



WISCONSIN
TIME SYSTEM
Training Materials

2019 INSERVICE TRAINING

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Warrant Entry Process Change

Prior Process

Prior to July 2018, agencies had the option to enter felony, temporary felony, non-felony state law violation (misdemeanor), temporary misdemeanor, civil process – local ordinance violations, civil process – non-criminal state law violation, and juvenile warrants into a CIB Only file. Entering warrants into this file meant they were held at the state level and not entered in the national NCIC database.

Many agencies used this process for entering felony and misdemeanor warrants into CIB Only. This resulted in over 83,000 warrants that were eligible for NCIC entry not being readily viewable by other states law enforcement and criminal justice agencies. Unless these agencies specifically queried Wisconsin's wanted person file, these warrants would not be seen. As an example, if your agency has three felony warrants for the same subject, and you put those warrants into the CIB Only file, an officer across the state line who has contact with the person may never find out about the warrants. Similarly, if this same person sought to purchase a long gun (rifle, shotgun, etc.) the warrants in CIB Only would never be found or considered for a potential firearm purchase denial. This created a potential safety risk for officers and others in the criminal justice system as well as a safety risk to the public.

Current Process

To ensure felony and misdemeanor warrant information was accessible to national and out-of-state agencies, CIB instituted a warrant entry change for all Wisconsin agencies. This change was enacted in July 2018 and involves entering all felony and misdemeanor warrants into the national database (NCIC), consistent with NCIC rules. CIB has inhibited the ability to enter felony or non-felony state law warrants into CIB Only.

As a result, agencies are no longer able to place felony or misdemeanor warrants into CIB Only if they can be entered into NCIC. This change was implemented to improve officer safety and ensure all relevant warrants are considered for firearm purchase background checks. In the event an agency already has a warrant for a specific person in NCIC, CIB will automatically place the new warrant into the CIB wanted person files.

The entry of felony and non-felony state law warrants into NCIC will ensure officers from other states are aware of these warrants – even if they are not extraditable. This information will benefit officer safety as it will likely affect how he/she makes contact with the individual. This also ensures firearm purchase background checks are able to consider all relevant warrants for approvals and denials.

Existing Records

This process affects any existing felony or misdemeanor warrants an agency may already have in CIB Only. These existing warrants will need to be canceled from CIB Only and entered into NCIC. CIB suggests agencies use the current validation process to remove any CIB Only felony or misdemeanor warrants and enter them into NCIC at that time.

If an agency has multiple warrants for the same person within CIB Only, the agency can remove the most serious warrant from CIB Only and enter that into NCIC and CIB. Additional warrants may then be identified in the miscellaneous field. Therefore, an agency would only need to remove and re-enter one warrant instead of all of them.

Person Entries and AKAs

At the 2018 CIB Conference, a discussion took place regarding the entry of AKAs when entering a person record and how many AKAs need to be entered for audit purposes. Attendees indicated they had received conflicting answers to the question from both NCIC and CIB personnel. There are two ways of looking at this question: one is from the audit standpoint as presented at the Conference, but one must also consider it from an officer information standpoint. This is likely what has caused the conflicting answers. CIB realizes we must also consider the amount of time it takes to enter the additional AKA data.

For audit purposes, NCIC has defined data fields as critical and non-critical. A critical data field is one that impacts the search and the resulting responses (i.e. names, DOBs, social security numbers, etc.). Non-critical data fields are those that provide additional information but would not impact the search results (i.e. skin tone, address, warrant number, etc.). NCIC's search algorithm uses the last name only when searching names. For NCIC audit purposes they consider a record to be complete (all available information is entered) for names if all names are entered that would impact the response results. For example, if a record is entered as John James Smith Jr, NCIC would not require the entry of AKAs of John James Smith, John Smith, or John J Smith. From an NCIC audit perspective, they would not impact whether the record was returned since the last names are all the same, Smith.

One must also consider the other standpoint which is officer information. Even though a record may return, the officer must determine whether the record is the same person they have stopped. This requires the officer knowing as much information as possible which would include first and middle names even though they are not used by NCIC for searching. For example, wouldn't it be good information to know a person's first name is James and not Jesus or a middle name of James vs. Jonathon? Even though it doesn't impact the NCIC search if the last name for all of them is Smith, it is worth noting that CIB Hotfiles uses both last name and first names for searching.

