MJIC RE-CERTIFICATION STUDY GUIDE
FULL ACCESS

This Study Guide is intended for use by terminal operators preparing to take the Re-certification Test. This study guide contains information from a number of sources. The Re-certification Test questions are taken from material contained in this study guide. The material in this study guide is taken from the NCIC Operating Manual, the CJIS Newsletters, and additional information that is covered on the test but is not currently published in any of the above-mentioned sources. The material in this study guide is partial excerpts from the sources and may have additional comments that are not contained in the source documents, but which operators will need to know for the test. While the test is an open book test, this study guide MAY NOT be used during the test.

REMOTE DATABASES THAT ARE ACCESSED

Several remote databases will be accessed depending upon the data that is entered and the format used. In some cases, the system will generate inquiries to several databases, at other times only one database will be accessed. We have provided the following information to help you understand where data is being transmitted to and from.

ITS

Information Technology Services houses all Mississippi data on drivers license information and vehicle registration. Any inquiry that you make that pertains to registration of vehicles or driver related information on Mississippi will be sent to ITS. Your responses will contain the message **"DMVIN "**. This is also referred to as the 'STATE FILES'.
(AKA CDPA Central Data Processing Authority**)**

NCIC

National Crime Information Center located in Clarksburg, WV, at the FBI Headquarters houses all 'HOT' file data (Wanted, missing or unidentified persons, and stolen property). Any inquiry which is specifically directed to the NCIC database will generate a NCIC, check and will cause the response to contain the message **"MESSAGE FROM NCIC"**.
(AKA CJIS Criminal Justice Information Services)

III

Interstate Identification Index (Triple I) located in Clarksburg, WV, at the FBI Identification Division houses all criminal records for states that are not automated III Participants, and also contains an INDEX or POINTER record that identifies which state(s) has a criminal record on specific individuals. Any QH or QR inquiry, is automatically routed to III. If a record exists and the state of record is not a III Participant, an automated response will be returned **via NCIC**. If a record exists and the state of record is a III Participant, III will route your request to that state(s) and your response will be returned **via NLETS**.

NLETS

National Law Enforcement Telecommunication System is the remote system that is accessed when sending traffic to another state, when receiving traffic from another state, or send inquiries to another state. Messages received from another state will contain the message, **"MESSAGE FROM NLETS"**.

FOLLOWING ARE EXCERPTS FROM THE *NCIC OPERATING MANUAL* SECTION 1 - INTRODUCTION

NCIC DATA AND PROBABLE CAUSE

A NCIC "Hit" alone is not probable cause to arrest. a NCIC hit furnishes the inquirer the fact that a stolen report, missing person report, or warrant has been filed and also provides the date of theft, date missing, or date of warrant which are matters to be considered by the receiving officer in arriving at an arrest decision.

A hit is one fact which must be added to other facts by the officer in arriving at sufficient legal grounds for probable cause to arrest. Correct NCIC procedure demands that the agency which placed the record in file be contacted by the inquiring agency to confirm that the data is accurate and up to date. In some circumstances the hit confirmed with the originating agency may be the major fact and, indeed, may be the only fact necessary; for instance when a hit on a stolen car or other stolen property is made in a time frame very close to the time of the actual theft or when a hit indicates that a car was recently used in a bank robbery or is in the possession of fugitives. In such instances, a hit confirmed with the originating agency may be adequate grounds to recover stolen property, return a missing person, or arrest a fugitive.

HIT CONFIRMATION POLICY

When an agency receives a hit it should be evaluated along with other information available before any action is taken. Professional procedures demand that the inquiring agency immediately contact the agency originating the record to confirm the data, and obtain further details.

The Hot Files provide users in Mississippi with timely data concerning property and persons that are wanted for some reason. Any time a "Hot File Hit" is received the terminal operator must:

1. **Immediately confirm with the arresting officer:** Examine the hit message, evaluate all information in the computer record, and compare with the officer's description of the subject being stopped or property being recovered to insure that person or property inquired upon matches the person or property described in the hit.

2. **Confirm with originating the agency:** After confirmation of the hit with the arresting officer, immediately transmit a request for confirmation of the hit to the originating agency. If the hit is not confirmed by the originating agency, do not arrest the subject or recover the property solely on the basis of the hit.

