A. **Arkansas Crime Information Center (ACIC).** The agency which administers the state's automated criminal justice information system and serves as the central access and control agency for Arkansas input, retrieval and exchange of criminal justice information in the National Crime Information Center (NCIC) (or its successor) and NLETS (or its successor).
  - B. **ACIC Control Center Coordinator.** The individual designated by the Center Supervisor of the Central Arkansas Community Correction Center (CACCC) as the employee primarily responsible for the proper operation of the DCC-ACIC Control Center.
  - C. **Criminal History Information.** Records compiled by the central repository or identification bureau (ACIC) on certain individuals consisting of a names and identification data, notations of arrests, detentions, indictment information, or other formal criminal charges. These records also include dispositions of charges as well as notations on correctional supervision and release.

- D. DCC-ACIC Control Center.** The area within the Central Arkansas Community Correction Center (CACCC) where a DCC ACIC operator is present 24 hours per day, 7 days per week to monitor and manage the DCC 24-hour ACIC terminal operations.
- E. Full Access Operator.** An operator appropriately trained and authorized to make ACIC system entries and inquiries.
- F. Hit.** Positive response to an ACIC/NCIC inquiry that requires confirmation.
- G. Limited Access Operator.** An operator trained and authorized to make inquiries only in the ACIC system.
- H. National Crime Information Center (NCIC).** The Federal Bureau of Investigation (FBI) computerized information system that provides criminal justice information to local, state and federal criminal justice agencies.
- I. National Law Enforcement Telecommunications System, Inc. (NLETS).** A National computer-controlled message switching service responsible for the routing and relaying of interstate messages.
- J. Originating Agency Identifier (ORI).** A unique number assigned by the FBI to each law enforcement/criminal justice agency that identifies the agency accessing criminal history information systems.
- K. Terminal Agency Coordinator (TAC).** Primary liaison between the DCC and ACIC regarding key matters relating to ACIC.
- L. ACIC Operator.** A trained employee authorized access to the ACIC system.
- M. User Agreement.** An agreement with ACIC that outlines the duties and responsibilities of participating agencies and includes the responsibility to ensure compliance by all ACIC operators with ACIC, NCIC and NLETS policies and procedures.

#### **IV. GUIDELINES.**

##### **A. Access and Use of Information.**

1. Purpose. Information obtained from ACIC, NCIC and NLETS shall only be for the purpose of performing functions of investigation, apprehension, detention, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders; criminal identification activities; the collection, maintenance and dissemination of criminal justice information; and DCC employment purposes.
2. Log. A criminal history secondary dissemination log (provided by DCC or ACIC) must be maintained on all secondary disseminations of criminal history information.

3. Disposal. Burning or shredding are the authorized methods for disposal of information printed from ACIC and NCIC files and NLETS messages.
4. Penalties. Release of information to an unauthorized person or obtaining information for an unauthorized purpose may result in fines and/or imprisonment as prescribed in Ark. Code Ann. §§ 12-12-212 and 12-12-1002. Additionally, disciplinary action may be taken up to and including termination of employment with the DCC.

**B. Right to Challenge.** An individual with a criminal history record in ACIC has a right to see and challenge the contents of his or her record through the Department of Arkansas State Police Identification Bureau as provided for by Ark. Code Ann. §12-12-1013.

**C. Message Switching.** Only official business messages which meet established guidelines in the ACIC Operator's Manual may be transmitted over ACIC or NLETS.

**D. Security.**

1. Physical Security. Computers used to access the ACIC system shall be in secure locations to prevent unauthorized access. These computers shall be locked or the room containing the computer locked when left unattended.
2. Operational Security. Procedures shall be instituted at each computer location to protect computer equipment, documentation and records. Proper identification shall be required before granting equipment maintenance personnel or other outside officials access to computers that are used to access the ACIC system.
3. Inspections and Audits. Offices where the ACIC system is accessed are subject to periodic ACIC/FBI security inspections and audits.

