

CHARLOTTESVILLE POLICE DEPARTMENT



Note: This directive is for internal use only and does not enlarge an officer’s liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the Charlottesville Police Department and then only in a non-judicial administrative setting.

Type of Directive: GENERAL ORDER	Number: 133-00
VCIN/NCIC UTILIZATION	Date: November 14, 2019
VLEPSC Number: ADM. 25.10	Manual Number: 562.20
	Effective Date: 11/14/19
Authorization: Chief R.M. Brackney <i>Rm Brackney</i>	Follow-up Date: As Needed

I. POLICY

The Charlottesville Police Department participates in the Virginia Criminal Information Network and the National Criminal Information Network. The Information and Management Services Supervisor directs and coordinates our participation. They ensure the department maximizes use of the system and complies with relevant regulations and procedures.

II. PURPOSE

The Virginia State Police and Federal Bureau of Investigations operate criminal information networks to facilitate law enforcement statewide and nationwide. The department participates in the use of these systems to enhance its mission. This procedure provides for a method to govern our participation. The department utilizes the system to enhance public safety. It also provides a means to apprehend fugitives that have fled our jurisdiction or that have fled other jurisdictions and are located within the city. The system also enables our department to recover stolen property removed from or brought into our jurisdiction.

III. DEFINITIONS

- A. IMS – Information and Management Services of the Charlottesville Police Department
- B. RMS - Records Management System
- C. VCIN - Virginia Criminal Information Network, a system maintained by the Virginia State Police.
- D. NCIC - National Criminal Information Network.
- E. III - The National Criminal Information Network Interstate Identification Index. This system makes available to criminal justice agencies, criminal history information contained in records of its thirty-eight participating states.

IV. PROCEDURE

A. System Operation

1. The IMS Supervisor will serve as the department VCIN Terminal Agency Coordinator. Their responsibilities include:
 - a. ensuring compliance with VCIN/NCIC rules and regulations, including validation of wanted file records as prescribed in the VCIN Manual;
 - b. security of VCIN Terminal
 - c. updating of VCIN/NCIC Manuals
 - d. liaison between department members and VCIN staff.
2. VCIN access is established through the use of terminal emulation software known as G-Link. This software and subsequent access are available through authorized computer workstations only.
3. Department members who are properly trained and certified as terminal operators by the Virginia State Police may access VCIN through these workstations. Other department members may access the system under the supervision of a certified operator. Each person allowed to transmit must log-in with their own password.
4. IMS will operate a primary VCIN terminal twenty-four hours a day. All emergency traffic sent to our department is addressed to this terminal.

B. Administrative Messages and Bulletins

1. IMS will handle the sending of all formal administrative messages and the posting of bulletins. Members of the department needing messages sent should submit their request to an IMS staff member with the body of the message written by the officer making the request.
2. IMS staff will distribute bulletins and messages received to the appropriate divisions of the department using the following guidelines:
 - a. bulletins on wanted persons, missing persons, vehicles, restoration of felon's weapons rights and officer safety notices will be distributed to the Patrol Bureau and Investigations Bureau;
 - b. messages requesting "similar case" information will be sent to the Investigations Bureau;
 - c. requests for information will be handled within IMS;
 - d. officer death notice bulletins will be sent to the Field Operations Division Commander and the Traffic Unit, copied to the Chief of Police;
 - e. training announcements shall be sent to the Training Unit;
 - f. traffic fatalities shall be sent to the Virginia State Police.

C. VCIN/NCIC System Queries

1. Any certified terminal operator must log-in utilizing their own password. Those operators with active passwords or operators under the supervision of a certified operator can make queries into NCIC/VCIN records.
2. Queries that result in a positive response will be immediately verified by a hit confirmation request.
3. IMS should handle all hit confirmation requests.

D. Wanted Persons

1. Wanted person queries are the primary responsibility of IMS.
2. Wanted person entry, clearing, canceling and modification will be handled exclusively by IMS.
3. IMS shall automatically enter all felony warrants and all capias warrants into the VCIN system, upon the warrant meeting minimum VCIN/NCIC entry requirements, within 72 hours of the stamped received date.
4. Warrants will be entered into the NCIC wanted files upon request of the investigating officer. The request must be accompanied by the appropriate extradition authorization from the Commonwealth's Attorney's Office.
5. All entries into the wanted person files will be documented in accordance with VCIN regulations. The VCIN wanted person files are kept in an area specifically designated for these files.
6. Any member of the department who has made an arrest of someone who has been entered into the VCIN/NCIC system will submit arrest documentation to IMS, including an arrest report and a copy of each executed paper by the end of the officer's tour of duty. Once an officer has confirmed with IMS that a subject has been taken into custody for a City of Charlottesville warrant, IMS shall clear the warrant from VCIN/NCIC immediately if previously entered. IMS will clear the warrant from VCIN/NCIC prior to receiving an arrest report when notified by an officer via telephone, in person, or radio. IMS will clear warrant in VCIN/NCIC and make tracking notes in RMS that contain the officer's name, date/time, and location of recovery.
7. If the department receives a "locate" from another agency regarding a City of Charlottesville warrant that has been executed by that agency, IMS shall immediately clear the warrant from VCIN/NCIC if previously entered.
8. Any member of the department who is made aware of any legal process that has been recalled by the court or has otherwise become invalid will immediately contact IMS to ensure that any VCIN/NCIC/RMS entries are cancelled. Upon notification, IMS will cancel the legal process and make note in tracking as to who, date/time, and purpose of the recall.

