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### I. INTRODUCTION

#### A. WHAT IS LEADS

The Illinois LAW ENFORCEMENT AGENCIES DATA SYSTEM (LEADS) is a statewide, computerized telecommunications system designed to provide services, information and capabilities to the law enforcement and criminal justice community in the State of Illinois. Terminals and computers located in authorized law enforcement and criminal justice agencies are connected by communications lines to the LEADS system. This provides agencies access to information stored in the LEADS files, and through LEADS, gives them access to other criminal justice information systems. The degree to which access to these and other files is granted to the various types of criminal justice agencies is described further in these Regulations and Policies. It should be noted, however, that the information, capabilities, etc. available from and through LEADS are for bonafide law enforcement and criminal justice purposes only.

The Director of the ISP (hereinafter referred to as “the Director”) is responsible for establishing policy, procedures and regulations consistent with state and federal rules, policies and law by which LEADS operates. The Director shall designate a statewide LEADS Administrator for management of the system. The Director may appoint a LEADS Advisory Policy Board (APB) to reflect the needs and desires of the law enforcement and criminal justice community, and to make recommendations concerning policies and procedures consistent with existent state and federal rules. The LEADS APB Charter follows as section II.A of these regulations.

It is the intent of the following LEADS Regulations and Policies to set forth the requirements, responsibilities, limitations and restrictions to assist in making user agencies aware of what can and cannot be done. Questions or comments on any portion of these regulations should be submitted in writing to: LEADS Administrator, 801 South Seventh, Suite 600-M, Springfield, Illinois 62703, fax (217) 524-2498.

#### B. AUTHORIZATION FOR LEADS

The authority for LEADS is derived from the Illinois Compiled Statutes, Criminal Identification Act [20 ILCS 2630] and authorized by Section 55(a) of the Civil Administrative Code of Illinois [20 ILCS 2605/55a], authorizing the ISP to acquire, collect, classify and preserve identification, criminal identification, crime and other records, and to operate an electronic data processing center for the storage and retrieval of data pertaining to criminal activity and exchange of these records, with and for the official use of authorized officials of criminal justice agencies at all levels of local, state and federal government agencies.

II. BYLAWS FOR THE LEADS ADVISORY POLICY BOARD (APB)

A. CHARTER

1. Official Designation

Pursuant to the authority vested in the Director, an advisory policy board for the purpose of managing and controlling the Illinois data and communications system is hereby established. This board has the responsibility for the management of the system and statewide network as imposed by these rules, and as directed by the Director. This board will be known as the LEADS Advisory Policy Board (APB) and shall operate under the procedures contained herein and shall hereinafter be referred to as "the Board."

2. The Board's Objectives and Scope of Activity

- a. To recommend to the Director general policy with respect to the philosophy, concept and operational principles of LEADS, particularly the relationship with local agencies, other state departments, the FBI's National Crime Information Center (NCIC), the International Justice and Public Safety Network (NLETS), and all criminal justice and non-criminal justice agencies.
- b. Review and consider LEADS rules, regulations, standards, procedures and capabilities related to issues involving:
  - applications;
  - audits & training;
  - digital imaging;
  - identification services;
  - interfaces;
  - mobile data;
  - NCIC
  - networks;
  - NIBRS;
  - security and confidentiality;
  - intelligence systems; and
  - voice communications.
- c. To consider the real-time, random-access capabilities for LEADS operational needs of the criminal justice agencies in the light of public policy, participating agencies' policies and local, state and federal statutes.
- d. To recommend standards for participation by criminal justice and non-criminal justice agencies in LEADS.
- e. To consider and advise the Director with respect to participating agency non-compliance and sanctions.
- f. To review and consider other LEADS-related issues as may be requested by the Director.

3. The APB, subject to the Director's approval, shall establish its own bylaws and procedures.

4. Tenure

The period of time necessary for the Board to carry out its purpose.

5. Reporting

The Board shall report to the Director or his designated appointee.

6. Support Services

The ISP will provide the necessary support services for the Board.

7. Duties

The Board is established for the purpose of managing and controlling LEADS and making recommendations to the Director. The Board will accept for review and deliberation all matters coming within the Board's objectives. The Board will report to the Director the results of all deliberations, together with its recommendations.

