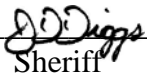


YORK-POQUOSON SHERIFF'S OFFICE	GENERAL ORDERS
SUBJECT: Records Administration	NUMBER: GO 2-49
EFFECTIVE DATE: March 1, 2021	REVIEW DATE: November 4, 2020
AMENDS/SUPERSEDES: GO 2-49, January 29, 2020	APPROVED:  Sheriff
VLEPSC: ADM.25.02, ADM.25.04, ADM.25.05, ADM.25.08, OPR.12.05	

1 **INDEX WORDS**

- 2
- 3 Arrest information for CCRE reportable offenses
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20

21 **POLICY**

- 22
- 23 The Records Section of the York-Poquoson Sheriff's Office is a component of the Administrative
- 24 Services Division. Records are maintained in compliance with applicable statutes and are kept
- 25 for public service, investigative, and administrative uses, and to provide statistical data. Sheriff's
- 26 Office records are confidential; upon approval, certain criminal records and arrest information
- 27 may be released to authorized agencies. In addition, the Sheriff's Office will provide certain
- 28 crime and traffic reports to other authorized persons. Sheriff's Office records functions include:
- 29 • Report entry,
- 30 • Report review,
- 31 • Report control,
- 32 • Records maintenance,
- 33 • Records retrieval,
- 34 • IBR Coding,
- 35 • Routing of reports,
- 36 • Release of information to the public, and
- 37 • Ensuring the status of follow-ups.

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PURPOSE

The purpose of this general order is to identify and explain various records, reports, files, and information collected, stored and disseminated by Sheriff’s Office personnel.

PROCEDURES

- Staff responsibilities
 - The Sheriff’s Office Network Administrator is assigned direct responsibility for the electronic records management function and IBR reporting.
 - The Administrative Services Division Commander shall be responsible for dissemination of records in response to the following:
 - Freedom of Information Act (FOIA) requests,
 - Subpoena’s
 - Court Orders.
 - ❖ Administrative assistants will normally handle all walk-in, requests for records.
 - ❖ The Sheriff’s Office Public Information Officer (PIO) will normally handle media requests for information and assist with FOIA requests.
 - The Investigations Division Commander shall be responsible for reviewing, routing, and determining the status of incident reports.
 - Direct coordination between supervisors or division commanders may be required to resolve any problems.
 - The Court/Civil Division Commander shall be responsible for the receipt, routing and/or assignment of civil process for service.
- Records
 - Access to all records whether paper or electronic shall be limited to only those persons authorized by the sheriff to access the records.
 - All paper files shall be kept in lockable filing cabinets or storage containers within in areas not accessible to the public without an escort.
 - Paper juvenile arrest records shall be kept separate from adult records.
 - Electronic juvenile arrest and incident records maintained by the Sheriff’s Office shall clearly denote the record involves a juvenile.
 - A central repository of records is maintained in the Records Section to include:
 - Incident Reports,
 - Arrest Reports,
 - Reportable and Non-Reportable Traffic Accident Reports,
 - Traffic Summons and Parking Citations,
 - CCRE and Criminal History Records,
 - Other administrative files as directed by the Sheriff.

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- All Sheriff's Office incident records shall be accessible 24 hours a day by those authorized to access and view the records.
 - Active and inactive case files are maintained by the Investigations Division.
 - The following files are maintained by each organizational component:
 - Administrative Services Division:
 - ❖ Applicant records,
 - ❖ Archive records,
 - ❖ Employee evaluations,
 - ❖ Issued equipment inventory,
 - ❖ County emergency operations plan,
 - ❖ Property and evidence records,
 - ❖ Expungement records,
 - ❖ Forms inventory,
 - ❖ Personnel records,
 - ❖ Promotion eligibility list,
 - ❖ Promotion selection records,
 - ❖ Skills, knowledge, ability inventory,
 - ❖ Training records,
 - ❖ Payroll and budget files,
 - ❖ Compensation board files,
 - ❖ Purchasing and accounts payable records,
 - ❖ Radar and vehicle calibration records,
 - ❖ Workers compensation records,
 - ❖ Sheriff's Office vehicle accident reports,
 - ❖ Communicable disease reports,
 - ❖ Solicitation permits,
 - ❖ Precious metals dealer's licenses.
 - ❖ Fingerprint files.
 - ❖ Vehicle towing files.
 - ❖ Reportable and non-reportable vehicle accident files,
 - ❖ Sheriff's Office issued DMV suspension notices,
 - ❖ Back ground check requests.
 - Chief Deputy:
 - Equipment inventory records,
 - Internal affairs records,
 - Grant records,
 - Division commander evaluations.
 - Civil/Court Division:
 - Records of civil process received/served,
 - File of civil process fees received,
 - Courthouse work order file,
 - Inspection files,