3.   **Place a locate:** Immediately after receiving confirmation of the hit from the originating agency, advising the hit is valid.

HIT CONFIRMATION TRANSACTIONS

The fixed format hit confirmation transactions were established by NLETS to facilitate the hit confirmation process. The **YQ/YR** hit confirmation format should be used for documentation when a record is being confirmed, even if the initial confirmation is handled by a telephone call.

Hit Confirmation Request (YQ)

A **YQ** inquiry uses the following data elements:

Priority. There are two levels of priority: **Urgent** and **Routine**.

Urgent -   within 10 minutes in those instances where the hit is the only basis for detaining a suspect, or the nature of a case requires urgent confirmation of a hit, the highest level of priority is specified.

Routine -   within 1 hour. Generally this will be used when the person or property being held on local charges or when an urgent confirmation is not required.

Hit Confirmation procedures must be formalized and copies of these procedures must be on file for review during a MJIC/NCIC audit.

ORION (NLETS)

The ORION File was created for two objectives. First, it provides the ORI of an NLETS user when only the location (city and state) or the Federal Agency (name of agency and state) is known. Second, if only the ORI is known it allows a user to gather information (i.e. address, phone, FAX number) on an agency. There are three types of inquiries that are used to access the file: The first type of inquiry retrieves specific records by ORI; the second type is a file search by location, which can be limited by type of agency if desired; the third type is a search by Federal Agency type, and if desired, location.

The message key for this inquiry is **TQ.**

FILE INQUIRIES

Driver's Name and OLN Search (**DQ**)

The DQ query may be used to query by a driver's name without a date of birth. Inquiring without a middle name will expand the search and the number of responses received. When the person you are searching for is located, complete another inquiry by using OLN to receive the complete driver's record or place cursor on the first letter of the last name and hit **ALT** and **F9** this will display the complete record. Once the complete record has been displayed a NCIC (QW) query can be generated by placing the cursor on the first letter of the last name and hit **ALT** and **F10**.

The Mississippi State Tax Commission Motor Vehicle Registration Files can be accessed by using the **RQ** formatted screen.

This message key will retrieve information as follows when using the Vin or LIC number.

> Motor vehicle information, owners' information, lien holder, and NCIC hot files

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> An agency may request out-of-state vehicle registration information by sending an inquiry message through NLETS. When querying by LIC only **one** two character state code address is permitted. A maximum of five addresses either two character state codes or NLETS regional codes are permitted per inquiry if inquiring by VIN. A combination of state and regional codes may be used when inquiring by VIN. NLETS registration queries **DO NOT** check NCIC Hot Files.

VEHICLE FILE

CRITERIA FOR ENTRY INTO THE VEHICLE FILE
> For NCIC purposes, a vehicle is any motor-driven conveyance designed to carry its operator except a boat. In addition to conveyances meeting this definition, aircraft and trailers are also to be entered in the Vehicle File. Examples of vehicles included under this definition are passenger cars, trucks, busses, motorcycles, snowmobiles, ATVs, motorized construction equipment, motorized farm equipment, motorized wheelchairs, golf carts, go carts, dune buggies, all types of trailers, and aircraft.
> A stolen vehicle may be entered if a theft report has been made. All NCIC 200 entries should be made **only** by the agency holding the theft report and having primary jurisdiction over the place of the actual theft. An **exception** to this occurs when a criminal justice agency or regional dispatch center acts as holder of a record for another agency that has no telecommunications equipment. **Only** when there is a written agreement between the two agencies.

RETENTION PERIOD FOR VEHICLE FILE RECORDS

The retention period for records entered in the Vehicle File are listed below:

Stolen Vehicle - A stolen vehicle or add-on vehicle which does not contain VIN or OAN field data will remain on file for 90 days after the date of entry. After 90 days, the record is suppressed. If the record is modified to include the VIN or OAN while the record is suppressed, a modify transaction containing the VIN or OAN will return the record to an active status. All suppressed records are removed from the NCIC Vehicle File at the next bi-weekly NCIC file realignment. While a record is in a suppressed status, an inquiring agency will receive a "no record" response when inquiring with an identifier other than the NIC number.

Felony Vehicle - a vehicle used in the commission of a crime, or a vehicle subject to seizure based on a federally-issued court order.