8. Date of Charter -- April 1, 1977

### B. MEMBERSHIP OF LEADS ADVISORY POLICY BOARD

1. Composition of the Board

The LEADS APB shall be composed of 21 representatives of Illinois law enforcement and criminal justice agencies and organizations as follows:

Illinois Sheriff's Association (local sheriffs)	3 members
Illinois Association Chiefs of Police (local chiefs and 1 Communications Supervisor)	4 members
Chicago Police Department	1 member
Cook County Sheriff's Police	1 member
Secretary of State	1 member
Circuit Clerk's Association	1 member
State's Attorney Association	1 member
Department of Corrections	1 member
Illinois Law Enforcement Training & Standards Board	1 member
Chicago Emergency Communications Center	1 member
National Insurance Crime Bureau	1 member

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Illinois Attorney General	1 member
Illinois Criminal Justice Information Authority	1 member
Illinois Public Safety Agency Network (IPSAN)	1 member
Illinois State Police	
Division of Patrol	1 member
Division of Justice Services (Chairperson)	1 member

In addition to the members noted above, the following non-voting support staff will be appointed to the Board by the Director:

- ISP Lieutenant Colonel, Division of Justice Services
- ISP LEADS Administrator
- ISP Chief Legal Counsel
- ISP Bureau Chief, Firearms Services Bureau
- ISP Bureau Chief, Program Administration Bureau
- ISP Bureau Chief, Telecommunications Services Bureau
- ISP Bureau Chief, Bureau of Identification
- ISP Commander, Statewide Patrol Support Command

Each board member shall be willing to serve and devote adequate time necessary to the business addressed by the Board.

### 2. Chairperson and Vice Chairperson

The chairperson will be a representative of the ISP and be appointed by the Director. A vice chairperson shall be elected by the Board from the Board members.

### 3. LEADS Administrator

The LEADS Administrator will be a representative of the ISP and be appointed by the Director. The LEADS Administrator will provide for the daily administration, management and control of LEADS and will serve as the executive administrator for the LEADS Advisory Policy Board.

### 4. Member Nominations and Appointments

- a. The chief executive officer of the organization to be represented shall nominate the organization's representative to serve on the Board.
- b. All nominations to the Board must be submitted in writing to the Director for confirmation.
- c. A nominee will become a voting member of the Board upon confirmation by the Director.

### 5. Term of Office

#### a. ISP Representatives Including the Chairperson

The Chairperson and other ISP representatives will serve at the pleasure of the Director.

#### b. Members

(1) Each member will serve a two-year term or until the member no longer qualifies as a representative, whichever comes first.

(2) The terms of the following members will expire on September 1 in even-numbered years:

Chicago Police Department	1 member
Chicago Emergency Communications Center	1 member
Secretary of State	1 member
Illinois Association Chiefs of Police (North & South Representative)	2 members
Illinois Sheriff's Association (South Representative)	2 members
Illinois Criminal Justice Information Authority	1 member
State's Attorney Association	1 member
Law Enforcement Training & Standards Board	1 member
NCIC North Central Regional Working Group	1 member

(3) The terms of the following members will expire on September 1 in odd-numbered years:

Cook County Sheriff's Police	1 member
Circuit Clerk's Association	1 member
Department of Corrections	1 member
Illinois Sheriff's Association (Central Representative)	1 member
Illinois Attorney General	1 member
Illinois Association Chiefs of Police (Central & Communications Representative)	2 member
National Insurance Crime Bureau	1 member
Illinois Law Enforcement Alarm System	1 member
Illinois Public Safety Agency Network (IPSAN)	1 member

6. Removal from Office

- a. With a two-thirds majority vote of the Board, the Board may recommend to the Director the removal of any member of the Board.
- b. Any or all members of the Board or the Chairperson may be removed by the Director for violation of these Bylaws.

7. Filling Vacancies

It is the responsibility of the chief executive officer of the organization to be represented to submit in writing to the Director a nominee to fill a vacancy.

### C. MEETINGS OF THE BOARD

1. Regularly Scheduled Meetings

Provided there is sufficient business to warrant a meeting, the Board will meet on the third Tuesday of February, May, August and November.

2. Special Meetings

If warranted, the Chairperson may call a special meeting of the Board at any time.

