



## **2-9 USE OF COMPUTER SYSTEMS**

### **2-9-1 Purpose**

To provide procedures for the proper use of department computers and criminal justice information systems.

### **2-9-2 Policy**

It is the policy of the Department to implement the City of Albuquerque's "Employee Code of Conduct" regarding automated systems, to maintain proper licensing restrictions and requirements. To centralize and coordinate all automation efforts that include, but are not limited to, the effective acquisition and implementation of all computer systems, system applications and hardware components, under the direction of the Technical Services Unit. This policy also applies to the security of the systems housed and utilized within the Department.

### **2-9-3 Definitions**

#### **A. Automated System - Computers**

Any electronic device, to include personally owned devices, wherein any work related access is subject to city audit and/or investigation.

#### **B. CJIS**

CJIS is the acronym for Criminal Justice Information Systems.

#### **C. Criminal History Record Information**

Information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition arising there from, including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

- Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons,
- Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis,
- Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings, and



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

- Records of traffic violations that are not punishable by a maximum term of imprisonment of more than ninety days.

D. Dissemination

Disclosing criminal history record information, or the absence of criminal history record information, to any person or agency outside the department possessing the information, subject to the following exceptions:

- Agencies participating in a single (joint) record-keeping department,
- Furnishing information to process a matter through the criminal justice system (information to a prosecutor), and
- Reporting events to a record-keeping agency

E. NCIC III (Triple-I)

The National Crime Information Center Interstate Identification Index, managed by the FBI and state law enforcement agencies. The information contained in the NCIC includes all records collected by criminal justice agencies on individuals including identifiable descriptions, notations of arrests, detentions, indictments, formal criminal charges, dispositions, sentences, correctional supervision, and release. Federal, state and local laws and regulations dictate that this information is to be accessed and used only by authorized individuals within a criminal justice agency, that this information is to be used for criminal justice reasons, that this information is to be kept confidential, and that this information is to be stored in a secure location. USC

**2-9-4 General Computer Use**

2-6

A. Computer Responsibility

Department System and Computer Security Violations

1. Department personnel will not disseminate or reveal any department-related information without proper authorization.
2. Personnel shall not use City computers, hardware and/or software for any personal compensation or profit.
3. The access of department records, systems, the Criminal Justice Information System and the files located within CJIS are only permitted in the performance of official duties and for criminal justice purposes.

7

4. Personnel will report violations or suspected violations to their supervisor. The supervisor will inform the Technical Services Unit of the violations.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

5. Personnel will not create or run unauthorized jobs, operate a computer in an unauthorized mode or intentionally cause any kind of operational malfunction or failure.
6. Personnel shall not compromise the physical security of any departmental building, property, equipment, and / or record(s).

B. Computer Training

All Department personnel who are issued credentials to any Department application will request the appropriate training information from the Technical Services Unit, if necessary.

C. Access

1. Personnel will be given access to computer systems according to their assignment, duties, and responsibilities.
2. Personnel will comply with all application access rules.
- 6 3. Personnel will only use his/her own password or username to gain access to their designated systems.
- 5 4. Personnel will not lend their password or username to anyone, so to gain access into an automated system or computer.
- 5 5. Personnel will adhere to system procedural requirements as set forth within the application or the system user's manuals.

5 D. Terminating Sessions

Personnel will sign off of the computer system they are using before leaving it unattended.

7 E. Network-Connected Computer Equipment

Personnel will contact the Technical Services Unit if network-connected computer equipment needs to be installed or moved.

5 F. Loading of Computer Software on Personal Computers

1. To maintain support and licensing requirements, all personnel will contact the Technical Assistance Unit before installing software on any department-owned computer.
2. Personal software, games, or any software not related to city business will not be loaded on department-owned computers. Violations will immediately be reported to a supervisor.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

7

3. Department-owned software will not be removed from any department-owned computer without prior approval from the Technical Services Unit.