- 130 ▪ Auction files.
- 131
- 132 ○ Investigations Division:
- 133 ▪ Asset seizure files,
- 134 ▪ Task Force quarterly and annual reports,
- 135 ▪ Investigative files,
- 136 ▪ Informant files,
- 137 ▪ Inspection files,
- 138 ▪ Warrant purge files,
- 139 ▪ Specialized investigative equipment inventory files.
- 140
- 141 ○ Uniform Patrol Division:
- 142 ▪ Sheriff's Office vehicle files,
- 143 ▪ Issued smart-tag transponder file,
- 144 ▪ Special event operations plans,
- 145 ▪ Inspection files,
- 146 ▪ ERT unit files,
- 147 ▪ Bike patrol unit files.
- 148
- 149 ○ 911 Emergency Communications Center:
- 150 ▪ Warrant/Wanted persons files,
- 151 ▪ Stolen property files,
- 152 ▪ Protective Order files,
- 153 ▪ VCIN/NCIC files.
- 154 ▪ Virginia Missing Children Information Clearinghouse Reports,
- 155 ❖ These reports are submitted to the 911 Emergency Communications Center by
- 156 Sheriff's Office personnel.
- 157
- 158 ▪ Missing person's files.
- 159 ❖ These reports are submitted to the 911 Emergency Communications Center by
- 160 Sheriff's Office personnel.
- 161
- 162 ● Incident Based Reporting
- 163 ○ The York-Poquoson Sheriff's Office is an active participant in both national and state
- 164 crime reporting programs, specifically the Incident Based Reporting (IBR) system.
- 165 ○ The Sheriff's Office Network Administrator is responsible for IBR data verification
- 166 and submission.
- 167 ▪ Crime data is collected and following review and approval by the Sheriff's Office
- 168 Network Administrator, reports are prepared and submitted monthly to the
- 169 Central Criminal Records Exchange Bureau of the Virginia State Police by
- 170 electronic format.
- 171
- 172 ● Community Policing Vehicle Stop Reporting Requirements
- 173 ○ The IT section of the Sheriff's Office Administrative Services Division shall be
- 174 responsible for compiling and submitting data regarding motor vehicle stops, in

- 175 accordance with Section [52-30.2C](#)., Code of Virginia, to the Virginia State Police in
176 the form and format determined by the VASP.
- 177 ○ The Sheriff shall, in accordance with Section [15.2-1609.10](#)., Code of Virginia post,
178 report such data to the Department of State Police for inclusion in the Community
179 Policing Reporting Database established pursuant to § 52-30.3. The sheriff of the
180 locality shall be responsible for forwarding the data to the Superintendent of State
181 Police.
 - 182
 - 183 ● Warrant/wanted persons file
 - 184 ○ The warrant/wanted persons files consists of the following components:
 - 185 ■ Hardcopy file of warrants, capias, etc., are filed alphabetically by suspect's last
186 name.
 - 187 ■ Computer file-recorded as master name index which provides cross reference
188 capability with document file on a 24 hour basis.
 - 189 ■ Active VCIN/NCIC wanted person entry file.
 - 190 ❖ Wanted persons are normally entered into VCIN/NCIC by 911 Emergency
191 Communications personnel.
 - 192 ➤ Criteria and guidelines as listed in the VCIN and NCIC manuals will be
193 followed when making such entries.
 - 194
 - 195 ○ See [GO 2-48, Communications](#) and [GO 2-53, Warrant and Wanted Files](#).
 - 196 ■ VCIN/NCIC manual guidelines will also be followed when verifying and
197 canceling wanted person information and receiving information from another
198 jurisdiction.
 - 199 ■ Audits of wanted persons entered will be made monthly by the 911 Emergency
200 Communications Center.
 - 201
 - 202 ● Sheriff's Records Management System (RMS)
 - 203 ○ The Sheriff's RMS shall comply with IBR reporting requirements.
 - 204 ○ The Sheriff's RMS designates a unique numerical number for each separate incident
205 report.
 - 206 ○ Access to the Sheriff's Office RMS shall be available 24 hours a day by authorized
207 personnel.
 - 208 ○ The Sheriff's RMS provides automated information retrieval.
 - 209 ○ Through the use of different search fields, information can be obtained and cross-
210 referenced in various ways.
 - 211 ○ The Sheriff's RMS is capable of maintaining and searching files by:
 - 212 ■ Incident type,
 - 213 ■ Offense,
 - 214 ■ Report/incident number,
 - 215 ■ Incident location, or
 - 216 ■ Any entered field within the RMS.
 - 217
 - 218 ○ The Sheriff's RMS is capable of maintaining and searching for several categories of
219 property including:
 - 220 ■ Stolen,