3. Notification and Agenda

Notification of Board meetings and a tentative agenda will be given to the Director and Board members at least two weeks prior to the meeting. The LEADS Administrator will set the final agenda at least one day in advance of the Board meeting.

4. Conduct of Meetings

All Board meetings will be conducted in accordance with the Illinois Open Meetings Act and in compliance with the latest edition of "Robert's Rules of Order".

5. Minutes

Minutes will be taken at all Board meetings. Copies of the minutes will be distributed to the Director, Chairperson and members.



6. Attendance at Meetings

Board members are expected to attend all Board meetings. A member personally missing two consecutive meetings may lose his or her seat on the Board. The same representative cannot be immediately re-appointed for a period of one year. The vacancy will be filled in accordance with paragraph B.4 of these Bylaws.

7. Proxies

A member who is unable to attend a Board meeting may send a proxy to the meeting if the following requirements are met:

- a. the proxy must be a member of the same organization as the appointed Board member; and
- b. no less than one week prior to the date of the meeting, the Board Chairperson must receive in writing (letter, email, fax) which:
  - (1) specifically names the individual who is to serve as proxy;
  - (2) state the reason(s) why the appointed Board member will not be attending the meeting; and
  - (3) be signed by the appointed Board member.

8. Quorum

Seven members of the Board (including proxy representatives) shall constitute a quorum, and a quorum must be present to conduct a Board meeting.

9. Voting

- a. Each member of the Board or the member's proxy is eligible to cast one vote on items brought before the Board.
- b. A vote by proxy is acceptable only if all requirements for Proxies are met as listed above.
- c. The Chairperson may only vote in case of a tie.
- d. All votes shall be decided by a simple majority of those Board members and proxies present, except for votes concerning removal from office. (See paragraph B.6.)

10. Visitors at Board Meetings

a. To be on the Agenda

Visitors who wish to be placed on the agenda to address the Board shall make a written request to the Board Chairperson (fax to 217/524-2498, if questions 217/558-0102) at least 30 days in advance of the meeting date.

b. To Attend in Silence

Visitors who wish to attend, but not to address the Board, are asked to notify the Board Chairperson in writing (fax to 217/524-2498, if questions 217/558-0102) at least 30 days in advance of the meeting date.

D. RECOMMENDATIONS TO THE DIRECTOR

1. Policy

All recommendations for additions, deletions and changes to these Bylaws or to the LEADS Regulations and Policies shall be forwarded to the Director for approval as soon as possible following the Board meeting in which the recommendation was passed. The Director may adopt, reject or modify these recommendations as deemed appropriate. The Director has the sole authority to adopt additions, deletions or changes and may do so with or without prior recommendation from the Board. No further action will be taken until approval is granted.

2. Rules Violations by Users or Agencies

Serious rules violations that are brought before the Board for action will result in a course of action being recommended to the Director. The Director will then advise the course of action to be taken.

3. LEADS Operator Clearances

Any LEADS operator or any person seeking to be a LEADS operator who has a felony conviction and who is recommended by the Board, Chairperson or LEADS Administrator to be barred from operating on the system, shall be immediately brought to the Director's attention for final action.

4. Other Board Actions

The Director may designate any action taken by the Board as requiring his/her approval before being implemented.

5. Arbitration

The Director shall be the final arbitrator of all matters related to the operations and policies of LEADS when recommendations of the Board are in possible conflict with federal or state statutes and/or department policies.

6. Reversal

In all cases, it is understood that the Director may reverse any decision made by the Board at any time.

E. ACTIONS NOT REQUIRING DIRECTOR'S DIRECT APPROVAL

Rulings may be made by the Board, Chairperson or LEADS Administrator in the following areas without the Director's direct approval:

1. The LEADS Administrator or Chairperson may grant authority to a petitioning agency to join the system or add terminals at an existing site. However, such a request may be brought to the Board if unique problems exist and consideration of the full Board is desired. Such additions shall be reported at each Board meeting.
2. Approval of terminal operators not subject to paragraph D.3.
3. Other actions as assigned by the Director.

F. ADMINISTRATION

1. Records

All records, transcripts, minutes and other documents relating to the advisory functions of the Board shall be administered by the LEADS Administrator.