E. Missing Persons

1. IMS will enter all missing juveniles into the VCIN/NCIC system within two hours from the time the report was written, provided that it meets minimum VCIN/NCIC entry requirements. If the report does not meet minimum VCIN/NCIC entry requirements, IMS will send the report back to the appropriate on-duty supervisor for correction.
2. Missing adults will be entered in accordance with VCIN/NCIC regulations and at the request of the investigating officer or supervisor.
3. IMS will also use the VCIN system to post an area wide bulletin to include specific localities described as possible destinations for the missing juvenile.
4. All records of a missing person entry, to include modification, cancel, clear, and removal from VCIN/NCIC, shall be attached to the related incident report.
5. Clearing, canceling and locates of missing persons will be done when IMS receives an incident report supplement documenting return of the missing person. IMS will also clear the missing person from VCIN/NCIC when notified by an officer via telephone, in person, or radio and make tracking notes in RMS that contain the officer's name, date/time, and location of recovery. The Officer will also submit a supplemental report. In both instances, the officer should included wording which clearly documents return of the missing person and a request to immediately remove the missing person from VCIN/NCIC.

F. Stolen Vehicles

1. Stolen vehicles will be entered into the VCIN/NCIC system as soon as IMS receives an incident report documenting the theft.
 - a. The incident report narrative for a stolen vehicle should consistently use the word "stolen" as appropriate for clarification purposes.
 - b. The narrative of the supplement should contain the language specifically requesting removal of item from VCIN/NCIC.
2. Clearing, canceling and locates of stolen vehicles will be done when IMS receives an incident report supplement documenting the recovery of the vehicle. IMS will also clear the vehicle from VCIN/NCIC when notified by an officer via telephone, in person, or radio. IMS will clear or locate the vehicle in VCIN/NCIC and make tracking notes in RMS that contain the officer's name, date/time, and location of recovery. The Officer will also submit a supplemental report. In both instances, the officer should included wording which clearly documents the vehicle being recovered and a request to immediately remove the vehicle from VCIN/NCIC.
3. All records of stolen vehicle entry, to include modification, cancel, clear, and removal from VCIN/NCIC, shall be attached to the related incident report.
4. Vehicles reported as unauthorized use shall be entered into VCIN/NCIC only upon a warrant being obtained for the offender.
5. Clearing, canceling and locates of unauthorized use vehicles will be done when IMS receives an incident report supplement documenting the recovery of the vehicle. IMS will also clear the vehicle from VCIN/NCIC when notified by an

officer via telephone, in person, or radio. IMS will clear or locate the vehicle in VCIN/NCIC and make tracking notes in RMS that contain the officer's name, date/time, and location of recovery. The Officer will also submit a supplemental report. In both instances, the officer should included wording which clearly documents the vehicle being recovered and a request to immediately remove the vehicle from VCIN/NCIC.

G. Stolen Boats, Securities, Tags, Guns and Other Articles

1. These stolen items will be entered upon request of an investigation officer. Requests are made by submitting an incident report supplement requesting VCIN/NCIC entry.
 - a. the incident report narrative for a stolen property should consistently use the word "stolen" as appropriate for clarification purposes.
 - b. the narrative of the supplement should contain the language specifically requesting removal of item from VCIN/NCIC.
2. Members recovering or locating any of these items will submit an incident report supplement documenting the recovery. The narrative of the supplement should contain the language specifically requesting removal of item from VCIN/NCIC. Clearing, canceling and locates will be done when IMS receives an incident report supplement documenting the recovery of the property. IMS will also clear the vehicle from VCIN/NCIC when notified by an officer via telephone, in person, or radio. IMS will clear or locate the vehicle in VCIN/NCIC and make tracking notes in RMS that contain the officer's name, date/time, and location of recovery. The Officer will also submit a supplemental report. In both instances, the officer should included wording which clearly documents the recovery and a request to immediately removal the property from VCIN/NCIC.
3. All records of a stolen item entry and removal from VCIN/NCIC shall be attached to the related incident report.

H. Validation

1. VCIN/NCIC system entries will be validated in accordance with VCIN Operator's Manual Section II. Validation of warrants will include physically locating the warrant(s) in question. Validation of stolen items and missing persons will include a review of the incident report worksheet, the RMS and consultation with the investigating officer.
2. Validation of stolen items and missing persons will include a review of the incident report and consultation with the investigating officer.

I. Restoration of Felons Right to Possess Weapons

1. Before an arrest warrant is obtained for a felon in possession of a firearm, a records check shall be completed and confirmed through IMS staff.
2. Officer(s) shall contact IMS staff and request a records check. This check will entail a conviction summary through VCIN/NCIC, as well a pistol check for a (Weapon rights reinstatement) Alert.

