Introduction

The South Carolina Criminal Justice Information and Communications System (CJIS) operates under a shared management concept between the South Carolina Law Enforcement Division (SLED), as the service provider, and criminal justice agencies or non-governmental agencies contracting to support certain functions for criminal justice agencies, as the service users, herein after known as “user agencies”.

Criminal Justice Information and Communications System (CJIS) User Agreement

The responsibility of the SLED CJIS Division is to provide up-to-date, reliable and quality identification and information services to user agencies.

The out-of-state data (originating outside of South Carolina) provided by the SLED CJIS Division are managed and exchanged in cooperation with the FBI CJIS Division, each state CJIS Systems Agency (CSA) and its administrator for CJIS data, the CJIS Systems Officer (CSO). The CJIS Systems includes, but is not limited to: the Interstate Identification Index (III); the National Crime Information Center (NCIC); Uniform Crime Reporting (UCR), whether summary or incident-based reporting to the national Incident-Based Reporting System; the Fingerprint Identification Record System; Law Enforcement National Data Exchange (NDEx); Law Enforcement Online; the National Instant Criminal Background Check System (NICS) and information that is routed from all the states, Canada, and certain federal agencies via the National Law Enforcement Telecommunications System (NLETS).

The in-state data (originating within South Carolina) provided by the SLED CJIS Division are routed from and exchanged with source agencies in South Carolina. This information includes, but is not limited to, the South Carolina Central Repository for Computerized Criminal History (CCH) Record Information, the South Carolina Hot File(s), the South Carolina Incident-Based Reporting System (SCIBRS), the South Carolina Sex Offender Registry (SOR), the South Carolina Automated Fingerprint Identification System (SC AFIS), and the Violent Gang Terrorist Organization File programs. Motor vehicle and motor vehicle operator data managed by the SC Department of Public Safety are routed via interface with that agency.

In order to fulfill this responsibility, the SLED CJIS Division provides the following services to its users:

- State CJIS Systems Agency and interface services for NCIC;
- State CJIS Systems Agency and interface services for NLETS;
- National Weather Service and sex offender registry;
- Operational, technical, and investigative assistance;
• Policy review of matters pertaining to III, NCIC, NIBRS, IAFIS and CCH, SCIBRS, SC SOR, SC AFIS;
• Training assistance to each terminal agency coordinator;
• Ongoing assistance to System users; and
• System and data integrity auditing.

The following documents are incorporated by reference and made part of this agreement:

♦ Interstate Identification Index Operational and Technical Manual, NCIC 2000 Operating Manual and related updates (TOUS); and National Incident-Based Reporting System Volumes 1-4;
♦ Minutes of the FBI CJIS Advisory Policy Board meetings;
♦ Bylaws for the CJIS Advisory Policy Board and Working Groups;
♦ Title 28, United States Code, Section 534;
♦ Title 42, United States Code, Section 14611;
♦ [FBI] CJIS Security Policy to include all elements of the NCIC Computerized Criminal History Program Background, Concept and Policy;
♦ A Policy and Reference Manual;
♦ Recommended Voluntary Standards for Improving the Quality of Criminal History Record Information, and NCIC Standards, as recommended by the [FBI] CJIS Advisory Policy Board;
♦ Other relevant documents to include NCIC Technical and Operational Update, CJIS Information Letter, etc.;
♦ South Carolina Incident-Based Reporting System (SCIBRS) Guide/Training Manual;
♦ SLED CJIS NCIC Entry Quality Check Form (CJ-016);
♦ SLED CJIS Missing Person Validation Form (CJ-017); Amber Alert Information; and
♦ Other applicable federal and state laws, regulations, guides and forms.

The following NCIC or state files are available when direct access is authorized:

Identity Theft
Unidentified Person
Stolen Vehicle
Stolen Article
Stolen or Recovered Gun
Stolen License Plate
Wanted Person
Stolen Securities
Stolen Boat
Missing Person
US Secret Service Protective Dept. Motor Vehicles

Foreign Fugitive
Deported Gang / Terrorist Org.
Deported Felon
Protective Order File
Interstate Identification Index
SC Sex Offender Registry
SC Criminal Histories
SC Concealed Weapons
SC Alcohol Local Option
The following limitations or conditions, if any, for specified state and/or NLETS files are made:

By accepting access as set forth above, the user agency agrees to adhere to the following NCIC and SLED CJIS policies in order to ensure continuation of that access:

1. **TIMELINESS:** (Availability, including priority of service): Agency records must be entered, modified, cleared, and canceled promptly in NCIC to ensure maximum system effectiveness. Agencies that provide NCIC access to other agencies, such as through an interface or other process for non-terminal agencies, must ensure priority service for those agencies.