G. Computer Files

1. All externally saved files are to be stored within areas of controlled access.
2. All files are retained in accordance with the City of Albuquerque Retention Schedule.
- 3.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

**2-9-5 Use of Criminal Justice Information Systems (CJIS)**

5-6

A. Authorized User Access to CJIS

1. Those accessing Criminal Justice Information Systems (CJIS) must be employed by the Department.
2. Information may be obtained from CJIS for authorized criminal justice purposes only, as determined by the Chief of Police.
3. Department personnel shall not use CJIS for personal use or non-law enforcement related activities.
4. Inquiries made for personal use, unauthorized use or dissemination of the information, can result in internal discipline, as well as penalties under Federal and State law.
5. Inquiries through any Criminal Justice Information System, including, but not limited to, Motor Vehicle Division Database, NCIC III, NLETS inquires to other jurisdictions, and LInX are only to be made for law enforcement purposes, as authorized by the department.
6. Employees shall not discuss or provide information obtained from a Criminal Justice Information System to any person who is not a member of the criminal justice system without the permission of the Chief of Police, or by due process of law.

B. Department Requirements

1. The Department must remain in compliance with the NCIC User Acknowledgement or risk termination of one or more of the services provided.

The User Acknowledgement is the formal agreement between APD and the New Mexico Department of Public Safety (NMDPS). This document acknowledges the standards established in the FBI's Criminal Justice Information Service Security Policy. The standards require accuracy, completeness, timeliness, and security in the dissemination and recording of information.

2. Violations of the rules, regulations, policies, or procedures developed by FBI and adopted by the NMDPS or any other misuse or abuse of the NCIC system may result in agency disciplinary measures and/or criminal prosecution. Disciplinary measures imposed by the NMDPS may include revocation of individual certification, discontinuance of system access to the department, or purging the department's records.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

C. Terminal Agency Coordinator (TAC)

1. The Department must designate a Terminal Agency Coordinator (TAC) to act as the point of contact for the New Mexico Department of Public Safety and the Federal Bureau of Investigation (FBI). The individual designated to function as a TAC will be responsible to ensure compliance with state and National Crime Information Center (NCIC) policies and regulations. The TAC must maintain a TAC training certification and attend TAC training once every three years. Additionally, the TAC shall participate in and ensure that all appropriate records be available during audits. Responsibility for proper operator performance, strict adherence to regulations, prompt notification of CJIS violations to the responsible employee's supervisor and subsequent training rests with the TAC.
2. Maintaining security of the terminal sites and information received is the responsibility of agency personnel operating the terminal, the TAC, and the agency head. Terminal locations must be secure from unauthorized access, and all employees authorized to use the system shall be instructed on the proper use of equipment and the dissemination of information received.

5-6

D. Rules Specific to NCIC

1. All employees shall adhere to the following NCIC policies:
  - a. All employees who use terminals that have access to information in NCIC files must be trained and certified to use NCIC.
  - b. Any information obtained through these systems shall not be disseminated to unauthorized persons.
  - c. Examples of agencies and/or organizations to whom we cannot release criminal history information include passport agencies, CYFD, Adult Protective Services, Crimestoppers, victims, and witnesses.
  - d. Inquiries into these systems shall not be made in response to a request by another criminal justice agency or by any retired employees.
  - e. The NCIC III system is to only be used by personnel involved in criminal and background investigations.
  - f. Any misuse of the NCIC III system must be reported to the TAC. The TAC shall report the misuse to the NMDPS and to the FBI. The violator's chain of command will be notified of the misuse.
2. Use of NCIC Interstate Identification Index (NCIC III) is regulated by the FBI and in accordance with Code of Federal Regulations (28 CFR Part 20). Improper use of the system may result in severe penalties to the Department and the individual user.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-9

Effective: 09/15/16 Review Due: 09/15/17 Replaces: 02/23/16

3. Printouts of criminal history record information from the Department's computerized and manual files are prohibited except when:
  - a. Required for the investigating officer's case file.
  - b. Required by a prosecuting attorney
  - c. Required in a mutual criminal investigation with a court or government agency authorized to receive criminal history record information
  - d. Authorized by a section or unit supervisor as required for an investigation or in an emergency.