2. Member's Expenses

All expenses incurred by a member of the Board in the conduct of the Board's business shall be paid by the member or by the organization which the member represents.

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### G. COMMITTEES

1. The Chairperson of the Board shall convene the following Ad-Hoc Committees as needed:
  - **Identification Services**
  - **Information Services**
  - **Intelligence**
  - **Security and Sanctions**
  - **Training, Audits and Standards**
  - **Strategic Planning**
2. A Chairperson of each committee shall be appointed by the Board Chairperson. The Chairperson of the Board shall have the authority to appoint additional Committees and the Chairpersons thereof, as necessary. All committee Chairpersons shall be responsible to the Board and shall report their findings and/or recommendations to the Board.
3. Committee Chairpersons are responsible for ensuring meeting minutes are taken at all committee meetings. Copies of the meeting minutes will be distributed to the APB Chairperson and members.

### III. ACCESSING LEADS DATA AND PARTICIPATING IN LEADS

Direct access to LEADS data and full participation in all elements of LEADS is restricted to those agencies that meet each of the "Criteria for Full Eligibility" listed below. Multi-jurisdictional communications centers, agencies connected to a non-criminal justice computer or data center, out-of-state agencies, non-government agencies, civil courts and juvenile agencies are treated as SPECIAL CASES under section III.B. Before a conclusion can be reached as to a particular organization's eligibility, the definitions and requirements listed in paragraphs III.A and B must be considered. Exceptions are covered in section III.C.

Direct Access Defined -- As used in these regulations, the phrase "direct access (to LEADS)" refers to (a) having a terminal device or computer that is connected by a data communications link or a wireless connection to the LEADS system in Bolingbrook, IL and (b) being authorized to access LEADS data and services.

LEADS Data Defined -- As used in these regulations, the term "LEADS data" refers to all data available through the LEADS computer, which includes but is not limited to the following:

- LEADS Computerized Hot Files (CHF);
- National Crime Information Center (NCIC) Hot Files;
- Illinois Secretary of State Driver's License, Vehicle Registration, Title Files and Images;

Motor Vehicle and Drivers Files of other states;  
Illinois Criminal History Record Information (CHRI) and NLETS III (Triple I, out-of-state), and NCIC/FBI Computerized Criminal Histories;  
Firearm Owners Identification (FOID) File;  
Boat/Snowmobile Registration Files;  
Such other files or information that may become available through LEADS.

LEADS Services Defined -- "LEADS services" as supplied by the ISP includes (a) providing access to the files listed above; (b) the handling of administrative messages within Illinois and nationwide; (c) providing training sessions, newsletters, bulletins and (d) supplying such other services as may become available.

Full Access Defined -- "Full access" means an agency has direct access to all LEADS data and services, and enters and maintains Computerized Hot File (CHF) records in LEADS and NCIC. CHF data entry is covered in detail in Section VII of these regulations.

Less Than Full Access Defined -- "Less than full access" means an agency has limited or restricted access which, primarily, allows inquiries and directed messages but not data entry.

### A. CRITERIA FOR AUTHORIZED ACCESS

1. Criminal Justice Agency -- The candidate organization must be a criminal justice agency as defined in the U.S. Department of Justice Regulations on Criminal Justice Information Systems (CJIS), (Title 28 Code of Federal Regulations [CFR]. Part 20, Subpart A). These Regulations in Section 20.3 define a criminal justice agency as:

"(c)...(1) courts; (2) a government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice ("allocates a substantial part" has been interpreted to mean more than 50% by the Regulations). State and Federal Inspector General offices are included.

"Administration of criminal justice" is defined in Title 28 as:

"(d)...performance of any of the following activities; detection, apprehension, detention, pre-trial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information."

Effective October 1999, 28 CFR, Part 20, was amended to authorize delegation by criminal justice agencies to noncriminal justice agencies of dispatching and data processing/information services pursuant to statute, regulation, executive order, or interagency agreement.

2. Powers of Peace Officers -- The candidate organization must be vested with the powers of "peace officers" as defined in the Illinois Compiled Statutes (720 ILCS 5/2-13) which reads as follows:

"Peace officer means any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses."