Fingerprints of custodial arrest subjects taken by a law enforcement agency or detention facility for state offenses must be submitted to SLED within three workdays; and wanted persons records meeting entry criteria must be entered into NCIC immediately upon receipt of the arrest warrants by the law enforcement agency (i.e., not more than three days after).

2. **QUALITY ASSURANCE:** Appropriate and reasonable quality assurance procedures must be in place to ensure that the most complete, accurate, and valid entries are in NCIC. Pursuant to § 23-3-120 of the SC Code of Laws, a person subjected to a custodial arrest for a state offense must be fingerprinted for identification and to establish records.

3. **VALIDATION:** NCIC requires that all records except Article File records be validated 60-90 days after entry and annually thereafter. The NCIC Validation Policy is defined as:

"Validation obliges the ORI to confirm the record is complete, accurate, and still outstanding or active. Validation is accomplished by reviewing the original entry and current supporting documents. Recent consultation with any appropriate complainant, victim, prosecutor, court, motor vehicle registry files, or other appropriate source or individual also is required with respect to the Wanted Person, Missing Person, and Vehicle Files. In the event the ORI is unsuccessful in its attempts to contact the victim, complainant, etc., the entering authority must make a determination based on the best information and knowledge available whether or not to retain the original entry in the file. Validation procedures must be formalized, and copies of these procedures must be on file for review during an NCIC audit."

SLED CJIS requirements include, but are not necessarily limited to, conducting quarterly Missing Person Validations, completing the Missing Person Validation Form and the NCIC Entry Quality Check Form.

4. **HIT CONFIRMATION:** Each agency entering records must, within ten minutes or one-hour depending on priority, furnish to an agency requesting a record confirmation a response indicating a positive or negative confirmation or notice of the specific amount of time necessary to provide a response to the request for record confirmation.

5. **SECURITY:** See Technical Security Policies 7.6 (Available through SLED ISO).


7. **AUDIT:** See FBI/CJIS Security Policy. (Located on LEMS.WEB & LEO)

8. **NCIC & SCIBRS TRAINING:** Each agency will be responsible for complying with mandated training requirements.
9. PERSONNEL BACKGROUND SCREENING: According to the FBI CJIS Security Policy, all personnel who have authorized access to FBI CJIS systems must be fingerprinted within 30 days of initial employment or assignment to include personnel directly responsible to configure and maintain computer systems and networks with direct access to FBI CJIS systems (4.5.1, (a)). Agencies should send to SLED Records on (1) completed blue applicant fingerprint card with “Criminal Justice Applicant” as the reason.


11. USE OF THE SYSTEM: According to any NCIC/state policies not specifically listed above:
A. The user agency will provide fingerprints for all custodial arrests made or brought by that agency, or ensure that they are provided, in turn, by another agency on behalf of the arresting or charging agency either via electronic submission or fingerprint card that meet submission criteria.
B. Each user agency with an interface to SLED CJIS must establish and maintain an information security structure that is satisfactory to the SLED Information Security Officer (ISO).
C. The user agency is responsible for the system access by that agency and any other agency that is, in turn, served by their agency.
D. Each user agency is to have a Terminal Agency Coordinator (TAC) to ensure adherence to NCIC and SLED CJIS procedures and policies within each user agency.

Acknowledgment and Certification

We hereby acknowledge the duties and responsibilities as set out in this agreement. We acknowledge that these duties and responsibilities have been developed and approved by NCIC System users in order to ensure the reliability, confidentiality, completeness, and accuracy of all information contained in or obtained by means of the FBI / SLED CJIS Systems. We further acknowledge that a failure to comply with these duties and responsibilities will subject our access to various sanctions as approved by the [FBI] Criminal Justice Information Services Advisory Policy Board. These sanctions may include the termination of NCIC services to the agency. We may appeal these sanctions through our CJIS Systems Agency.

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<thead>
<tr>
<th>Name of User Agency</th>
<th>SLED:</th>
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<tr>
<td>Address for User Agency</td>
<td>Mark A. Keel, Chief</td>
</tr>
<tr>
<td>ORI for User Agency</td>
<td>BY:</td>
</tr>
<tr>
<td>E-mail Address</td>
<td>Signature of CSO</td>
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<tr>
<td>Signature of User Agency Head</td>
<td>Title/Date</td>
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<td>Title/Date</td>
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## Agencies Serviced By User Agency

<table>
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<tr>
<th>Agency Name</th>
<th>ORI Number</th>
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Non-terminal User Agreement(s) with the above agencies must be on file with the user agency.

Revised 03/29/11
Introduction

Several law enforcement agencies (user agencies) in South Carolina have instituted state-of-the-art license plate screening technology from mobile and fixed sites. Their vendors provide software and screening devices that have the capability of scanning license plates and searching a local database loaded into a patrol vehicle computer or other location controlled by the agency. Data is provided to the law enforcement agency, not the vendor. Consequently, these law enforcement agencies have requested that SLED obtain relatively current information from the NCIC files in order to compare scanned numbers against stolen license plate information.