Taking all of this into consideration, CIB is offering the following guidelines to remain in compliance with NCIC and CIB audit guidelines.

- Person records are to be entered with the name on the source documentation.
 - If the source document contains middle initial, middle name or suffix and it is not entered in the record as the base name or as supplemental data (AKA) it will be marked incomplete during a CIB audit.
 - A suffix, middle initial, or full middle name may be entered in the base record when the original documentation does not contain the suffix, middle initial, or a full middle name as long as documentation is maintained within the case file to show from where it was obtained.
- If a record does not contain documented complete first or middle names, the record will be marked as incomplete during a CIB audit.
- If a record does not contain documented name variations (i.e. Bill vs. William), or any other documented names the record will be marked as incomplete during a CIB audit.
- Records containing complete first, middle and last name sets (i.e. John James Smith) do not require entry of AKAs that contained shortened name sets (i.e. John Smith, John J Smith).

Sex Code “U”

Effective December 2018, CIB started sending all person queries to NCIC with a sex code of “U”. The user will continue to enter the appropriate sex (male or female) as part of the person query. Once the query is submitted, CIB will change the sex code to “U” for Unknown behind the scenes.

As definitions change in response to shifts in society, it has become more difficult to place individuals in only one category for sex. The shifts in society have led to the following definitions: sex is defined as the sex at the time of birth; whereas gender is defined as the sex a person more closely relates to at a particular time in their life. As with Race, this has resulted in individuals no longer clearly fitting into the NCIC defined sex codes of male or female.

There is no change for the user when entering information for a query to NCIC. Potentially you may receive more records in your response, but this will be limited due to the strict search criteria used by NCIC. This change has no impact on any of the other data services (i.e. DOT and CIB Hotfiles). You will continue to declare male or female when submitting a query to the TIME System.

Sex	
Code	Description
F	Female
M	Male

Mental Health Queries

2013 Act 223

Enacted in 2014, Wisconsin Act 223 authorizes access to mental health records by the courts and law enforcement to:

- Enforce or investigate a violation of s. 941.29 (Possessing a Firearm),
- Make a determination under s. 175.48 (2) (a) (Firearm Certification for Former Officers) and s. 175.49 (2) (b) (Law Enforcement ID Cards), and
- Aid the court in making a determination under s. 813.1285 (7) (Return of Firearms to the Owner).

This law also authorizes access to mental health records by law enforcement for determining the eligibility of sworn law enforcement applicants for employment.

Act 223 provides a statutory mechanism for the DOJ to provide courts and law enforcement agencies access to orders prohibiting possession of a firearm as a result of certain mental health proceedings.

Return of Firearms

To assist law enforcement when making a determination of whether an individual is restricted from possessing a firearm, a transaction (Portal 100 form #0028) exists in the TIME System to allow access to the mental health records and the National Instant Criminal Background Check System (NICS). The NICS Background Check Law Enforcement guide is available for reference on the secure side of WILEnet at <https://wilenet.org/secure/html/resources/squadroom/NICS-LE-Guide.pdf>. This guide will provide information to aid in your determination whether the firearm can or cannot be returned.

Sworn Law Enforcement Applicants

TIME System transaction (Portal 100 form #0027) was created to allow law enforcement access to Wisconsin mental health records for the purpose of conducting background checks on individuals applying to become sworn law enforcement officers. This information is provided to assist you in making your hiring determination.

Audits

You may have noticed updated auditing requirements regarding appropriate use and authorized access to NICS data. Audit packets from DOJ will include a form listing up to 25 firearm return and/or mental health queries performed by the agency. This form looks similar to the criminal history inquiry list currently included in all audit materials. For each inquiry listed, agencies will need to indicate to whom the “attention line” refers, why the NICS query was conducted, and if

the record was destroyed or was subject to an alternative disposition. These instructions will also be listed on the form contained in the audit material.