- 221 ▪ Found,
- 222 ▪ Evidentiary, and
- 223 ▪ Recovered property.
- 224
- 225 ○ RMS Modules
- 226 ▪ The Sheriff’s RMS has multiple modules for recording and searching information
- 227 which include:
- 228 ❖ Master names,
- 229 ❖ Master vehicle,
- 230 ❖ Incidents,
- 231 ❖ Arrests,
- 232 ❖ Case management,
- 233 ❖ People,
- 234 ❖ Vehicles,
- 235 ❖ Property,
- 236 ❖ Employee administration,
- 237 ❖ Field contacts,
- 238 ❖ Civil process,
- 239 ❖ Warrants,
- 240 ❖ Citations/Summons, and
- 241 ❖ Specialized modules.
- 242
- 243 ○ Master Names Index
- 244 ▪ The alphabetical master name index within the Sheriff’s RMS is automated and
- 245 allows for the retrieval of information using any fields containing information.
- 246 ▪ The master name index is a file that includes the names of persons identified in
- 247 field reports and can cross-reference to all within the RMS except specialized
- 248 Internal Affairs and Quartermaster modules.
- 249 ▪ Juvenile records within the Sheriff’s RMS master names index shall be clearly
- 250 designated “Juvenile” based on the date of birth at the time record was created.
- 251
- 252 ○ The Network Administrator is responsible for maintaining the hardware and software
- 253 requirements of the Sheriff’s RMS.
- 254
- 255 ● Access to Sheriff’s RMS
- 256 ○ Access to the Sheriff’s RMS shall be limited to only those Sheriff’s Office employees
- 257 with a need to access the data within the system.
- 258 ▪ Limited read only access to the incident, arrest and property modules in the
- 259 Sheriff’s RMS may be granted to designated Commonwealth’s Attorney
- 260 employees, at the Sheriff’s discretion.
- 261
- 262 ○ All access to the Sheriff’s RMS shall be controlled by use of a unique user name and
- 263 password for each user.
- 264 ▪ Sheriff’s RMS users who are in a suspended status due to a disciplinary action or
- 265 pending criminal action, or who have left employment by the Sheriff’s Office for
- 266 any reason shall have their access rights to the RMS suspended or terminated.

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- Dissemination of information contained within the Sheriff's Office RMS or information from pass-alongs or bulletins shall be limited to the following:
 - Official law enforcement purposes;
 - Only to those who have a legitimate or legal need to receive the information;
 - In accordance with the requirements of the Virginia Freedom of Information Act;
 - When the information released is for the purpose of identifying a criminal suspect, or locating a missing or wanted persons;
 - Information contained in a press release or social media post;
 - When disclosure is required in compliance with a Court Order or subpoena;
 - When disclosure is authorized by the Sheriff or his designee.
 - Under no circumstances shall the name or address of a crime victim be disseminated except:
 - With written consent of the crime victim;
 - In compliance with a Court Order.
 - Mobile Field Reporting
 - As a function of the Sheriff's RMS, a mobile field reporting system, linked to the Sheriff's RMS, is utilized for incident reports and follow up reports for deputies in the field.
 - A unique sequential report/incident number is electronically generated by either the deputy writing the report or through a report number request to the 911 Emergency Communications Center dispatcher.
 - The unique sequential report/incident number generated in the mobile field reporting module stays with the report/incident upon transfer into the Sheriff's RMS.
 - Information entered via the mobile field reporting system transfers into the Sheriff's RMS once approved via the mobile filed reporting system by a supervisor.
 - Unapproved reports in the mobile field reporting system can be accessed as a "Draft Copy" as necessary.
 - Unusual Occurrences Reports
 - Use of force, and pursuit reports are maintained in the Sheriff's RMS Internal Affairs module.
 - Communicable disease exposure reports are maintained by the Administrative Services Division.
 - Workers compensation reports and files are maintained by the Administrative Services Division.
 - After Action Reports
 - After-action reports are incident driven and shall be submitted through the chain-of-command when required.
 - Line Inspection Reports

