

# UW Whitewater Police



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## I. Purpose

The purpose of this policy is to define the responsibilities and procedures relative to the use of the TIME System.

## II. Definitions

**CIB:** WI Department of Justice Crime Information Bureau- The Crime Information Bureau (CIB) is within the Wisconsin Department of Justice, Division of Law Enforcement Services. CIB is responsible for four primary statewide programs: Transaction Information for the Management of Enforcement (TIME) System, Handgun Hotline, Carry Concealed Weapons, and the statewide criminal history repository.

**CHRI:** Criminal History Information- Demographic information, arrest and charge information, and related final disposition reports from the District Attorney/Prosecutor, Clerk of Court, municipal court or correctional agencies.

**CJI:** Criminal Justice Information- Information gathered or provided by criminal justice agencies for the purpose of law enforcement, judicial, or correctional purposes.

**CJIS:** Criminal Justice Information System- A division of the United States Federal Bureau of Investigation.

**DOT:** Department of Transportation

**eTIME:** Online version of the TIME System- See below

**III:** Interstate Identification Index (Triple III)- a national index of state and federal criminal histories in the United States of America, maintained by the Federal Bureau of Investigation.

**NCIC:** National Crime Information Center- the United States' central database for tracking crime-related information.

**NLETS:** National Law Enforcement Telecommunication System

**PII:** Personally Identifying Information- Any information that can be used to identify an individual, including but not limited to full name, Social Security number, date of birth, home address, biometric data, and other identifying details.

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**TIME System:** Transaction Information for the Management of Enforcement- The TIME System is the network that provides criminal justice agencies and law enforcement with critical information on wants and warrants, driver's license and vehicle registration information, criminal histories, protection order and injunction files, sex offender and corrections information, stolen property, missing persons, and more.

**TAC:** TIME Agency Coordinator- The primary liaison between an agency and the Crime Information Bureau.

## III. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) to ensure that all entries and queries of using the TIME System adhere to operational procedures, and in accordance with CJIS Policy. Validity, accuracy, privacy, and completeness will be the primary concern at all times.

## IV. Procedure

- A. **System Usage:** Only authorized users shall access the TIME system for valid law enforcement/criminal justice purposes. At no time will any user use the TIME system to run the user's personal information (and respective license plates), a family member's information, or information for anyone with whom the user is closely associated. Should a situation arise wherein the subject who needs to be run through the TIME system is closely affiliated with the user, the user will request another officer, staff member, or a supervisor to run the subject. If a test record needs to be run, only approved test transactions should be used.
- B. **Penalty for Misuse:** The Department of Justice Crime Information Bureau, as well as UWWPD, may investigate any alleged misuse of the TIME System. Potential misuse of the TIME system includes running family members or other subjects with whom the user is closely associated for criminal justice purposes during the normal course of work, running information for personal use, and running information that is in direct conflict with the regulations set forth by the FBI and CIB for the use of the TIME system. Individuals determined to have misused the TIME system may be subject to internal discipline and/or criminal and/or civil penalties under state and federal law. TIME logs are routinely audited for compliance with these policies.
- C. **Security and Access**
  1. UWWPD shall designate an individual to serve as a TIME Agency Coordinator (TAC). The TAC may designate authorized contacts to fulfill various roles and responsibilities in the administration of the TIME system. Responsibilities of the TAC include ensuring that authorized users are trained and in compliance with CJIS, FBI, and TIME system policies and regulations.
    - a. The TAC also serves as the administrator of TIME interfaces to departmental applications/systems, terminal designations, and applicable communications/connectivity.

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- b. The TAC is responsible for the completion of audits performed by CIB and the FBI. In order to maintain our agency's access to the TIME system, it is essential that all staff comply with all requests from the TAC or designee(s).
  - c. The TAC will disseminate TIME System Newsletters to departmental staff.
- 2. Access to TIME terminals shall be limited so that only authorized users will be able to view and access information from the system. In order to qualify for authorization, a TIME user must pass an initial background check, complete initial certification within six months of hire, and maintain applicable TIME certifications bi-annually. User access to the TIME system shall be reviewed at least once per year. Users granted access to the TIME system, shall be provided with the minimum level of permissions to meet respective job duties. Upon termination of employment, a user's account shall be disabled, access removed, and CIB contacted to update departmental records. Staff with agencies holding a current Management Control Agreement with UWWPD will be required to complete and maintain TIME System Security Awareness training. Vendors remotely accessing CJIS related applications/systems shall be virtually escorted. In the event of a security incident, the occurrence shall be documented and reported to CIB in accordance to applicable policies and procedures (see 93.2 Information Security Incident Response).
- 3. In compliance with CJIS policy, access to the TIME system via cell department cell phone or any personally owned devices, is prohibited. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment, and may involve legal or criminal penalties if applicable laws are violated.