Violent Person File

When a Wanted Person record exists for a subject, the operator can enter caution indicators to alert officers and dispatchers of the violent nature of the wanted person. But if no warrant exists, this caution alert cannot be communicated. In some instances, this information is available on a local level through alerts placed in the CAD and RMS databases. The Violent Person File (VPF) was created at the request of law enforcement and designed to alert law enforcement officers that an individual they are encountering may have the propensity for violence against law enforcement without the existence of a warrant. The Violent Person File is searched as part of a standard person query from NCIC and is visible to law enforcement outside of Wisconsin in the event the subject crosses state lines for any reason. Violent Person file records will be included in your monthly validation of records.

Criteria for Entry

The agency must have documentation of one of the following criteria before an entry can be made into the Violent Person File:

1. Offender has been convicted for assault or murder/homicide of a law enforcement officer, fleeing, resisting arrest, or any such statute which involves violence against law enforcement.
2. Offender has been convicted of a violent offense against a person to include homicide and attempted homicide.
3. Offender has been convicted of a violent offense against a person where a firearm or weapon was used.
4. A law enforcement agency, based on its official investigatory duties, reasonably believes that the individual has seriously expressed his or her intent to commit an act of unlawful violence against a member of the law enforcement or criminal justice community.

Violent Person Fields

REQUIRED

Last Name	Height
First Name	Weight
Sex	Eye Color
Race	Hair Color
Violent Person Code	Agency Case #
Operator	Date of Birth

OPTIONAL

Middle Name	Suffix
Skin Tone	Place of Birth
Fingerprint Classification	Scars, Marks, Tattoos & Characteristics
Social Security #	FBI #
Driver's License State, Driver's Lic. #	Miscellaneous #
Driver's License Year of Expiration	License Plate #, License Plate State
Linking Agency Identifier	License Plate Year of Expiration
Linking Agency Case #	License Plate Type
Caution and Medical Conditions	Vehicle Identification #
DNA Profile Indicator	Vehicle Model Year
DNA Location	Vehicle Make, Model, Style
Miscellaneous/Remarks	Vehicle Style, Color

Indicates Group Fields

Retention Period: Indefinite - A Violent Person record will remain on file until action is taken by the entering agency to cancel the record.

Violent Person Entry Response

```
/0004 1742 45381A9C          WI0130000
NCIC   354679      1 12/04/00 15:46 01 OF 01
1L01174200354679
WI0130000
NAM/SMITH, JOHN J NIC/L146000706
OCA/123456273
```

Violent Person Record

WARNING-A SUBJECT IN THIS RESPONSE HAS BEEN IDENTIFIED AS A VIOLENT OFFENDER OR A SERIOUS THREAT TO LAW ENFORCEMENT OFFICERS. REVIEW THIS RESPONSE IN ITS ENTIRETY TO OBTAIN ADDITIONAL INFORMATION ON THIS SUBJECT. USE EXTREME CAUTION IN APPROACHING THIS INDIVIDUAL.

WARNING-THE SUBJECT IN THIS RECORD HAS BEEN IDENTIFIED AS A VIOLENT OFFENDER. THE SUBJECT HAS A CRIMINAL HISTORY OF ASSAULTING LAW ENFORCEMENT OFFICERS. USE CAUTION IN APPROACHING THIS INDIVIDUAL. DO NOT ARREST OR DETAIN BASED SOLELY UPON THIS INFORMATION.

MKE/VIOLENT PERSON
CMC/05 - VIOLENT TENDENCIES
ORI/WI0130000 NAM/SMITH, JOHN J SEX/M RAC/W POB/TX DOB/18700524
HGT/510 WGT/175 EYE/BRO HAI/BRO FBI/123456789 CTZ/US SKN/DRK
SMT/SC R HND
FPC/121011CO141159TTCI13 MNU/AS-123456789 SOC/123456789
OLN/11111111 OLS/MD OLY/1999
VPC/1-ASSAULT ON LAW ENFORCEMENT
OCA/123456273
MIS/KNOWN TO THREATEN POLICE OFFICERS
LIC/ABC123 LIS/MD LIY/2000 LIT/PC
VIN/2Y27H5LI00XX9 VYR/1975
VMA/PONT VMO/VEN VST/2D VCO/BLU
ORI IS DANE COUNTY SHERIFF'S DEPARTMENT 608 123-4567
NIC/L146000706 DTE/19001204 DLU/19001204

Violent Person Cancellation

A violent person record will remain active until the entering agency cancels it.