When entering a Felony Vehicle, a brief description of the felony must be provided in the MIS field.

BOAT FILE

CRITERIA FOR ENTRY INTO THE BOAT FILE

For NCIC purposes, a boat is a vessel for transport by water, constructed to provide buoyancy by excluding water and shaped to give stability and permit propulsion. The NCIC Boat File allows the user to enter all types of boats, provided the boat has some form of unique identifier such as a registration number, Coast Guard Document Number, boat hull number, or owner applied number. Examples of boats that may be entered into this file include jet skis, canoes, motor launches, sail boats, sail boards, and other marine craft. Like the Vehicle File, the Boat File allows for the entry of add-on records. This feature allows an entering agency to append a supplemental boat trailer and up to seven add-on boat parts to a base boat record when all were stolen at the same time and were directly related to each other.

GUN FILE

CRITERIA FOR ENTRY INTO THE GUN FILE

For NCIC purposes, a gun is any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by air, carbon dioxide, or the action of an explosive. Included are antique guns; cannons; machine guns; pistols; rifles; shotguns; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; destructive devices such as grenades, mines, missiles, and rockets; and disguised guns such as knife guns, pen guns, belt buckles, and cane guns. BB guns are excluded and should be entered in the Article File.

WANTED PERSON FILE

CRITERIA FOR ENTRY OF WANTED PERSON FILE RECORDS

Before entering a record of a wanted person in NCIC, the entering agency must attempt to determine, to the maximum extent possible, that extradition will be authorized if the individual is located in another state. For the purposes of entering an individual in the NCIC Wanted Person File, extradition is the surrender by one state to another of an individual within the territorial jurisdiction of the other.

NOTE: NCIC policy states that agencies may now enter records into NCIC for individuals who WILL NOT be extradited from another state. If a record is entered into NCIC for a person who will not be extradited from outside of Mississippi the first item in the Miscellaneous field should be "NOEX" for no extradition. If there are limitations concerning extradition of the wanted person such information must be placed in the Miscellaneous field of the wanted person record.

For example: MIS/EXTR AL, LA AND TEXAS ONLY or MIS/EXTR WITHIN 800 MILES ONLY.

Rules for Entering Wanted Person File Messages (EW)

CAU - Caution - (1 character) Allows for the use of a caution indicator when there is reason to believe the individual is armed and dangerous, has suicidal tendencies, has previously escaped custody, is dangerous to himself or others, or for any other appropriate reason. When a wanted person record which contains a caution is queried, the caution indicator will appear at the beginning of the wanted person response. To caution a wanted person record, enter a **"-C"** in this field. If a caution is entered in this field, the reason for the caution must be entered as the first item in the Miscellaneous field (MIS).

PAROLE VIOLATORS

Subjects entered on NCIC in the State of Mississippi with the offense code **(5011)** Parole Violation should be entered by Parchman **ORI/MS067015C.**

MISSING PERSON FILE

CRITERIA FOR ENTRY OF MISSING PERSON FILE RECORDS

Entry of a Record for a Missing Unemancipated Person (Child)

> The National Child Search Assistance Act of 1990, Title 37 of Public Law 101-647, requires all federal, state, and local law enforcement agencies, without observance of any waiting period, - to immediately accept a complainant's report of a missing child (person under 18 years old), and - to immediately enter a missing person record in their state law enforcement system and NCIC, and make details of the missing person report available to the appropriate state missing person clearinghouse.

> The Act also specifies that the agency that enters a missing person record must, within 60 days after the original entry, verify and update the record with medical and dental records, if available. NCIC will help accomplish this requirement by transmitting an "incomplete record notification" to the originating agency identifier identified in the ORI field of the incomplete record. NCIC will transmit a **$.K.** administrative message to the entering agency if, on the 30th day following record entry, the record does not contain information in any one or more of the following fields: Blood Type (BLT); Dental Characteristics (DCH); Fingerprint Classification (FPC); Jewelry Type (JWT); and Scars, Marks, Tattoos, and Other Characteristics (SMT). The $.K. "incomplete record notification" message will be transmitted only once for each record. NCIC will not generate follow up messages nor take any action to remove the record based upon its incomplete status.