**D. Criminal History Record Index (CHRI/III):** Information from Criminal History Record Information (CHRI) and the FBI Interstate Identification Index (III) shall only be obtained for designated purposes outlined below. This information is not to be disseminated to non-criminal justice agencies or persons. Dissemination to another criminal justice agency requires a secondary dissemination log that will be maintained for one year. The original authorized user must ensure that the recipient is properly authorized, and for valid purposes, to receive the information. CHRI/III records received cannot be disseminated via radio broadcast or cellular phones unless there is a situation affecting officer safety or the general public.

**E. Authorized Purpose Codes**

- 1. **Code C:** Code C is used for Criminal Justice/Law Enforcement purposes and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied. This code is used for official duties in conjunction with the administration of justice (such as detection, apprehension, detention, prosecution, etc.).
- 2. **Code J:** Code J is used for Criminal Justice/Law Enforcement employment applicants and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied.

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3. **Code D:** Code D is used Domestic Violence/Stalking and is accepted by CIB (only adult records will be returned) and by the FBI (only returns information not sealed by state). This code is used by agencies providing a record to a court hearing for Domestic Violence and is for court use only. Actual Domestic Violence incidents will use Code C.
4. **Code H:** Code H is used for checking suitability of Public Housing Applicants and is accepted by CIB (for adult records only) and by the FBI (for identification only).
5. **Code F:** Code F is used for the return of Firearms to Lawful Owner and is accepted by CIB and by the FBI. Both adult and juvenile records are supplied. This code is used for the return of firearms to owners after theft, improper seizure, etc.
6. **Code E:** Code E covers other Authorized Employment Purposes and is accepted by CIB ONLY (which ONLY supplies adult records). The FBI will not accept this code. This code is used for when criminal history is required by state statute, local ordinance, or federal regulation.

## F. Personally Identifying Information (PII)

1. Extraction of PII from CJI:
  - a. PII shall only be extracted from CJI for the purpose of conducting official business in accordance with the agency's mission and responsibilities.
  - b. The extraction, use, and dissemination of PII from CJI for unauthorized purposes are strictly prohibited.
  - c. Access to PII from CJI shall be limited to authorized personnel who have a legitimate need to know as part of their official duties.
2. Data Minimization:
  - a. When extracting PII from CJI, only the minimum necessary amount of information should be collected, used, or disclosed to accomplish the official purpose.
  - b. Unnecessary exposure or use of PII should be avoided to reduce the risk of unauthorized access or misuse.
3. Retention and Disposal of PII:
  - a. PII extracted from CJI must be retained only for as long as it is necessary for official business purposes, in accordance with the agency's data retention policies.
  - b. After the retention period, PII must be securely destroyed to prevent unauthorized access or retrieval.
4. Compliance with State and Local Privacy Laws:
  - a. In addition to CJIS requirements, this policy ensures compliance with all applicable state and local privacy laws that regulate the collection, use, and handling of PII.
  - b. The agency shall regularly review relevant state and local privacy laws to ensure ongoing compliance.

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5. **Incident Reporting and Response:**
  - a. Any suspected or confirmed unauthorized access to or disclosure of PII must be reported immediately in accordance with the agency's incident response procedures.
  - b. A thorough investigation will be conducted, and corrective actions will be taken to address any vulnerabilities or breaches identified.
- G. **Storage and Disposal of CHRI Information:** CHRI/III records shall not unnecessarily be maintained in case files to avoid disclosure of out-of-date/inaccurate records under Wisconsin open records law. Cases that are e-Referred may contain CHRI/III information; however, this information is not considered part of the case documentation and is not subject to open records. When no longer needed, data from the TIME System shall be disposed of by the user in a secure manner via shredding.
- H. **Probable Cause/Hit Confirmation:** A hit on TIME is not sufficient for probable cause and only comprises part of the probable cause analysis and must be viewed in conjunction with other available information. As the time period increases since the receipt of the hit, the significance of the hit decreases. When a hit confirmation request is received via dispatch, the 911 data operator, on behalf of UWWPD, will provide timely confirmation back to the requesting agency.
- I. **CHRI/III INFORMATION:** On the CHRI/III request screens, the attention field shall contain the user's name. The CHRI log will be filled out at the time of the search.
- J. **TIME and NCIC Management of Records:** Only staff with Advanced TIME Certifications shall be allowed to enter, modify, and remove records from TIME/NCIC. Once a record has been entered or modified, a secondary check will be completed by a staff member who did not enter or modify the original record. Validation of all entries into TIME/NCIC shall be completed as designated by CIB.
- K. **DEPARTMENT OF TRANSPORTATION RECORDS:** DOT records and information will be obtained for legitimate law enforcement purposes only and will not be released except in cases of legitimate law enforcement need to other criminal justice agencies. Individuals requesting DOT record information shall be referred to the Department of Transportation. Juvenile records available from the Department of Transportation will be subject to the terms previously stated.