

CJIS NEWSLETTER

Winter 2024

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New IT CJIS Security and NCJA Auditors

The CJIS Support Division would like to welcome Amber Bedson to the staff.

Amber started her career dispatching for Georgetown/Scott Co. 911 Center in October 2010.

With her 13-year career there, she has been awarded Dispatcher of the Year, Chief's Accommodations, and worked hard to revamp the Agency's filing system and helped update policies/procedures. She has supervisory experience and was appointed to the position of TAC in August of 2018. She remained TAC until her departure to the CJIS Audit Compliance Staff. Amber credits her co-workers (who have been more like family) over the years that have helped mold her into the person she is today.



Amber holds a Bachelor of Arts degree in Arts & Sciences from Eastern Kentucky University and an Associate in Arts degree from BCTC. Amber is married to Josh and together they have two rambunctious boys.



New IT CJIS Security and NCJA Auditors - Continued



The CJIS Support Division would also like to welcome Melanie Taulbee to the staff.

Melanie started her career as a dispatcher for Pikeville City Police Department in 1994. She hired in as a telecommunicator in 1999 for KSP post 9, Pikeville. In 2009 she was promoted to Radio Room Supervisor where she stayed until she retired in 2020. She was among the first three telecommunicators selected by KSP to become a certified KLEC (Kentucky Law Enforcement Council) instructor where she assisted in developing and teaching at KSP Telecommunications Academy. Dispatching and educating have always been her passions and she is looking forward to interacting with all agencies across the state in this new role.

Melanie lives in Virgie, KY and has a 21 year old son, Brayden that lives in Elizabethtown.

CJIS Security Policy is Changing Podcast:

Have any good podcast recommendations? I do, check out our very own Information Security Officer and CJIS Compliance Supervisor, Erin Oliver along with a panel of CJIS experts. The panel discuss the enhancing nature and challenges associated with the ongoing modernization of the CJIS Security Policy.

You can listen to the multi-episode podcast by going to learn.theiacp.org/podcast or scanning this QR code.



The most current version of the CJIS Security Policy is out now. Version 5.9.3 is live and can be viewed and reviewed by going to le.fbi.gov or kentuckystatepolice.org by simply scanning the QR code on the back page.

CJIS Full Access Training Process for New Users

The CJIS online certification program modules are meant to be a self-guided training. But that's not where the training begins and ends. After submitting the LINK User Account Request Form and getting advisement that the account has been created, the TAC or Training Officer at each Terminal Agency must go to the CJIS Documents app, select CJIS Training Modules, and print off the Full Access Training Instructions and all four training checklists.

Also, to comply with the current federal and state standards, any person with CJIS access must complete Security and Privacy Training (formerly Security Awareness Training) prior to any CJIS access. This will require the new user to log into the nexTEST app on the CJIS Launch Pad and first complete the Security and Privacy Training module before moving on to the remaining CJIS training modules.

The TAC/Training Officer must ensure the new user understands how to complete all of the CJIS transactions. **It is HIGHLY RECOMMENDED that the new user, under supervision, is allowed to make queries and even entries while training.** Once each module is completed, the training checklist shall be reviewed and signed by the TAC/Training Officer and the Trainee. These documents shall be maintained in the agency's personnel and/or training files and are subject to review during the audit process.

CJIS Certification Expiration Reminder



All CJIS Full Access, Inquiry Only, and Security and Privacy (formerly SAT) now expires on a yearly basis.

If your Full Access or Inquiry Only (including MDT) account is expired, you will no longer request an "extension." Users will log on with the appropriate username and password, complete the training modules, and after passing the test, will set their new expiration date.