- 313 ○ Line inspection reports shall be submitted monthly through the chain-of-command to
314 the applicable division commander.
315
- 316 ● Staff Inspection Reports
317 ○ Staff inspections shall be submitted annually to the Sheriff.
318
- 319 ● Budget, Fiscal and Compensation Board Reports
320 ○ Budget and fiscal management reports and records shall be submitted according to
321 schedules set annually by the County.
322 ○ Fiscal reports and records required by the state compensation board or other outside
323 agencies shall be submitted according to schedules set by those organizations.
324
- 325 ● Investigative Reports
326 ○ Investigative reports shall be submitted to the deputy's/investigator's supervisor for
327 review prior to filing.
328
- 329 ● Distribution of reports and records
330 ○ All incident reports shall be forwarded in the mobile field reporting system to a
331 supervisor, no later than the end of each shift, for approval.
332 ○ The Investigations Division Commander shall regularly review the incidents reports
333 in the Sheriff's RMS for determination of:
334 ▪ Assignment for follow up, and/or
335 ▪ Final disposition.
336
- 337 ○ Reports shall be assigned or closed according to case screening criteria found in [GO](#)
338 [2-14, Criminal Investigations](#).
339 ▪ Reports may be assigned to the Patrol Division for follow-up.
340
- 341 ○ The original report shall be filed in accordance with retention requirements and
342 maintained electronically.
343 ○ Internal affairs complaints shall be investigated and documented in accordance with
344 [RR 1-9, Complaints-Internal Affairs](#) and maintained by the Chief Deputy.
345 ▪ Copies of offense/incident reports may be obtained or purchased by certain parties
346 and/or insurance companies as allowed by law upon their request.
347 ▪ Domestic violence victims shall not be charged for the domestic violence incident
348 report that they were listed as the victim.
349 ▪ Insurance companies requesting copies of reports through Arson Immunity Act
350 shall not be charged for the reports.
351
- 352 ○ Vehicle accident reports by be obtained or purchased by certain parties and/or
353 insurance companies by either:
354 ▪ Requesting the copy of the report at the Sheriff's Office, or
355 ▪ Obtaining the copy of the report via CarFax.
356 ❖ All vehicle accident reports both reportable and non-reportable are uploaded
357 to Carfax through the Carfax for Police portal.
358

- 359
- Handling of funds/fees collected relating to reports
 - The administrative assistants are authorized to accept money for copies of accident and incident reports and criminal history checks.
 - All monies received for accident or incident reports shall be handled in accordance with [RR 1-23, Financial Management and Capital Assets](#).
 - A fee of \$5.00 shall be collected by CarFax for all vehicle accident reports ordered through their service.
 - Funds collected by CarFax shall be remitted in the form of a check to the Sheriff's Office monthly.
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369 **LEGAL PROCESS RECORDS**

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- 371
- Criminal process
 - Upon receipt of criminal process, the Sheriff's Office creates a record within the Sheriff's RMS that provides for:
 - Date and time entered/received,
 - Warrant number
 - ❖ Court docket number, and
 - ❖ RMS assigned system ID number.
 - Type of process,
 - Nature of document
 - ❖ Felony, or
 - ❖ Misdemeanor.
 - Source of document, issued by,
 - Name of defendant,
 - Name of Complainant if available,
 - Deputy assigned for service,
 - Date of assignment,
 - Method of service,
 - Date of service and/ or return.
 - Location of Service,
 - Reason for non-service.
 - The Sheriff's Office shall maintain a records system that provides twenty-four (24) hour service for criminal warrants.
 - All members of the York-Poquoson Sheriff's Office who are responsible for the control and service of warrants shall be aware of all laws, rules and procedures for the recording, tracking and proper service of warrants.
 - All warrants received by the Sheriff's Office shall be documented and service shall be attempted as soon as practically possible.
 - See [GO 2-4A, Arrest Warrants](#).
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- Motions for Discovery

- 404 ○ The Attorney for the Commonwealth decides from time to time to not be involved in
405 the prosecution of certain minor criminal and traffic related offenses being prosecuted
406 in General District or Juvenile and Domestic Relations District Court. In cases where
407 the Attorney for the Commonwealth is not involved, the Sheriff's Office will be
408 responsible for complying with Motions for Discovery submitted by defense
409 attorneys.
- 410 ▪ Nothing in this policy shall prevent a deputy sheriff or supervisor from requesting
411 the Commonwealth Attorney's involvement in these types of cases.
 - 412 ❖ In the event the Attorney for the Commonwealth agrees to be involved in the
413 above type cases, the Commonwealth Attorney's Office and not the Sheriff's
414 Office will be responsible for the Motions for Discovery.
 - 415
 - 416 ▪ Motions for Discovery received by the Sheriff's Office for felony cases or any
417 misdemeanor to traffic infraction case, where the Attorney for the Commonwealth
418 is prosecuting the case, shall be forwarded to the Commonwealth Attorney's
419 Office forthwith for compliance.
 - 420 ▪ The following shall be considered a valid Motion for Discovery:
 - 421 ❖ A formal Motion for Discovery order issued by the court,
 - 422 ❖ A Motion for Discovery request filed with the court in a formal motion format
423 containing the requesting attorney's signature.
 - 424 ➤ Email requests, unless one of the above is attached, and informal letters,
425 even if on the requesting attorney's letterhead, shall not be considered a
426 valid Motion for Discovery request but may be processed at the discretion
427 of the Administrative Services Division Commander or his/her designee.
 - 428
 - 429 ▪ In accordance with the Rules of the Supreme Court of Virginia, [Rule 7C:5\(d\)](#),
430 Motions for Discovery are required to be received by the Sheriff's Office at a
431 minimum 10 days prior to the trial date.
 - 432 ❖ Motions for Discovery received by the Sheriff's Office less than 10 days prior
433 to the trial date may be processed and provided if time permits.
 - 434
 - 435 ○ The following procedures shall be used when a Motion for Discovery is received by
436 the Sheriff's Office for cases not involving the Commonwealth Attorney:
 - 437 ▪ Once received the Motions for Discovery shall be recorded in the Sheriff's Office
438 RMS civil module,
 - 439 ▪ The Motion for Discovery shall be forwarded to the Administrative Division
440 Commander or his/her designee who shall:
 - 441 ❖ Review or assign for review the incident report, attachments and property and
442 evidence module for:
 - 443 ➤ Exculpatory evidence,
 - 444 ✓ Exculpatory evidence is:
 - 445 ✱ Any evidence or statements which casts any doubt what so ever on
446 the accused guilt for the incident charged,
 - 447 ✱ Any evidence or statements which casts doubt on the believability
448 of any witness involved in the incident.

