

CAPE VINCENT POLICE DEPARTMENT

POLICY AND PROCEDURES

SUBJECT: COMMUNICATIONS eJustice NY/IFP (System Access & Training)	POLICY NUMBER: CV-20-21-01-02 SUPERSEDES: All Previous AMENDED: 04/13/2021 EFFECTIVE DATE: 05/11/2021 Page 1 of 4 Pages
AUTHORITY OF:	Shaun Cuddeback, Officer In Charge Date: 05/11/2021 @43101
REFERENCE: NYS DCJS eJustice NY Training Guide / NCIC Manual / U&D	

POLICY: Consistent with our values to protect and serve in a professional manner, it will be the policy of the Cape Vincent Police Department to access eJustice for authorized purposes and in accordance with the NYS DCJS eJustice NY Training Guide / NCIC Manual / U & D.

PURPOSE: To provide an outline for the training and acceptable use for the eJustice NY and Integrated Justice Portal (IJP) program.

PROCEDURE:

- I. Access:
 - A. Access is granted to the eJustice NY / IJP system through DCJS, the NYSP Division of State Police, NCIC / III and the FBI. A valid Use and Dissemination agreement (U&D) outlining the applicable use of the system has been signed by the Cape Vincent Police Department and DCJS. Access to the system by operators, is permitted by the Officer in Charge and agency Terminal Agency Coordinator (TAC).
 - B. The Officer in Charge will designate personnel to fulfill the role of the TAC. The TAC responsibilities are to include the access, training, use and permissions or restrictions of the eJustice / IJP system by departmental personnel. All files maintained for either system will be the responsibility of the TAC. No personnel will be granted access to the system prior to their fingerprints being secured and submitted to DCJS and the FBI.

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II. Training:

- A. The Cape Vincent Police Department will ensure all personnel granted access to eJustice NY / IJP system have received appropriate training for their permitted use of the system. Such training being aligned with those specifications as issued by the Division of Criminal Justice Services, NYSP, NCIC, III and FBI.
- B. All operators will receive instruction from the TAC both orally and hands-on. At the completion of all training the operator shall demonstrate their proficiencies in the utilization of the system within the limits of the Cape Vincent Police Department protocol and any publications from DCJS, NYSP, NCIC, III and FBI. All operators will also complete and pass any applicable testing set forth by DCJS, NYSP, NCIC, III.

III. Use:

- A. Members of the Cape Vincent Police Department permitted use of the eJustice / IJP system will only use the system for valid and legal reasons as outlined and authorized in the U&D. Secondary dissemination of Criminal History Information run by Cape Vincent Police Department personnel not in conjunction with the same active investigation is prohibited. Members of the Cape Vincent Police Department will not access Criminal History records for any other agency.
- B. All members of the Cape Vincent Police Department will utilize these systems in full compliance with departmental protocol, the Policies and Procedures of DCJS, the Division of State Police, FBI, NCIC and III. Any member found to be in non-compliance of any of the above, training inclusive, will be subject to disciplinary action. Disciplinary action may be up to and including termination and/or criminal prosecution.
- C. All security violations are to be reported to the agency TAC. Failure to report may lead to the same disciplinary actions as outlined above.

IV. DMV Photos

- A. The DMV Photo System is an application within eJustice NY which provides access to NY DLIC photographs to be used in active investigations that are within our jurisdiction. These purposes include the following.

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1. When the subject of interest is a suspect in an active/open investigation.
 2. Use on a wanted poster when the subject of the request is wanted pursuant to a sworn arrest warrant.
 3. Use on a missing persons poster.
 4. Use in a press release when the subject of the request is wanted pursuant to a sworn arrest warrant or is a missing person.
 5. Use to identify a witness to a crime or criminal activity and his or her whereabouts are unknown.
 6. To identify a driver who does not have their license or the member believes the license is fraudulent.
- B. All DMV photo requesters must be a law enforcement member trained in its use.
- C. Photos may be obtained for this agency's use only and no requests are to be made for outside agencies.
- D. Any instances of impermissible use or dissemination of this information must be reported the agency TAC for eJustice NY notification. These incidents fall under the Information Security and Notifications Act and the Drivers Privacy Protection Act.
- E. DMV records and information may not be used for civil immigration purposes.
- F. DMV images may not be stored in any manner for secondary or subsequent use unrelated to the original investigation.
- G. The agency TAC will regularly review the DMV Photo Request Audit Log and ensure image requests are consistent with policy. The Audit Log is available on eJustice NY under Resources, Reporting Services, Audit Reports, External.
- V. Lawman

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- A. Lawman is an application within eJustice NY which assists in the identification of registered vehicle owners by use of partial plate and vehicle description information. This information may be used to protect the public, ensure highway safety and assist in the prevention or detection of criminal activity.

- B. Authorized search requesters are limited to law enforcement members in the role of police officer investigator or detective who have been trained in its use.

- C. All requests must be supported by a case/ incident number.

- D. Requests may be made for this agency's use only. No requests are to be made for outside agencies.

- E. Any instances of impermissible use or dissemination of this information must be reported the agency TAC for eJustice NY notification. These incidents fall under the Information Security and Notifications Act and the Drivers Privacy Protection Act.

- F. The agency TAC will regularly review the Lawman Audit Log and ensure requests are consistent with policy. The Audit Log is available on eJustice NY under Resources, Tool, PCS Audit Report Portal.