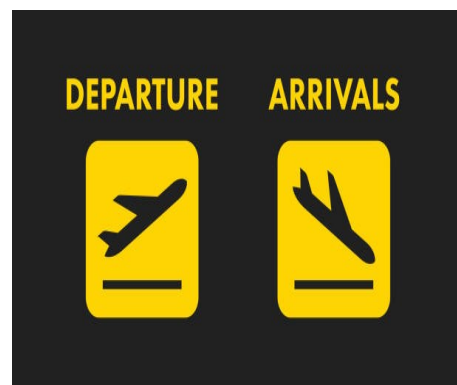
Those accessing an OpenFox terminal that let their certification expire will remain locked out of the terminal until recertification is completed.

New Hires and Personnel Leaving the Agency

Any new personnel being hired or contracted at your agency that will have any possibility of physical or logical CJIS access, must have a fingerprint-based background and the applicable User Account Form must be sent to Erin Oliver so they can complete the appropriate training prior to CJIS access, per the CJIS Security Policy.

Anytime a person leaves an agency, contact your Regional CJIS Auditor or IT Auditor and let them know.

If a person has any break in service, retires and comes back, changes agencies, that person MUST re-submit to a fingerprint-based background check.





E-EPO Temporary and Permanent Orders

Even with the eWarrants/E-EPO programs in place:

The Terminal Agency and/or Dispatch Center is still required to have at least one designated person to receive an email notice of the issued order.

All EPO documents must be printed out and a case file must be created, this hasn't changed. If the court doesn't send the paperwork over, the Terminal Agency can print it off from eWarrants. A copy of the NCIC/LINK entry must be printed and in the case file as well.

A 2nd Party Check is required on all entries. If there are errors in the base entry, such as misspelled name, wrong DOB/SOC the Terminal Agency shouldn't modify the record but should be added as a supplemental record. Additional restrictions such as Condition 7, restricting the purchase or possession of a firearm, may also be supplemented.

If an EPO is transferred from one county to another, one of the two agencies involved needs to contact Erin Oliver so that the transfer can be updated properly in the eWarrants system.

For additional guidelines on the E-EPO process, refer to the E-EPO Review located in CJIS Documents under the KESC 2021 folder.

NCIC Stolen Guns Entry

Recently, we have had agencies ask about incidents of stolen guns that were also entered into NCIC by ATF. We spoke with ATF in Louisville and they advised that if a local agency has stolen guns, ATF may also make an entry under their ATF ORI. The ATF does this to track any hits on the hot file so they get the notifications directly. **This does not negate the need for the local agency to also make an entry, they will proceed with their stolen gun entry the same way they always have.**

Fingerprint Class (FPC)

The entry of Fingerprint Class on a NCIC Person File Entry must only be the Fingerprint Class obtained from the criminal history record. **Do not use Pattern Class**, this is not an accurate representation of a person's fingerprints.

Use and Sharing of Driver's License Photos

Driver's license photos cannot be shared for public use. In the event of a situation where a driver's license may contain the only current photo of a person such as a Wanted Suspect, Missing Person, or Person of Interest, the ISO, Erin Oliver, must be contacted for approval prior to use and sharing to the media, on any public platforms, or social media websites.



ORI Validations

All ORIs are validated on a biennial basis.

The TAC at each agency should ensure all ORIs that show in their NCIC terminal dropdown are validated every two years.

How does this work?

The TAC will need to query each ORI in NCIC and NLETS (Orion). The NCIC and NLETS results should be compared to ensure they match.

If all of the information matches and is correct, the TAC will go to the NCIC ORI folder and select the "validate" form. When validating, the ORI in the Header Information field and the ORI in the Required Information field must match.

If the information needs modified, the TAC may modify the NCIC presented ORI but they cannot modify the NLETS presented ORI. It is recommended that if any modifications need made, the TAC should contact their Regional Auditor.