- 449 * Any evidence or statements which mitigates a defendant's
450 culpability in an incident charged.
451
452 ➤ Any Written Statements made by the attorney's client,
453 ➤ Any Written Statements of an exculpatory nature made by others,
454 ➤ Any DC-233A (Breath/Blood Test Refusal) forms if applicable,
455 ➤ Any Breath Test worksheet if applicable,
456 ➤ Any Marijuana Field Test worksheet if applicable,
457 ➤ Any Requests for Laboratory Analysis,
458 ➤ Any Certificates of Analysis,
459 ➤ Any Criminal History Convictions for the attorney's client,
460 ➤ Any Driving Transcript History for attorney's client,
461 ➤ Any evidentiary video of the incident.
462
463 ❖ Review or assign for review the Sheriff's Office in car and/or body camera
464 recording storage system for the following:
465 ➤ In Car or Body Camera video for all deputies involved in the incident,
466 ➤ Any evidentiary video recordings that contain:
467 ✓ Statements made by the attorney's client,
468 ✓ Exculpatory statements made by others involved in the incident.
469
470 ❖ Email the involved deputy(s) requesting a copy of any of the above
471 information not already located as well as a copy of any officer notes which
472 contain any exculpatory information.
473 ➤ The deputy(s) shall be directed to scan and attach any pertinent documents
474 to the incident report in the Sheriff's Office RMS.
475
476 ❖ Scan or add any provided or attached documents to the pertinent Motion for
477 Discovery folder on the Sheriff's Office shared drive.
478
479 ○ Once the above review has been completed the person completing the review shall:
480 ▪ Create a folder in the Motion for Discovery folder located on the Sheriff's
481 Office's shared drive listing the following:
482 ❖ Case number,
483 ❖ Attorney's name.
484
485 ▪ Copy any documents to be provided in response to the motion, except for criminal
486 and driving history, into the folder.
487 ❖ NCIC/VCIN/CJIS regulations prohibit the 3rd party disclosure of complete
488 criminal and driver transcript histories.
489 ➤ Create a separate document listing only the following criminal and/or
490 driving history information for the attorney's client:
491 ✓ Date of criminal or traffic convictions only,
492 ✓ Crimes or traffic offenses convicted of only,
493 ✓ Jurisdiction where criminal conviction or traffic offense conviction
494 occurred.

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- Complete the [YPSO Motion for Discovery Letter](#) located in the forms folder in Power DMS.
 - Notify the Sheriff's Office designated IT personnel of the Motion for Discovery.
 - The Sheriff's Office designated IT personnel shall do the following:
 - ❖ Create a case file within the Sheriff's Office in car/body camera storage system/software.
 - ❖ Add all documents located on the pertinent Motion for Discovery folder on the Sheriff's Office shared drive to the case file.
 - ❖ Add all in car and/or body camera video from the incident to the case file.
 - ❖ Add any evidentiary video located in Property and Evidence to the Sheriff's Office in car/body camera storage system/software and include this video evidence in the case file.
 - ❖ Provide an email link (Preferred) to the case file or create a DVD(s) with the above evidence and forward to the requesting attorney.
 - ❖ Attach a copy of audit log from the Sheriff's Office in car/body camera storage software showing the items provided to the Motion for Discover civil module RMS entry and clear the RMS entry as Complied With.
 - In the event the attorney filing the motion for discovery is unable to receive an email link to the case file and the information to be provided is so voluminous, that creating a DVD(s) would be impractical, the Administrative Services Division Commander or his designee shall schedule an appointment with the requesting attorney to view the video evidence gathered and copy or provide a copy of any requested documents.
 - For Motions for Discovery not received 10 days prior to the scheduled trial which cannot be processed the Administrative Services Division Commander or his/her designee shall:
 - ❖ Notify the requesting attorney that the Motion for Discovery was not received in a timely manner and the information requested cannot be provided, and
 - ❖ Notify the primary Deputy for the case that the Motion for Discovery was not received in a timely manner and could not be processed, this notification shall include the date the Motion for Discovery was received by the Sheriff's Office.
 - Civil Process Records
 - For guidance on civil process requirements, see [GO 2-38, Civil Process](#).
 - Arrest Information for CCRE Reportable Offenses
 - An incident report shall be generated and a case number shall be assigned for each person arrested on warrants for offenses originating in York County or the City of Poquoson if arrested by a York-Poquoson Sheriff's deputy.
 - Deputies shall complete an incident report documenting each CCRE reportable offense, upon making an arrest.
 - Photographs shall be taken of arrestees charged with CCRE reportable offenses.