RETENTION PERIOD FOR MISSING PERSON FILE RECORDS

> The retention period for missing person records entered into the NCIC Missing Person File are listed below:

> A missing person record entered into the NCIC Missing Person File will remain indefinitely unless a cancel message is sent by the agency that entered the missing person record or a locate message is attached to a missing person record by an agency other than the entering agency. In either instance, the record will be removed from the NCIC Missing Person File.

> A runaway juvenile record entered in the NCIC Missing Person File will change its status when the runaway reaches the age of emancipation (age 21). When the subject of a missing person juvenile record reaches the age of 21, a $.J. administrative message will be sent to the entering agency informing it that the subject it previously entered into NCIC Missing Person file is now emancipated. The agency may choose to allow the record to remain on file in NCIC after the subject of that record reaches the age of emancipation, but the status of the record will be changed to **"EMANCIPATED JUVENILE"**.

MISSING PERSONS/WANTED PERSONS
FOR SUBJECTS UNDER THE AGE OF TWENTY-ONE (MS)

Missing persons classified as 'juveniles' (**NOTE: The word juvenile as herein defined pertains to missing persons for NCIC purposes only.)**

    A. When entering 'missing persons' who have not reached the age of twenty-one (21) and are entered in the **Juvenile** category, the date of emancipation shall be calculated as the date the person will reach his/her twenty-first (21st) birthday.

        1.   Missing children should **ONLY** be entered in the Juvenile category when they are habitual runaways or status offenders, **OR** are under the jurisdiction of the Youth Court, **OR** do not fit in any other category and have not yet reached the age of emancipation.

        2.   The "Involuntary" and "Endangered" categories should be used for missing children who are either kidnaped or disappeared under very unusual circumstances.

        3.   **NCIC requires no waiting period on missing persons**. Entry should be made as soon as possible, once supporting documents are in file. (Necessary documentation is explained in the NCIC Operating Manual - Missing Person File).

   B. Wanted persons who are over the age of seventeen (17):

        1.   Wanted persons who are over the age of seventeen (17) will be tried as adults when arrested and should therefore be entered as wanted persons and not as 'wanted juveniles'. No age of emancipation is needed for this type entry.

   C. Wanted persons who are under the age of seventeen (17) who will be tried   as adults:

        1.   Wanted persons under seventeen (17) who will be tried as adults are considered wanted persons and **NOT** wanted juveniles. No age of emancipation is needed for this type entry.

   D. Wanted persons who are under the age of seventeen (17) who will NOT be tried as adults:

        1.   Wanted persons who are under the age of seventeen (17) who will not be tried as adults are considered 'wanted juveniles'. The date of emancipation for 'wanted juveniles' shall be calculated as the date the person will reach his seventeen (17) birthday.

2. Wanted juveniles are **NOT** to include "status Offenders" i.e., children who commit noncriminal, but legally prescribed acts such as truancy, disobedience to parents, running away, and violation curfew.

3. Wanted juveniles may **only** be entered on NCIC by the authority of the 'Youth Court'. No other law enforcement agency may enter a wanted juvenile on NCIC. Law enforcement agencies may be the sending agency for the entry, but the authority to enter **MUST** come from the Youth Court.

CCH/III/NLETS CRIMINAL HISTORY INQUIRIES

Criminal History Access
Direct access, meaning the ability to access the state and national files through the NCIC computer by means of a terminal device or satellite computer, is limited to criminal justice agencies in the discharge of their official mandated responsibilities, and is further restricted to those terminal and non-terminal agencies who have executed a "users agreement" as required by security and privacy regulations.

QH INQUIRY

A III inquiry message (QH) provides the capability to search III using an individual's personal identifiers, assigned State Identification Number (SID), or assigned FBI Number (FBI). The QH is used to determine if an index to a person's criminal history record is in III. A positive QH response will inform the inquirer how many record responses to expect if the QR message is used t request the specific criminal history record. Also, the QH response provides additional identifiers (aliases, additional dates of birth, etc.) which may not be included on the actual criminal history record response(s).

QR INQUIRY

In order to obtain a specific criminal history via the III, a criminal history record request (QR) transaction containing either the FBI or SID must be used. The FBI or SID used in the record request may be obtained from the III response to a QH inquiry or from other sources available to the inquiring agency, e.g., local investigative file.

