

CJIS Data



What is CJIS data?



CJIS data refers to any information provided by BCI via UCJIS to criminal justice agencies necessary for the administration of criminal justice. This data includes, but is not limited to biometric, biographic, property, case/incident, motor vehicle, driver license, warrant, protective order, and criminal history record information.

Reasons for CJIS Access



- Criminal justice administration
- Criminal justice employment

What is required to access to CJIS data?



- Agencies must be set up through BCI and issued an ORI by the FBI and must submit an ORI validation form every year
- An agency must have an agency agreement on file and submit a new one every year
- Each person with unescorted access to CJIS data or terminals within the agency must be set up with BCI as a user

What is required to access to CJIS?



- All users must be trained and tested within 6 months of hire and then every 2 years thereafter
- Fingerprints must be retained in Rap Back
- Sign a User Security Agreement
- Sign a Training and Testing Agreement



UCJIS USER SECURITY AGREEMENT

Per Utah Administrative Rule R722-900, a USER means a person working for or with an agency who has direct access to UCJIS or a NON-ACCESS USER who obtains UCJIS records from a person who has direct access.

UCJIS USER SECURITY STATEMENT

Dissemination, Privacy, and Security of Information: All of the information acquired from any file accessed in UCJIS, which includes Palantir and the Public Safety Alerts and Notifications System (PSANS), is governed by regulations and policies of the FBI and the State of Utah. Dissemination, along with the privacy and security of any information acquired from any file in UCJIS, is for criminal justice purposes only. This information should be used for criminal justice investigations and criminal justice employment only. Printed copies must be destroyed by shredding or burning when no longer needed. Per the Administrative Office of the Courts, local agencies may NOT generate a hard copy of a juvenile's rap sheet or record summary.

Misuse of UCJIS information: Violation of dissemination, privacy, or security regulations may result in civil and/or criminal prosecution of the person(s) involved and loss of state computer access for the user and his/her agency. BCI maintains an automated dissemination log of all UCJIS file transactions to help ensure this information is being accessed for authorized purposes. Any unauthorized request or receipt of this information could be considered misuse. Utah Code Annotated 53-10-108(12) (a) states:

(12) (a) It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created, maintained, or to which access is granted by BCI or any information contained in a record created, maintained, or to which access is granted by BCI for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

User ID: Each UCJIS user must have his/her own user ID that must never be shared even for training purposes. Each user will be held accountable for each transaction in UCJIS under his/her user ID.

Criminal Background Checks: All UCJIS users, including those who are POST certified or who have a Utah Concealed Firearm Permit (CFP), must undergo a criminal background check prior to having direct access to UCJIS information or receiving UCJIS information from a user with direct access. The criminal background check contains both a name and fingerprint search of UCJIS files and the FBI RAP Back System. The FBI RAP Back System retains prints for the purpose of being searched by future submissions including latent fingerprint submissions. The existence of a criminal conviction, outstanding warrant, or a new criminal arrest may result in loss of access to UCJIS or UCJIS information.

UCJIS USER SECURITY AGREEMENT

I, _____, have read and accepted the *UCJIS User Security Statement* and understand that I must abide by this agreement to have access to any information acquired through UCJIS.

Signature: _____ User ID: _____

Date: _____ Agency ORI: _____ Agency Name: _____

This agreement must be signed prior to accessing UCJIS or receiving any UCJIS information.

This form does not need to be signed for biennial re-certification.

Please submit this agreement to BCI Field Services by e-mail at bcifs@utah.gov or fax to 801-969-7065 per Utah Administrative Rule R722-900-4.

Revised March 2017

What is dissemination?



The act of spreading or circulating information



- When CJIS data leaves your agency you will need to keep a dissemination log
- If the CJIS data is criminal history the requestor field in UCJIS will keep that logged for you



User/non-access user requesting
the user to run the check

User who ran check

01/18/2018 03:35	PERRPD	MJORDAN	CHQ	UT0021200	SID=1234567;PURPOSE_CODE=C;REQUESTER=Sgt Jones;AUDIT_REASON=17-P03524	793145315	UcchNameSearch SEARCH
---------------------	--------	---------	-----	-----------	---	-----------	--------------------------

Purpose code for the
check

Audit reason for the
check

Dissemination Log



- Dissemination log must be kept when disseminating CJIS data:
 - Date of dissemination
 - What was released
 - Name of the recipient agency
 - Name of the requestor
 - Case number or reason for release