<u>REQUIRED</u>	<u>OPTIONAL</u>
NCIC (NIC) #	Middle Name
Last Name	Suffix
First Name	
Operator	

**** Remember to ALWAYS RE-QUERY the record after cancellation ****

NICS Denied

NICS Denied Transactions File

In August 2017, responses from the NICS Denied Transaction File (NDTF) began to return during a standard person query. The National Instant Criminal Background Check System (NICS) Denied Transaction File shares information regarding individuals who have been disqualified from firearm possession under the Brady Act of 1993. This disqualification is based on federal law and state prohibitors reported to the NICS Indices. The NICS Denied Transaction File is designed to enhance officer and public safety while also providing investigative leads.

The NICS Denied Transaction File contains records of individuals who have been denied a firearm, as a result of a NICS check, within the previous 180 days. These records are maintained by the FBI and if a "hit" exists it will be returned when you conduct any wanted person query. If an individual's NDTF record is canceled, it will be immediately removed from the system.

The return of a NICS Denied Transaction File response on a person query does not guarantee that the subject of the response is still prohibited from purchasing a firearm. The information in any NDTF response should never be used as a determination to detain or arrest the subject of a response.

NICS Denied Transaction File Response

*****NOTICE: DO NOT DETAIN OR ARREST BASED ON THIS HIT. THE DATE OF NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) DENIAL (DND) PROVIDED IN THIS RECORD IS THE DATE THE SUBJECT WAS DENIED BY THE NICS FROM THE RECEIPT AND/OR THE POSSESSION OF A FIREARM OR THE ISSUANCE OF A FIREARM OR EXPLOSIVES PERMIT PURSUANT TO STATE AND/OR FEDERAL LAW. HOWEVER, IT IS POSSIBLE THIS SUBJECT MAY NO LONGER BE A PROHIBITED PERSON.

MKE/NICS DENIED TRANSACTION FILE
ORI/WVNICS000 NAM/SMITH, JOHN J SEX/M RAC/W POB/RI
DOB/19511012 HGT/511 WGT/230 CTZ/US
SOC/123456789
SOP/NV SOR/NV DND/20120909
NTN/ABC1234567
STN/123ABC4567
NIC/E123456789 DTE/20120909 23150401 EDT DLU/20120909 23150404 EDT

*** THE INFORMATION DISPLAYED IN THIS RECORD IS A POSSIBLE MATCH TO THE INDIVIDUAL QUERIED. THIS MATCH IS BASED ON NAME AND DESCRIPTIVE DATA ONLY. NO LAW ENFORCEMENT ACTION SHOULD BE INITIATED BASED SOLELY ON THIS INFORMATION

Fingerprint Background Checks

In August 2018, the FBI released version 5.7 of the CJIS Security Policy. While much of the policy remains the same, there is an important change regarding the fingerprinting of new hires and/or unescorted personnel with physical and/or logical access to your agency's secure location.

Prior to version 5.7, the policy stated that agencies were allowed up to 30 days to complete fingerprint background checks on personnel with unescorted access to criminal justice information (CJI). This no longer applies.

Agencies are now required to complete the state of residency and national fingerprint background check on all personnel **prior** to allowing them unescorted access to your secure location.

Once you submit the fingerprints, you will need to log in to the Wisconsin Online Record Check System (WORCS) at <https://recordcheck.doj.wi.us>. You will then need to review the results to determine if access should be granted. If access is granted, you will need to save the results for future reference.

If the individual has a felony conviction, access must be denied unless a variance is requested and approved by the CJIS Systems Officer (CSO), currently the director of CIB. The request for a variance should include the name of the individual for whom the variance is being requested, their potential assigned duties including their access to CJIS data, the offense of which they were convicted, and why the agency feels a variance is appropriate and access to CJIS data should be granted. Agencies should only submit a variance request if the agency wants the person to have access AND feels a variance is appropriate based on the severity of the offense and the length of time that has passed.