**E. DCC Terminal Agency Coordinator (TAC).** The Central Training Section (CTS) Manager is designated as the DCC TAC. The TAC has authority to further designate site TAC's and specify his or her duties. The TAC shall receive Level I and Level II operator training and perform the following duties:

1. Serve as liaison to ACIC
2. Serve as DCC representative for the ACIC user group
3. Implement and ensure compliance with the ACIC user agreement and other agreements as appropriate
4. Conduct on-site compliance visits to locations that access the ACIC system as necessary. Periodically review operations of the twenty-four hour control center at the CACCC with emphasis on areas of inspection and audit interest

5. Distribute ACIC documents and materials to appropriate personnel;
6. Coordinate with ACIC concerning training classes and changes in terminal operator assignments
7. Sign the front side of the "Request for ACIC Training" form. ACIC forms are available on the [ACIC web site](#).
8. Assist ACIC personnel in audits, security checks and related matters including ensuring pre-audit questionnaires are completed and returned to ACIC as required, and other appropriate actions in preparation for audits, and
9. Ensure corrective action is taken on audit deficiencies as stated in audit reports.

**F. DCC-ACIC Control Center Operations.**

1. Location. The DCC shall maintain a 24-hour, 7 day-a-week DCC-ACIC control center operation at the Central Arkansas Community Correction Center (CACCC).
2. Processing Warrants.
  - a. ACIC system operators at the control center are responsible for making all warrant entries for the DCC in the ACIC/NCIC system. Entries in the ACIC and NCIC must be substantiated by official warrant documents and the documents shall be retained on file at the control center until the entry is removed from the crime information system.
  - b. After a new warrant has been entered into the ACIC/NCIC system, a person qualified to verify the information is required to promptly provide a second party check of the initial operator entry by reviewing the information contained in the warrant, other pertinent file documents, and comparing that information to the computerized files to ensure accuracy. When all information is correct, sign off and date the ACIC Validation Compliance Worksheet.
3. Monthly Validation of Warrants. The ACIC Control Center Coordinator shall validate warrants on the monthly ACIC validation listing using the following procedures:
  - a. Upon receipt of the listing from ACIC, compare the entries to the DCC case file documents upon which the entries were based. Entries will be checked for completeness, timeliness and accuracy. Appropriate notations shall be made on worksheets or in the case files. If court issued, contact the court to verify the status.

- b. Record entries that are no longer current must be corrected or removed from the ACIC/NCIC systems.
  - c. A certificate of validation acknowledging that all records on the listing have been reviewed, are true and correct, and all non-current records have been deleted shall be completed by the ACIC Control Coordinator and returned to ACIC within the time specified by ACIC.
4. Hit Confirmation Requests. ACIC operators at the CACCC ACIC Operations Center are responsible for responding to "Hit" confirmation requests for the DCC. Messages received from other law enforcement agencies requesting confirmation of a "Hit" on a DCC warrant will be responded to within ten (10) minutes by a DCC-ACIC Control Center operator. Providing a Hit confirmation may require an eOMIS (electronic Offender Management Information System) inquiry. Notify the requesting agency of the warrant status and/or provide an approximate time a DCC response can be expected.
- a. If the maximum release (MR) date is in the past and the status does not read abscond, send a hit response message and advise the requesting agency to release the offender.
  - b. If the MR date is in the future and the status reads abscond, send a hit response message and advise the requesting agency to hold the offender for extradition.
  - c. If the MR date is in the past and the status reads abscond, send a hit response message and advise the requesting agency that more time is needed to confirm the request. and indicate the approximate time it will take
  - d. In providing Hit confirmations, the operator responding to the inquiry shall note on the printout precisely how, when and to whom the information was provided. Initial and date the printout and forward the original printout to the supervising officer for retention in the case file, while maintaining a copy on file at the DCC-ACIC Control Center for a minimum of one (1) year.
  - e. After sending the initial hit response, contact the supervising Parole/Probation officer (initiate contact with supervisory chain if the supervising officer cannot be contacted) by telephone for disposition on the parole/probation violator. If the P/P officer provides a decision other than what the initial message indicated, send a follow up message noting the change to the requesting agency. If a decision cannot be made until the next work day, follow up to ensure a reply is sent to the requesting agency.
  - f. Send email message(s) to the supervising officer, area manager, and Interstate Compact Area Manager if the offender is an Interstate Compact case or was apprehended out-of-state, to inform them of action(s) taken and, where necessary, to request information. The Interstate Compact Area Manager will coordinate extradition activity only for Interstate Compact cases and Arkansas offenders apprehended out-of-state. The Parole/Probation Assistant Director

will coordinate extradition of Arkansas offenders apprehended in-State. When there is a hit on a warrant, the warrant is automatically dropped from the ACIC system. Parole/Probation Officers who receive notice of a hit on a warrant must determine whether a warrant is still appropriate. When a warrant is still appropriate and the warrant was dropped from the ACIC system as a result of a hit, the Parole/Probation Officer must process another warrant.

g. If a warrant was removed from the ACIC/NCIC system and the offender is still wanted, the supervising officer should contact ACIC immediately and request to keep the warrant current.