3. Management Control -- The candidate organization's communications system -- all LEADS terminals, printers and related equipment and all personnel operating and/or having access to LEADS-related equipment -- must be under the direct management control of a sheriff, chief of police, authorized law enforcement supervisor, authorized criminal justice administrator or ISP official.

"Management control" is defined as the authority to set and enforce (a) priorities; (b) standards for the selection, supervision and termination of personnel; and (c) policy governing the operation of computers, circuits and telecommunications workstations used to process, store or transmit LEADS and NCIC data.

Management control includes, but is not limited to, the supervision of equipment, systems design, programming and operating procedures necessary for the development and implementation of LEADS/NCIC programs. All computers, electronic switches and terminal devices interfaced with LEADS/NCIC for access to Criminal History Record Information (CHRI) and/or the Interstate Identification Index (III) must be under the management control of a criminal justice agency. This management control requirement applies to all interface agencies.

When a non-criminal justice agency operates a data center connected to LEADS/NCIC, the non-criminal justice agency must have a written inter-agency agreement with each criminal justice agency they provide service for which ensures that the criminal justice agency has management control as defined above.

4. Signed Agreement -- The candidate organization must complete and file with the ISP (LEADS Administrator) a copy of the "LEADS Agreement" with appropriate addendums (Criminal History Record Information, Computerized Hot Files, etc.).

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### B. ELIGIBILITY FOR SPECIAL CASES

The following paragraphs define the eligibility requirements for organizations which are considered to be special cases. Except where specifically stated to the contrary, "special case" organizations must meet the criteria in section III.A above.

1. A Governmental Agency not meeting the qualifications set out in (A) must meet the definition of an agency under management control of a criminal justice agency ". . . the authority to set and enforce (1) priorities; (2) standards for the selection, supervision, and termination of personnel; and (3) policy governing the operation of computers, circuits, and telecommunications terminals used to process criminal history record information insofar as the equipment is used to process, store, or transmit criminal history record information. Management control includes, but is not limited to, the supervision of equipment, system design, programming, and operating procedures necessary for the development and implementation of the computerized criminal history program. Such management control guarantees the priority service needed by the criminal justice community. A criminal justice agency must have a written agreement with the noncriminal justice agency operating the data center assuring that the criminal justice agency has management control as defined above."
  
2. Noncriminal Justice Governmental Agencies are sometimes tasked to perform dispatching functions or data processing/information services for criminal justice agencies. The performance of such tasks does not convert an otherwise noncriminal justice agency into a criminal justice agency as described in (1) above. Title 28 CFR, Part 20, authorizes the delegation of such tasks to noncriminal justice agencies if done pursuant to executive order, statute, regulations, or interagency agreement. Criminal history record information contained in the III System and FIRS (Fingerprint Identification Records System) may be made available to noncriminal justice governmental agencies performing criminal justice dispatching functions or data processing/information services for criminal justice agencies; and to private contractors pursuant to a specific agreement with a criminal justice agency or noncriminal justice governmental agency, as previously described, for the administration of criminal justice pursuant to that agreement. Additionally, the agreement must incorporate the NCIC Security Addendum that specifically authorizes access to criminal history record information, limits the use of the information to the purposes for which it is provided, ensures the security and confidentiality of the information consistent with 28 CFR, Part 20, provides for sanctions, and contains other provisions as the US Attorney General may require.
  
3. A Governmental Regional Dispatch Center may qualify for access. A center is a cooperative effort entered into by political subdivisions in a particular area for the purpose of providing consolidated and computer-assisted dispatch for public safety, that is, police, fire, and rescue services. In many cases, the law enforcement

departments involved are abolishing their communications sections and turning the communications functions over to a consolidated regional system. In management control situations, the criminal justice agency must submit a copy of the management control agreement (inter-agency agreement) to ISP, LEADS Administrator.