Misdemeanor convictions have been designated back to the agency to determine access. Any documentation on convictions, variances, or permitted access will need to be maintained by the agency.



Locate Messages

With the recent change in entering all felony and misdemeanor warrants into both CIB and NCIC, it is important to understand that entering a locate after hit confirmation is REQUIRED provided the entering agency has not removed their record. It is advantageous to your agency, along with the originating agency, as it protects both agencies from civil liability in the event of an erroneous arrest/detention. A locate is used to indicate the wanted person has been found or stolen property has been located. If the originating agency fails to cancel the record, NCIC will purge the located record within five days. In the case of a missing person, the locate message indicates the location of the person has been determined and the record will be purged immediately. If a locate message is entered against a record that is in CIB Only, TSCC will advise the ORI they have two hours to cancel the record and if not completed within the allotted time, TSCC will purge the record.

A locate is placed against a record by contacting TSCC via administrative message or Portal 100 users may use form #1729. The message should contain:

- The type of record to be located.
- NIC# or System ID#.
- Your agency's case number assigned to the incident.
- Date of Recovery

Indicate the reason for the locate:

- EXTR: EXTR should be used to indicate the subject will be returned to the record holding agency by extradition or when picked up within the state, or when the person is wanted by a federal agency and has been apprehended/located by federal or local authorities.
- NOEX: NOEX should be used to indicate the subject will not be returned to the record holding agency because the agency that entered the record advised the apprehended/located person will not be extradited based on circumstances at the time of apprehension/location or the apprehending/locating agency has received no information concerning an extradition decision after making a concerted effort to obtain such information.
- DETN: DETN should be used to indicate the subject is being detained and will be returned to the record holding agency upon release when the apprehending agency intends to hold the subject on local charges or when the wanted person has been found in a government holding facility, such as in prison.

Before requesting a locate be sure to query the original record to verify the record has not already been cleared, located, and/or a detainer has been placed on the record.

This is what the located record will look like:

```
CIB 247335 70 05/06/19 11:15 01 OF 01
OHARA
SCARLETT
01011939
123456789
***** LOCATED WANTED PERSON - WARRANT *****
```

** FELONY - EXTRADITION - SURROUNDING STATES ONLY

SUBJECT

NAME/OHARA, SCARLETT A
SEX/FEMALE RACE/WHITE DATE OF BIRTH/01011939
HEIGHT/505 WEIGHT/135 EYE COLOR/BROWN HAIR COLOR/BROWN
SCARMARK/SCAR ARM RIGHT UPPER
SOCIAL SECURITY #/123456789
ADDRESS/101 FANTASY DR CITY/ATLANTA STATE/WISCONSIN

DETAIL

ORI/WI013285Y ORI IS CRIME INFORMATION BUREAU
SYSTEM IDENT #/29904698 NCIC #/W786745531
AGENCY CASE #/TESTJA111
ENTERED BY/HOLLIIJA814 DATE/05062019 TIME/0948
UPDATED BY/CIBHANDLER DATE/05062019 TIME/1110
LOCATED DATE/05062019 LOCATE ORI/WI013095Y TESTJA222
TYPE OF WARRANT/FELONY
OFFENSE CODE/1315 AGGRAVATED ASSAULT-WEAPON
DATE OF WARRANT/05062019

REMARKS

TEST RECORD ONLY; TAKE NO ACTION ON THIS RECORD

*****VERIFY WARRANT/WANTED STATUS IMMEDIATELY WITH ORI*****

NOTE: There is one special circumstance where NCIC allows for cancellation and re-entry of a warrant after a locate has been entered. This occurs when a wanted person is arrested out of state, the hit confirmation is confirmed, the locate entered, and the subject of the record is released pending an extradition hearing. When the originating agency has indicated they want the subject and they will transport the individual from the locating agency's state to their own, the ORI may cancel and re-enter the warrant record. The ORI should state in the remarks field, "Do not arrest in (State of location); subject is awaiting extradition."