5. Assistance to Criminal Justice Agencies. The DCC may provide assistance to other criminal justice agencies in the form of records inquiries and message transmittals. Prior to forwarding a printout to another agency, the operator responding to the request will obtain the ORI of the agency to receive the printout and log the transaction on the criminal history secondary dissemination log. The ORI is the verification that the recipient is authorized to receive the record.
6. Staff Contact Information. A current roster listing the contact information for parole/probation officers, managers and assistant directors shall be routinely provided by Parole/Probation Services to the DCC-ACIC Control Center.

**G. Parole/Probation Managers and Center Supervisors.** Managers and Center Supervisors shall perform the following duties:

1. Ensure security of computers used to access the ACIC system.
2. Ensure the provision of required documentation and information concerning background investigations of ACIC operators as required by ACIC and verified on the Request for ACIC Training Form.
3. Sign the reverse side of the Request for ACIC Training as the DCC Director's designated representative and forward the request to CTS.
4. Ensure completion of Level I workbooks by candidates for the Level I Course prior to candidates attending the course.
5. Ensure appropriate supporting documents for warrant entries are provided to the DCC-ACIC Control Center Coordinator.

**H. ACIC Operators.** ACIC operators must comply with all DCC, ACIC, NCIC and NLETS policies and procedures, inform the TAC of matters concerning ACIC training classes and changes in operator assignments; and assist with audits, security checks, and related matters.

**I. Training.**

1. General. ACIC certification training is not required for an employee to receive ACIC/NCIC criminal history information. However, such employees shall become familiar with the ACIC/NCIC system and penalties for misuse by viewing appropriate training videos or other appropriate materials and adhering to the requirement to properly safeguard and dispose of any criminal history information received. Review of these materials should be viewed by all certified law enforcement personnel biennially. The CTS will assemble a training package for this purpose.
2. Courses. Employees authorized access the ACIC/NCIC systems shall be trained in accordance with the ACIC requirements and standards. This training will be coordinated by the CTS.
  - a. All ACIC Operators. All ACIC operators must successfully complete the ACIC Level I training class during the first 60 days of assignment as a operator.
  - b. Full Access Operators. Full access operators must successfully complete Level I and, within six months of assignment, complete level II training.
3. Retraining. Operators must attend and successfully complete a retraining class every two years.
4. ACIC Training Request. ACIC operator training will be requested by completing the "Request for ACIC Training," and forwarding it, after it is signed by the appropriate supervisor, to the TAC in CTS. The TAC will sign and forward the request to ACIC for scheduling. The CTS will also provide workbooks when appropriate.

**J. Individuals Authorized Direct ACIC/NCIC System Access.** Access to the ACIC and NCIC Systems is authorized for the purpose of conducting DCC business or legally providing the information to another employee for conducting the same. The number of employees authorized direct ACIC access is as indicated below. No other individuals are authorized direct access. Supervisors/Managers will provide a current list of the specific names of authorized employees to the office of the Chief Deputy Director and will provide notification when personnel changes are made concerning authorization to ensure the list remains current.

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|---|-----------|
| 1. Central Office - Little Rock                     | <b>9</b>  |
| 2. Community Correction Centers:                    | <b>44</b> |
| a. Central Arkansas - Little Rock (24-hr. terminal) | 18        |
| b. Southeast Arkansas - Pine Bluff                  | 7         |

- c. Southwest Arkansas - Texarkana 5
- d. Northeast Arkansas - Osceola 5
- e. Omega Technical Violator Center - Malvern 9

3. Parole/Probation - Statewide **150**

- Area 1 11
- Area 2 8
- Area 3 9
- Area 4 12
- Area 5 12
- Area 6 11
- Area 7 8
- Area 8 14
- Area 9 11
- Area 10 16
- Area 11 11
- Area 12 13
- Area 13 10
- Central Institutional Release Office 4

**V. ATTACHMENT.**

Criminal History Dissemination Log (ACIC Form 105)