PUR - Purpose Code -) The purpose code identifies the reason for the criminal history inquiry. This field is mandatory. Appropriate purpose codes are listed below:

C - Criminal Justice purpose related to an individual's contact with the criminal justice system.

H - Public Housing purposes concerning screening of applicants for public housing. The message keys "QH" is the only message key allowed for this purpose code.

J - Employment backgrounds for potential criminal justice employees.

III RECORDS - AVAILABLE THROUGH THE FBI AND PARTICIPATING STATE AGENCIES

The III provides a method for requesting a criminal history record once a person has been associated with an Index record, or when a person has been positively identified with a prior record through fingerprint comparison at the local or state level. If the record is maintained only by the FBI, it will be automatically returned on-line via NCIC 2000. If the record is maintained by one or more states participating in the III record exchange, the state(s) will response via the National Law Enforcement Telecommunications System, (NLETS). When the record is on file in a participating state(s) and the federal offender and/or nonparticipating state data are on file at the FBI, the requester will receive multiple on line responses, i.e., the FBI will furnish the federal and/or nonparticipating state data and the participating state(s) will furnish its data.

A III NO RECORD RESPONSE

The III NO RECORD response does not necessarily mean there is absolutely no criminal history record on the individual. Records for all offenders known to the FBI with a year of birth of 1956 or later, or arrested for the first time and reported to the FBI since July 1, 1974, and numerous older records are indexed in III. If a NO RECORD response is received, a fingerprint submission containing the person's rolled, inked fingerprints should be mail or electronically transmitted to the FBI.

QUALITY CONTROL/VALIDATIONS/OTHER PROCEDURES

To help ensure the proper operation fo the NCIC 2000 System, the standards, procedures, formats, and criteria in the NCIC 2000 Operating Manual must be strictly followed. Complete, accurate, and timely records are essential to ensure System integrity. Users are encouraged to enter records in a timely manner to afford the maximum protection to the law enforcement officer by providing up-to-date information. Delayed entry of records in NCIC 2000 reduces or eliminates the possibility of apprehending wanted persons, locating missing persons, and recovering stolen property.
Promptness in modifying, locating, or clearing records in the System will help to keep the System free of outdated information.

Each agency entering records into NCIC is responsible and liable for record entries made into the NCIC System. Each agency is responsible for the accuracy, timeliness, and completeness of all records entered.

ACCURACY

Accuracy of NCIC records is an integral part of the NCIC System. The accuracy of a record must be double-checked by a second party. Agencies lacking staff for this verification should require the case officer to check the accuracy of the record, as the case officer carries the primary responsibility for seeking the fugitive or stolen property.

The verification of a record should include assuring all available cross-checks, e.g., vin, license numbers, were made and that the data in the NCIC record matches the data in the investigative report. Maintaining accurate NCIC files will mean more apprehensions and recoveries will be made.

TIMELILNESS

NCIC records must be entered promptly to ensure maximum system effectiveness. A timely wanted person file is one made immediately after: 1) The decision to arrest or authorize arrest has been made; and 2) The decision has been made as to whether and how far to go for extradition.

Timely entry of other NCIC records means as soon as possible once the minimum data required for entry and the record documentation is available. Information about stolen license plates and vehicles should be verified through the appropriate motor vehicle registration files prior to the record entry if possible.

As well as "Timely entry", you should also make modifications and cancellations as soon as data has been received which would necessitate the modification or cancellation of record entries.

COMPLETENESS

Complete records of any kinds include all information that was available on the person or property at the time of entry. The validation process should include a review of whether additional information has become available that could be added.

VALIDATION

Validation of records entered into NCIC is a requirement of both the FBI and MJIC. Failure to validate places **your agency** in a very high risk for civil liability. Proper validation will greatly reduce your risk for civil liability with regard too erroneous or inaccurate date being kept on the system.

Validation is accomplished by reviewing the original entry and the current supporting documents (case report and supplements) and by recent consultation with any appropriate complainant, victim, prosecutor, court, motor vehicle registry file or other appropriate source of individual. In the event you are unsuccessful in attempts to contact the victim, complainant, etc., you must make a determination based upon the best information and knowledge available whether or not to retain the original entry in the file.

Validation obliges the ORI to confirm the record is complete, accurate, and still outstanding or active.