4. A Nongovernmental Railroad or Campus Police Department is one which performs the administration of criminal justice and has arrest powers pursuant to a state statute which allocates a substantial part of its annual budget to the administration of justice as defined by the Department of Justice Regulations on Criminal Justice Information Systems (28 CFR, Part 20, Subpart A) and which meets training requirements established by law or ordinance for law enforcement officers.
5. Public Law 99-169 (as amended) the Security Clearance Information Act (SCIA) authorizes the Department of Defense (DOD), the Office of Personnel Management (OPM), the Central Intelligence Agency (CIA), the Department of State (DOS), the Department of Transportation, and the FBI to receive criminal history record information on individuals investigated by them for access to classified information or assignment to or retention in sensitive national security duties. For national security purposes, these agencies have access to all files; however, any inquiry resulting in a positive response must be immediately turned over to a proper law enforcement agency(s) before proceeding with the SCIA investigation. Other LEADS/NCIC access, e.g., record entry/cancellation, is prohibited.
6. Out-of-State Agency -- No organization located outside of the boundaries of Illinois will be given direct access to LEADS or be allowed to connect to LEADS unless it is deemed by the LEADS Advisory Policy Board to be in the best interest of all LEADS participants statewide to permit access by the foreign organization.
7. Civil Court -- Any court that hears civil cases only does not qualify for LEADS/NCIC access.
8. Juvenile Agency -- Any correctional facility that houses only juveniles who are not involved in the criminal justice process but who are orphaned or declared incorrigible does not qualify for LEADS/NCIC access.



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**C. EXCEPTIONS**

No exceptions will be made to the above requirements for agencies desiring direct access to and participation in LEADS. An organization not qualifying as a law enforcement or criminal justice agency or not desiring full participation, even if qualified, may with the approval of the Director on recommendation from the LEADS Advisory Policy Board, receive limited information from LEADS. To apply for limited capabilities, contact the LEADS Administrator; 801 South Seventh Street, Suite 600-M, Springfield, Illinois 62703; 217/558-0102, fax (217) 524-2498.

**D. CHANGE IN STATUS**

The LEADS Administrator must be notified in writing in advance of any anticipated change in the status of an agency already participating or already approved for participation in LEADS. Continued participation in LEADS will be subject to a review of the new status to determine if all eligibility requirements can be met. Change in status includes, but is not limited to:

1. A single-jurisdiction LEADS user plans to join a multi-jurisdictional communications center.
2. Changes are to occur in the management structure of an approved multi-jurisdictional communications center.
3. Changes are to occur in the management structure of a non-criminal justice computer or data center.
4. A non-criminal justice computer or data center is created or plans to become involved with LEADS services where no involvement existed before.
5. Involvement of a non-criminal justice computer or data center is to be discontinued or altered.
6. An authorized LEADS access agency no longer requires direct access to LEADS.

**IV. MAKING THE CONNECTION TO LEADS**

To connect to LEADS, an agency must have computer hardware and software, and be connected to a communications line to the LEADS Data Center in Bolingbrook, IL. For each of these requirements, there are various options to choose from. In addition, the agency must meet various planning and administrative responsibilities.

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### A. PLANNING AND PRELIMINARIES

#### 1. Notify LEADS Administrator

When an agency desires to participate in LEADS and meets the qualifications described in section III of these regulations, a written request must be submitted at least 90 days in advance of the desired connection date. The request must be sent to the LEADS Administrator 801 South Seventh Street, Suite 600-MSpringfield, Illinois 62703, fax (217) 524-2498; and must state (a) when connection to LEADS is desired and (b) what equipment and connecting options are planned by the agency.

NOTE: This same procedure must be followed when an agency wishes to change its method of connecting to LEADS.

#### 2. Arrange a Conference

The agency must arrange for a conference between its own representatives, any hardware or software vendors (if for an interface) to be involved and ISP. ISP suggests that this meeting occur prior to any contracts being signed between the agency and vendor(s). If not prior to signing, the meeting should occur at the earliest possible time thereafter. The LEADS Administrator may waive the requirement for a formal meeting, if the vendor has previously demonstrated the ability to successfully interface with LEADS. ISP accepts no responsibility for misunderstanding of LEADS specifications and requirements which occur between the local agency and its vendor(s).

### B. HARDWARE

#### 1. Types of Hardware

Hardware used to participate in LEADS falls into two basic categories--terminal devices and mid-range or mainframe computer, or interface server.

- a. Terminal Devices -- these are the devices at which the LEADS user works to initiate transactions to LEADS and to view responses and messages from LEADS. In most agencies, the terminal devices are personal computers with special software for LEADS purposes.