The FBI will provide SLED with extracts from the Vehicle File, the License Plate File, and vehicle information in the Wanted Person File. SLED will request this file twice a day from the FBI/CJIS division.

SLED will make this file (NCICEXT) available via a secure method to agencies who meet the following criteria:

Criteria to Gain Access to NCICEXT File

The agency requesting this file must be a South Carolina Law Enforcement or criminal justice agency. Access to this file must be requested from SLED by the agency TAC.

The agency must have a current NCIC agreement on file at SLED. If an NCIC agreement is not in place, the agency TAC must fill out this agreement, attach it to the request, and forward it to the SLED DATA CENTER CTO office at ctosled.sc.gov. A blank ‘User Agreement and System Responsibilities of Terminal Agency Coordinator’ form can be found at http://www.sled.sc.gov/cjis.aspx?MenuID=CJIS.

The agency is responsible for purchasing, installing and maintaining any necessary software and hardware for this technology. SLED recommends that the vendor incorporate scripts or other technologies to download the updated file from SLED during the LPR installation. This should be a scheduled periodic download to maintain the latest file for the LPR system.

The NCICEXT file can be used for law enforcement purposes only. The agency must update its local database as FBI updates become available, ensuring that those numbers deleted from the NCIC system are also deleted from all local databases. The agency must use NCIC client software to confirm extract hits are still active in NCIC, at the earliest reasonable opportunity, in accordance with current hit confirmation policy.
It is the user agencies’ responsibility to ensure that the vendor has had proper background checks and security agreements are signed and in place between the user agency and the vendor.

By accepting this file, the user agency agrees to adhere to any NCIC and SLED policies in order to ensure continuation of that access. The access and use of the NCICEXT file is subject to all security, auditing, and access requirements for use of NCIC data. Sharing of this file with other agencies is not allowed.

Approved agencies will be required to have a VPN Client loaded to the hardware receiving the file as well as an FTP userid/password for access to the NCICEXT server. Access to these services will be given to the TAC after the request is approved.

There is a 10 day minimum time frame to verify the request and return information to the requesting agency.
For additional information about this form, please refer to “SLED NCIC User Form Instructions” found on nexTEST.

**Agency Information**

- **Agency Name:** 
- **Agency Street Address:** 
- **Agency Mailing Address:** 
- **City:** 
- **TAC or ATAC:** 
- **TAC/ATAC Email:** 
- **Agency ORI:** 
- **Agency Phone:** 
- **Zip Code:** 

**User Information**

- **First Name:** 
- **Middle Name:** 
- **Last Name:** 
- **User Email Address:** 
- **NCIC Certification:** 
  - [ ] Inquiry (16 hr) 
  - [ ] Basic (40 hr) 
  - [ ] Instructor 
  - Last 5 of SSN: 
- **Yes/No** Do you currently have a VPN or SLED user logon? If yes: 

**Requested Action**

- [ ] Add New User 
- [ ] Delete Existing User 
- [ ] Modify Existing User 
- [ ] ORI Transfer 

If deleting an existing user, you must make the user inactive in nexTEST.

**Client / System**

- [ ] Datamaxx 
- [ ] LEMS.Web 
- [ ] Spartan 
- [ ] Other: 

**Access Level Requested**

- [ ] Inquiry Only 
- [ ] Full Function 
- [ ] Limited / Partial 
- [ ] Mobile 
- [ ] SOR 

**Modify Existing User**

- **New Name:** 

**ORI Transfer (nexTEST Only)**

- **Previous Agency:** 
- **Previous ORI:** 

- **TAC/ATAC Initials:** 
- **Last four of TAC/ATAC SSN:** 
- **Date:** 

**Warning/Terms/Conditions:** The SLED Network is an official South Carolina Government system for authorized use only. Access to the SLED Data Center Network, to include (but not limited to) CCH, NCIC, and SCDMV information, must be in accordance with all applicable laws, regulations, and policies. SLED reserves the right to deny or terminate access at anytime, with or without notice.

**SLED USE ONLY BELOW THIS POINT**

- **SLED NCIC**
  - Is / Was the user assigned to this agency in nexTEST? Yes / No 
  - Operator Certification in nexTEST: 16 Hour ( ) 40 Hour ( ) Other ( ) 
  - Certification Expiration: 
  - Date information forwarded to TAC/ATAC: 
  - Date information forwarded to vendor: 

- **SLED IT**
  - User ID: 
  - Agency No: 
  - Device ID: 
  - Device ORI: 
  - Is there a current User Agreement in place? Yes / No 
  - Was the existing User ID updated or changed? Yes / No 

**Additional Information:** 

- **nexTEST:** 
- **NCIC:** 
- **LEMS/JX:** 
- **ALPR:** 

SLED/CJIS Access Form
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