CIB Contacts

	<u>Name</u>	<u>Telephone</u>	<u>Fax Number</u>	<u>Email</u>
Director	Walt Neverman	608-264-6207	608-267-1338	nevermanwm@doj.state.wi.us
Deputy Director	Bradley Rollo	608-261-8134	608-267-1338	rollobr@doj.state.wi.us
TIME & Technical Services Manager	Katie Schuh	608-266-0335	608-267-1338	schuhkr@doj.state.wi.us
Training Officer - Senior	Emily Freshcorn	608-261-5800	608-267-1338	freshcornek@doj.state.wi.us
Training Officer	Greg Kosharek	608-261-7667	608-267-1338	kosharekgr@doj.state.wi.us
Training Officer	Jodi Hollister	608-266-9341	608-267-1338	hollisterja@doj.state.wi.us
TIME Systems Operations Manager	Chris Kalina	608-266-7394	608-267-1338	kalinaca@doj.state.wi.us
TIME Analyst	Sarah Steindorf	608-261-8135	608-267-1338	steindorfsr@doj.state.wi.us
TIME Analyst Advanced	Craig Thering	608-266-7792	608-267-1338	theringcd@doj.state.wi.us
TIME Analyst	Zach Polachek	608-264-9470	608-267-1338	polachekzd@doj.state.wi.us
TIME Analyst	Vacant			
TIME Analyst	Jeanette Devereaux-Weber	608-266-2426	608-267-1338	devereauxweberjd@doj.state.wi.us
TIME System Audits				cibaudit@doj.state.wi.us
TIME Billing			608-267-1338	timebilling@doj.state.wi.us
AFIS Operations Manager	Adrianna Bast	414-382-7500	414-382-7507	bastar@doj.state.wi.us
Criminal History Section (Record Check & Criminal Records)	Jon Morrison	608-261-6267	608-267-1338	morrisonjd@doj.state.wi.us
Firearms Unit	Andrew Nowlan	608-267-2776	608-267-1338	nowlanam@doj.state.wi.us
TRAIN		608-266-7792	608-267-1338	CIBTrain@doj.state.wi.us
WIJIS Justice Gateway	Zach Polachek	608-264-9470	608-267-1338	polachekzd@doj.state.wi.us
TSCC		608-266-7633	608-266-6924	
WILEnet		608-266-8800		wilenet@doj.state.wi.us

Check the WILEnet website for additional data at <https://wilenet.org/>

Resources

<u>Name</u>	<u>Telephone/Website</u>	<u>Terminal Identifier</u>	<u>Email/Fax</u>
National Crime Information Center (NCIC)			
Recalls	304-625-3000		acjis@leo.gov
Hits to Wants	304-625-9245		304-625-9899
International Justice and Public Safety Information Sharing Network (NLETS)			
Control Center	800-528-4020		helpdesk@nlets.org
WI Crime Information Bureau (CIB)			
TIME System Control Center	608-266-7633	TSCC	
Training materials	https://wilenet.org/		
Policy & Manuals	https://wilenet.org/		
WI Recalls			cibtrain@doj.state.wi.us
WI Dept. of Corrections (DOC)			
Probation & Parole	608-240-3750		
Central Records	888-222-4362		
WI Dept. of Natural Resources (DNR)			
Enforcement	608-266-2141	WDNR	
Registration	608-266-2621	RDNR	
WI Dept. of Transportation (DOT)			
Vehicle Records	608-264-7477	WREG	
Driver's Records	608-267-1854	WOLN	driverrecords.dmv@dot.state.wi.us
National Center for Missing or Exploited Children (NCMEC)			
	800-THE-LOST www.missingkids.com	VA007019W	
National Insurance Crime Bureau (NICB)			
	847-544-7000	ILNICB000	investigativeassistance@nicb.org
WI Clearinghouse for Missing & Exploited Children & Adults			
	800-THE-HOPE		wimissingpersons@doj.state.wi.us
WI Consolidated Court Access (CCAP)			
	www.wcca.wicourts.gov		
US I.C.E. Bulk Cash Smuggling Center (BCSC)			
	866-981-5332	WTICE1600	