Reminders and Notes

- * Updated NCIC Entry training videos are in the NCIC Community in JusticeConnect in LEEP
- * Make sure to use the most current User Agreements. Print them each time from the CJIS Documents app.
- * On Wanted Person entries, the Terminal Agency that received the e-notice should check the Agency Assigned Service to ensure the eWarrant was directed to the correct entering agency.
- * **FBI CJIS Security Policy 5.9.3** has now been released. To view, go to le.fbi.gov or scan the QR code on the back page. <https://le.fbi.gov/cjis-division/cjis-security-policy-resource-center>



Federal Bipartisan Safer Communities Act (BSCA)

There has been a recent update to the KRS in regards to the Federal Bipartisan Safer Communities Act. Please review the following and implement when necessary. If you have any questions contact your Regional Auditor.

Below is an overview of the BSCA.

Federal Bipartisan Safer Communities Act (BSCA): An Overview

* In response to the mass shooting committed by an 18-year-old who killed 19 children and two teachers at an elementary school in Uvalde, Texas, on June 25, 2022, President Biden signed into law the Bipartisan Safer Communities Act (BSCA). Part of BSCA changed the Brady Act as well as the Gun Control Act to include the assessment of **juvenile** records, by amending:

- * the firearms transfer prohibition to include 18-, 19-, and 20-year-olds who have disqualifying juvenile records (18 U.S.C. §922(d)); and

- * background check procedures to screen 18-, 19-, and 20-year-olds for disqualifying juvenile records and, if necessary, allowing authorities to take up to 10 business days to make such determinations (18 U.S.C. §922(t)).

- *As a result of BSCA, when an 18-, 19-, or 20-year-old attempts to buy a firearm at a Federal Firearm License (FFL), the FBI now conducts an enhanced NICS background check to determine if they have any disqualifying juvenile records under 18 U.S.C. 922(d).

***The following page will address KRS updates and how Agencies will respond to requests.**

Federal Bipartisan Safer Communities Act (BSCA): Kentucky

* At the time BSCA was passed, because of the incongruity in the language between 18 U.S.C. 922 (d) and Kentucky's juvenile code, juveniles who had been adjudicated in the juvenile session of district court did not fall under 18 U.S.C. 922(d) and their records were not subject to query by NICS.

* **2023 SB 162** addressed this issue by amending KRS 610.340 (Confidentiality of juvenile court records) to allow the sharing and use of juvenile records for the sole purpose of conducting an enhanced background check on 18-, 19-, and 20-year-olds.

* **KRS 610.340(6)** now reads:

(6) The provisions of this section shall not apply to employees of local law enforcement agencies, the Department of Kentucky State Police, or the Federal Bureau of Investigation engaged in conducting background checks for the sole purpose of identifying and providing potentially disqualifying juvenile public offense records to the National Instant Criminal Background Check System pursuant to Div. A, Title II, Sec. 12001(a) of the Bipartisan Safer Communities Act, Pub. L. No. 117-159. Notwithstanding KRS 635.040, an adjudication for a public offense is a conviction of a crime for purposes of 18 U.S.C. sec. 922(d)(1), (3), or (9). Any public offense record obtained pursuant to this subsection shall be used for official use only, not be disclosed publicly, and be exempt from disclosure under the Open Records Act, KRS 61.870 to 61.884.

As a result of the changes to KRS 610.340:

* Pertinent juvenile public offense records can be shared with the FBI for the sole purpose of conducting an enhanced NICS background check.

* These records will then be assessed by the FBI and may result in the 18-, 19-, or 20-year-old being denied the purchase of a firearm.

* **NOTE:** Now that BSCA and KRS 610.340(6) have been implemented, when an 18-, 19-, or 20-year-old attempts to buy a firearm at an FFL, the FBI will immediately contact KSP to determine whether that individual has a disqualifying juvenile record. KSP will then conduct a search of the individual's relevant juvenile court history and obtain a copy of their juvenile record (if necessary) from the local Circuit Court Clerk. That record will be provided to the FBI for an assessment and determination of whether the purchase of the firearm should be denied.

Attention all TACs: It is requested that a copy of this Newsletter be provided to each administrator and satellite agency contact. It is also suggested that each CJIS user review this document.

Initial	Date	Initial	Date

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CJIS Security Policy



CJIS Launchpad