- 540 ○ Fingerprinting shall be conducted for arrestees charged with CCRE reportable
- 541 offenses.
- 542 ▪ Adult arrest photographs and fingerprinting shall normally be conducted by
- 543 Virginia Peninsula Regional Jail personnel.
- 544 ▪ Juvenile photographs and fingerprinting will normally be conducted by
- 545 Civil/Court Security Division personnel at the courthouse utilizing the Courthouse
- 546 Live Scan system.
- 547 ▪ For additional information, see [GO 2-4, Arrests](#).

548 **Other Law Enforcement Information Systems**

- 549 • Law Enforcement Information Exchange (LInX)
- 550
- 551 ○ The LInX system is a data base that contains information from each contributing
- 552 agency's records system.
- 553
- 554 ○ This data base is not intended to be an official repository of original records.
- 555 ▪ The intent is to provide participating Law Enforcement agencies with the ability
- 556 to share information between jurisdictional boundaries as a tactical and analytical
- 557 tool.
- 558 ▪ The LInX system was designed to allow authorized users access to Law
- 559 Enforcement sensitive information.
- 560
- 561 ○ There are several rules that must be followed prior to and when utilizing this resource
- 562 that can be found in the user agreement for this data base.
- 563 ○ These rules are not all inclusive and the user agreement must be followed.
- 564 ▪ LInX information alone does not constitute probable cause for an arrest.
- 565 ▪ Records must be kept accurate and up to date in the Sheriff's Office RMS.
- 566 ▪ Usage of this system will be conducted as per the rules and guidelines of the LInX
- 567 Operational Rules.
- 568 ▪ The security of this data base will be the same as the security of the Sheriff's
- 569 Office RMS data base.
- 570 ❖ Information contained in the LInX database shall only be used for criminal
- 571 justice purposes.
- 572
- 573 ▪ Audits shall be conducted by the designated Security Administrator in accordance
- 574 with the agency user agreement.
- 575 ▪ Training for users of this system shall be conducted by the individual designated
- 576 by the Sheriff's Office Security Administrator.
- 577 ▪ The designated Security Administrator has the responsibility for immediately
- 578 disabling the account for any user who:
- 579 ❖ Fails to meet the requirements for access, or
- 580 ❖ Is under criminal investigation,
- 581 ❖ Retires,
- 582 ❖ Resigns,
- 583 ❖ Is terminated, or
- 584 ❖ Leaves the agency for any reason.
- 585

586 **Criminal Justice Information Systems (CJIS) Compliance**

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- Criminal Justice Information (CJI) is information regarding crime information and the identity of individuals obtained through the following:
 - Criminal History Files,
 - DMV Files,
 - Incident Reports,
 - Traffic or Parking Summonses,
 - Vehicle Accident Reports,
 - Law Enforcement Data Bases,
 - Subscription Based Data Bases used in Criminal Investigations.

- The Sheriff shall designate the following CJIS positions within the Sheriff’s Office, which shall be reported to Virginia State Police CJIS Division.
 - Local Agency Security Officer (LASO)
 - This designation will typically be the Commander of the Administrative Services Division.
 - The LASO shall maintain, at a minimum, VCIN Level B certification.
 - ❖ The LASO shall be responsible for the following:
 - Administration of York-Poquoson Sheriff’s Office CJIS compliance,
 - Determinations of Access levels or restrictions based on state and national fingerprint background checks,
 - Review and referral of access level restrictions to the Virginia State Police CJIS Division Criminal Justice System Security Officer (CSO) as needed,
 - Maintain a list to include Security Awareness Training completion proof of Sheriff’s Office personnel, York County personnel, contractors and vendors authorized un-escorted access to Sheriff’s Office facilities and areas.
 - Terminal Access Coordinator (TAC)
 - This designation will typically be the Sheriff’s Office Training Officer.
 - The TAC shall maintain, at a minimum, VCIN Level B certification.
 - ❖ The TAC shall be responsible for the following:
 - Coordinate VCIN and or CJIS security training and biennial recertification training requirements for Sheriff’s Office personnel, other York County employees, contractors and vendors requiring un-escorted access to Sheriff’s Office facilities and areas.
 - Serve as liaison between the York-Poquoson Sheriff’s Office and Virginia State Police CJIS Division training personnel.