Validation procedures must be formalized and copies of these procedures must be on file for review during a MJIC/NCIC audit.

EXPLANATIONS OF "TIMELY"

2.   **Timely modification** of a record is that which   occurs as soon as possible following the detections of erroneous data in an existing record and as soon as possible following the receipt of data not already in the record.
3.   Timely inquiry requires that the transaction is initiated before an officer begins writing an arrest report or citation document of any kind; inquires are stored when NCIC 2000 is not available and submitted at once when the System returns, regardless of whether the subject is still in custody; inquiry is made prior to release of a person who has been incarcerated.
4.   **Timely entry** of a locate is that which occurs as soon as reasonably possible once the record in question has been confirmed with the originating agency.

5.   **Timely removal** from the file requires immediate removal of the record once the originating agency has documentation that the fugitive has been arrested or is no longer wanted, and stolen property has been recovered.

LOCATE

The purpose of a locate message is to indicate (until the originating agency clears the record) that
the wanted person has been apprehended or the property has bee located. In the missing Person File, a locate message indicates the whereabouts of the missing person has been determined and retires the retires the record from the file.

A locate message must be transmitted when an agency other than the originating agency of the record finds the missing person, apprehends the wanted person, or recovers the property on file in NCIC 2000.

The only exceptions to placing a locate message occur when the hit contains an **extradition limitation or NOEX** in the MIS Field, and the agency finding the person is outside the geographical area of extradition. In such case, the record should not be located. All record on file for the found missing person, apprehended wanted person, or recovered property **must** be located to ensure that they are in the correct status.

A locate message **cannot** be used by the agency that placed the record in NCIC 2000.

$.L. ADMINISTRATIVE MESSAGE

A $.L. (locate notification) is transmitted to the agency that originated an NCIC record when another agency places a locate message on their record to indicate that an item(s) of stolen property was recovered or that an individual was apprehended or located. Each locate notification message will begin with $.L. followed by the ORI of the agency that originated the NCIC record. The second line will contain the words LOCATE NOTIFICATION AT followed by the time and date that the locate message was received at FBI NCIC. The actual locate message transmitted to the NCIC computer by the locating agency will begin on the third line. **NOTE**: Upon receipt of a $.L message, the entering agency should cancel the corresponding hot file record.

RETENTION PERIOD QUICK REFERENCE GUIDE

Unless otherwise removed or located, records will be retained in file as follows:

ARTICLE FILE - Balance of the year entered plus 4 years. Records without a BHN or OAN remain 90 days after entry.

GUN FILE - Indefinitely or until removed by the originating agency. **Recovered weapons** will remain for the balance of the year entered plus 2 years.

INTERSTATE IDENTIFICATION INDEX - Until the individual reaches   the age of 99.

LICENSE PLATE FILE - Records remain for 1 year after the end of the plate's expiration year. Records for nonexpiring license plates remain for the year of entry plus 4 years.

MISSING PERSON FILE - Indefinitely or until removed by the originating agency.

ORIGINATING AGENCY IDENTIFIER FILE - Indefinitely. If an agency   no longer qualifies for NCIC access, the ORI record is   retired, but kept in inactive status.

SECURITIES FILE - Balance of the year entered plus 4 years,   except records for traveler's checks and money orders which are retained for the balance of the   year plus 4 years.

UNIDENTIFIED PERSON FILE - Indefinitely or until removed by the originating agency.

VEHICLE FILE - Felony vehicle records and records not containing   a VIN or OAN will remain for 90 days after entry. Records containing a VIN or OAN and stolen part records containing an OAN or SER remain for year of entry plus 4 years.

WANTED PERSON - Indefinitely or until the originating agency clears or cancels the record. Temporary felony want records will be automatically removed after 48 hours.

FOLLOWING IS AN EXCERPTS FROM THE *NCIC OPERATING MANUAL*

Only the agency holding the theft report and having primary jurisdiction over the place of actual theft may make an NCIC entry. The only exception is that any criminal justice agency or regional dispatch center may act as holder of the record for another agency which has no telecommunications equipment. When such an entry is made, the agency holding the record may place its own originating agency identifier (ORI) in the ORI Field only when there is a written agreement between the two agencies which delineates the legal responsibility of the record.