Date of dissemination	What was released	Recipient Agency	Person CJIS was released to	# associated with request
1/24/2018	Criminal History: Bear, Yogi	BCI	Whitney Wilson	201812359
2/1/2018	Driver's license: Kent, Clark	Metropolis PD	Louis Lane	201835978
2/14/2018	Criminal History: Donald Duck	Disneyland PD	Mickey Mouse	201845796
3/1/2018	Ill: Mantle, Mickey	New York PD	Aaron Boone	201879657

Dissemination Responsibilities



- The agency providing CJIS data must train the recipient agency on:
 - Dissemination
 - Privacy and security of CJIS data

GRAMA



Government Records Access Management Act

- A GRAMA request must be sent in to the agency who prepares, owns or retains the requested information
- CJIS data is exempted from GRAMA provisions
 - The agency charged with replying should redact any CJIS data before releasing it to the requestor



DEPARTMENT OF PUBLIC SAFETY
BUREAU OF CRIMINAL IDENTIFICATION
3888 West 5400 South, Taylorsville, Utah 84129

GOVERNMENT RECORDS REQUEST FORM

Name of Requester: _____
Daytime Phone Number: _____
Mailing Address: _____
Name of Organization or Company: _____
Description of records sought: *(Describe the records with reasonable specificity.)*

Reason you believe you are entitled to access these records:

Requester Signature: _____ Date: _____

Information Section

Dissemination of information from a criminal history record or warrant of arrest information is limited to those entities described in Utah Code Ann. § 53-10-108(1). If you wish to obtain a copy of your criminal history record you must complete an Application for a Criminal History Record and pay the required fee. If you wish to obtain a copy of any other records maintained by BCI, you may complete this form and submit it to BCI at the address above.

Identification must be provided prior to release of a protected or private record pursuant to Utah Code Ann. § 63G-2-202.

You may be required to pay a reasonable fee to cover the actual cost of providing these records as provided in Utah Code Ann. § 63G-2-203(2). The current DPS fee schedule approved by the Utah State Legislature is as follows:

Black and white copies	DashCam Video/DVD
- \$5.00 for 1 to 10 pages	- \$25.00 per video/DVD
- \$25.00 for 11 to 50 pages	Photos
- \$5.00 per page every page thereafter	- \$25.00 for CD
Color Copies	- \$2.00 per printed page (1,2, or 4 per page)
- \$1.00 per page for color copies	- \$1.00 per developed negative

Revised 10/2012

Exceptions:

- Right of Access
- Motion of Discovery
- Court Order



Motion of Discovery



- Attorneys may disseminate CJIS data to defense attorneys
- Dissemination logs must be kept



Properly destroy any CJIS data
once you are done with it



Scenarios

In preparation to file charges, the Gotham City Attorney's office requested a copy of Clark Kent's criminal history from your PD. Whose name should you enter in the requestor field?



The attorney receiving
the CJIS data
OR
The main attorney.



Mount Crumpit Mounties Service is worried an avalanche could happen at any moment and the people of Whoville are at risk. Mount Crumpit is not set up as an authorized agency with BCI, but they've asked Whoville PD to query license plates for all cars in the vicinity. Can Whoville PD run the check? If so, can they disseminate it to Mount Crumpit Mounties Service?



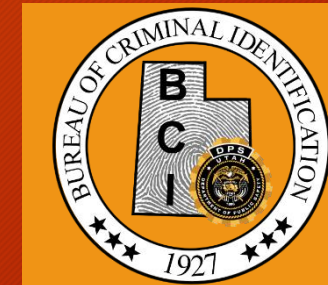
Although there is concern for public safety, because Mount Crumpit Mounties are not an authorized agency, the information cannot be disseminated.





A member of the public
comes into your agency and
wants a background check.
What do you do?

If your agency is set up to be a Right of Access provider, you may run UCH and release a copy of the record to the individual. If your agency isn't an ROA provider, you cannot query the record. However, you may refer them to BCI, or another ROA provider listed on BCI's website.



A member of the public is aware that you ran their background check as part of your duty. The individual wants to know if they have a record and if so, what is on it. What can you disseminate to them?





Nothing. The individual didn't apply for a Right of Access, therefore you cannot disseminate anything to them. This includes disseminating whether they do or do not have a criminal history record.

You have new renters for
your basement apartment
and want to screen them
to ensure that you they
don't have any
outstanding warrants.



This type of check is not authorized through UCJIS, however on the DPS public website, there is a link to check for warrants.