- Levels of access for CJIS proposes.
 - Un-escorted Access.
 - Personnel with un-escorted access may enter all areas within Sheriff’s Office facilities.
 - Escorted Access.

- 632 ▪ Personnel not permitted un-escorted access shall be escorted by a representative
633 of the Sheriff's Office at all time while within Sheriff's Office facilities or areas.
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- 635 • Fingerprint Based Background Checks
- 636 ○ A State and National fingerprint background check shall be conducted prior to
637 employment of the following individuals:
- 638 ▪ Sheriff's Office sworn employees,
639 ▪ Sheriff's Office auxiliary personnel,
640 ▪ Sheriff's Office civilian employees,
641 ▪ Sheriff's Office volunteers and interns.
- 642 ❖ Access to CJI shall be rescinded, which may result in suspension or
643 termination of employment, for any Sheriff's Office personnel for the
644 following:
- 645 ➤ Decertification as a law enforcement officer, regardless of reason,
646 ➤ Any Felony charge,
647 ➤ Any Felony conviction,
648 ➤ A pending serious Misdemeanor charge or conviction involving crimes of
649 moral turpitude, computer trespass or identity theft,
650 ➤ Being wanted on a Felony or serious Misdemeanor charge.
651 ✓ Continued access or reinstatement of access to CJI may be granted for
652 Misdemeanor offenses upon review by the LASO in consultation with
653 the Virginia State Police CSO.
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- 655 ○ A State and National based fingerprint background check shall be conducted on the
656 following individuals prior to being granted un-escorted access to Sheriff's Office
657 facilities and areas:
- 658 ▪ York County building/facilities maintenance personnel,
659 ▪ York County Information Technology (IT) personnel,
660 ▪ Contractors of the Sheriff's Office or York County required to work in Sheriff's
661 Office facilities or areas,
662 ▪ Vendors contracted by the Sheriff's Office or York County.
- 663 ❖ Un-escorted access shall be denied to any of the above listed individuals for
664 the following:
- 665 ➤ A pending Felony charge,
666 ➤ Any Felony conviction,
667 ➤ A pending serious Misdemeanor charge or conviction involving crimes of
668 moral turpitude, computer trespass or identity theft,
669 ➤ Being wanted on a Felony or serious Misdemeanor charge.
670 ✓ Continued access or reinstatement of un-escorted access may be
671 granted for Misdemeanor offenses upon review by the LASO in
672 consultation with the Virginia State Police CSO.
673
- 674 ❖ The above listed personnel or their department shall immediately report any
675 arrests or convictions to the LASO as soon as practicable.

- 676 ❖ The above listed personnel shall undergo subsequent fingerprint based
677 criminal background checks every five (5) years if continued un-escorted
678 access is required.
- 679 ❖ The above listed personnel shall be issued a Sheriff's Office identification
680 card identifying if they have escorted or un-escorted access to Sheriff's Office
681 facilities and areas.
- 682 ➤ The issued Sheriff's Office ID card shall be displayed at all time while in
683 Sheriff's Office facilities or areas.
- 684 ➤ The Sheriff's Office ID card shall be surrendered:
- 685 ✓ Upon demand by the Sheriff, the LASO or their designee,
686 ✓ Upon termination, resignation or retirement from employment by
687 York County or a contractor or vendor of the Sheriff's Office or York
688 County,
689 ✓ Upon termination or expiration of a contract with the Sheriff's Office
690 or York County.
- 691
- 692 ❖ Sheriff's Office personnel shall challenge anyone within a Sheriff's Office
693 facility or area not displaying an ID indicating they are permitted un-escorted
694 access and not being escorted by a Sheriff's Office employee.
- 695 ❖ In the event the person is unable to produce an ID indicating they are
696 permitted un-escorted access, the Sheriff's Office employee shall:
- 697 ➤ Escort the person from the Sheriff's Office facility or area,
698 ➤ Report the infraction along with the name of the person and their employer
699 or County department to the LASO who will notify the employee's
700 supervisor or department head or York County contract administrator of
701 the infraction.
- 702
- 703 • CJIS Security Awareness Training
 - 704 ○ VCIN Level A & B Certification.
 - 705 ■ CJIS Security Awareness Training Levels 1 through 3 is incorporated in VCIN
706 Level A and B certification training.
 - 707 ❖ VCIN Level A certification shall be completed by Sheriff's Office personnel
708 who may be required to make entries in the VCIN/NCIC system directly.
 - 709 ❖ VCIN Level B certification shall be completed by Sheriff's Office personnel
710 who are required to make computerized DMV, VCIN or NCIC inquiries
711 through a VCIN/NCIC terminal, Mobile Data Computer or Handheld Mobile
712 Device.
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 - 714 ■ The Sheriff or his designee shall identify any Sheriff's Office personnel requiring
715 VCIN Level A certification.
 - 716 ■ All sworn Sheriff's Office personnel issued Mobile Data Computers or with
717 access to VCIN/NCIC shall complete VCIN Level A or B certification within 6
718 months of employment if not currently certified.
 - 719 ❖ No Sheriff's Office personnel shall access DMV, VCIN or NCIC files except
720 under the direct supervision of a certified VCIN Level A or B operator until
721 properly certified.

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- 723 ▪ All Sheriff's Office personnel with VCIN Level A or B certification shall
- 724 complete re-certification training biennially for their required level of
- 725 certification.
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- 727 ○ There are four (4) levels of CJIS Security Awareness Training.
- 728 ▪ All Sheriff's Office personnel, York County employees, contractors and vendors
- 729 who require un-escorted access to Sheriff's Office facilities or areas shall undergo
- 730 the appropriate level of CJIS Security Awareness Training based on the level of
- 731 access required by their position.
- 732 ▪ CJIS Security Awareness Training shall be completed within 6 months of
- 733 employment and then biennially thereafter.
- 734 ▪ CJIS Security Awareness Training is available via the Virginia State Police CJIS
- 735 portal.
- 736 ❖ The Sheriff's Office TAC will notify the State Police CJIS Division of those
- 737 who require Security Awareness Training and the level of training required.
- 738 ❖ The VA State Police CJIS Division will then notify the employee, contractor
- 739 or vendor and provide access to the training.
- 740
- 741 ▪ Upon completion of CJIS Security Awareness Training the employee, contractor
- 742 or vendor shall provide a copy of the certificate of completion to the Sheriff's
- 743 Office LASO as proof of compliance.
- 744
- 745 ○ Level 1 Security Awareness Training
- 746 ▪ Required for un-escorted access to any Sheriff's Office facility or area where CJI
- 747 is located, housed or stored.
- 748 ▪ Required for all personnel who must complete Level 2, 3 or 4 security training.
- 749 ❖ The following personnel shall complete Level 1 Security Awareness Training:
- 750 ➤ Sheriff's Office Contractors or vendors,
- 751 ➤ York County Contractors or vendors requiring un-escorted access to
- 752 Sheriff's Office facilities or areas.
- 753 ➤ York County employees requiring un-escorted access to Sheriff's Office
- 754 facilities or areas.
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- 756 ○ Level 2 Security Awareness Training
- 757 ▪ Required for un-escorted access to any Sheriff's Office facility or area where CJI
- 758 will handled.
- 759 ▪ Required of all personnel who must complete Level 3 or 4 security training.
- 760 ❖ The following shall complete Level 3 Security Awareness Training:
- 761 ➤ Any personnel who must handle or review CJI in the course of their
- 762 duties,
- 763 ➤ Any Personnel responsible for delivering CJI from one location to another.
- 764 ➤ Any Personnel responsible for the destruction of documents containing
- 765 CJI when not destroying the documents on site or under the direct
- 766 supervision of Sheriff's Office or 911 Communications Center personnel
- 767 who have completed at least Level 2 Security Awareness Training.

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- Level 3 Security Awareness Training
 - Required for anyone who has physical or logical access to CJI.
 - ❖ Physical and logical access includes anyone with direct or remote access to the Sheriff's Office Records Management System or computer or mobile data computer used to access the Sheriff's Office Records Management System or other Law Enforcement data bases.
 - Required of all personnel who must complete Level 4 Security Awareness Training.
 - ❖ The following shall complete Level 3 Security Awareness Training.
 - Sheriff's Office sworn personnel who do not possess VCIN Level A or B certification but who have direct or remote access to the Sheriff's Office Records Management System or other law enforcement data bases.
 - Sheriff's Office civilian employees who have direct or remote access to the Sheriff's Office Records Management System or other law enforcement data bases,
 - Sheriff's Office civilian IT employees,
 - Sheriff's Office contractors and vendors with direct or remote access to the Sheriff's Office Records Management System.
 - Level 4 Security Awareness Training
 - Required for all Information Technology personnel who perform the following roles regarding the Sheriff's Office computer network, computers, mobile data computers or handheld computing devices such as tablets and smart phones:
 - ❖ Systems Administration,
 - ❖ System Security Administration,
 - ❖ Network Administrators,
 - ❖ Network technicians.
 - The following shall complete Level 4 Security Awareness Training:
 - ✓ Sheriff's Office civilian IT personnel,
 - ✓ York County IT personnel,
 - ✓ Contractors for the Sheriff's Office or York County IT Department with network access.