Terminal devices may be located in the agency's headquarters and/or they may be a mobile or handheld. (Refer to the section on Mobile Data Computers.) Furthermore, the devices may be directly connected to LEADS or they may be attached to a mid-range or mainframe computer which is interfaced to LEADS.

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- b. Interface Computer -- This is any mid-range or mainframe computer (interface server) which is interfaced to the LEADS system in Springfield and through which the participating agency's terminals access LEADS.

### 2. Agency Responsibilities

- a. For all hardware to be used within the agency, the agency will make all arrangements for installation, relocation, maintenance and removal.
- b. For all hardware to be used within the agency, the agency will pay all costs associated with purchase or lease and all costs for installation, repair, maintenance, replacement and removal.
- c. The agency will pay the cost of supplies such as printer paper, print cartridges, etc.
- d. The agency will pay all expenses resulting from problems which are caused by the hardware.
- e. The agency will absorb all costs for equipment modifications which become necessary to keep in step with changes made at the LEADS Data Center. (See section XIII.B of these regulations.)

NOTE: LEADS is constantly changing. New capabilities are added frequently. Agencies must be prepared to absorb the costs necessary to provide new LEADS services. Electing not to supply all services offered by LEADS is in violation of these regulations.

- f. The agency will assume all responsibility for contractual agreements with the hardware vendor(s) and all related expenses.
- g. Prior to any changes being made to the hardware, the agency will notify ISP in writing and receive approval from ISP.

### 3. ISP Responsibilities

- a. ISP will absorb all costs related to the computer equipment at the LEADS Data Center.

- .....
- b. ISP will provide assistance for identifying the source of operational problems and make arrangements for the correction of those problems determined to be related to the LEADS Data Center or the communication line. ISP accepts no responsibility for the correction of difficulties found to be associated with the user agency's equipment or network.
  - c. The LEADS Administrator must approve the agency's hardware and software configuration prior to the agency connecting to LEADS.

### C. SOFTWARE

#### 1. Software Options

##### a. Direct-Connected Terminal Devices

When the terminal device is a compatible computing device directly connected to LEADS, the participating agency may elect to use software supplied by the ISP at no charge. The other option is for the agency to obtain software from a vendor (develop an interface) or write its own.

##### b. LEADS Interface

When the agency elects to operate its terminals through its own mid-range or mainframe computer (interface server), all software required on the computer/server and the terminals is the responsibility of the agency.

#### 2. Agency Responsibilities

a. If Using Free, ISP-Supplied Software -- install and test the software on the agency's terminal devices.

##### b. Using Vendor-Supplied or Internally Written Software

- (1) The agency will assume all responsibility for contractual agreements with the software vendor(s) and all related expenses.
- (2) The agency will pay all costs associated with development, purchase or lease and all costs for installation and testing of the software.
- (3) The agency will make all arrangements for installation and testing of the software.
- (4) The agency will pay all expenses resulting from problems which are caused by the software.

- \*\*\*\*\*
- (5) The agency will absorb all costs for software modifications which become necessary to be consistent with changes made at the LEADS Data Center. (See section XIII.B of these regulations.)

NOTE: LEADS is constantly changing. New capabilities are added frequently. Agencies must be prepared to absorb the costs necessary to provide new LEADS services. Electing not to supply all services offered by LEADS is in violation of these regulations.

- (6) Prior to any changes being made to the software, the agency will notify ISP in writing and receive approval from ISP.

### 3. ISP Responsibilities

#### a. If Agency Using Free, ISP-Supplied Software

- (1) ISP will perform all system analysis, design and programming required at both the LEADS Data Center and the terminal.
- (2) ISP will provide software to allow any of a number of personal computers to function as LEADS terminals.
- (3) ISP will provide training of agency personnel on use of the software.
- (4) ISP will provide assistance for identifying the source of operational problems and make arrangements for the correction of those problems.

#### b. If Agency Using Vendor-Supplied or Internally Written Software

- (1) ISP will provide technical information such as communications disciplines and message structures necessary for successful connection to LEADS.

NOTE: LEADS only allows connection of equipment which operates at certain specific data transmission rates and which uses one of the communications disciplines which ISP supports. ISP will NOT perform special programming to support a communications discipline that is not already supported by ISP.

- (2) ISP will perform all system analysis, design and programming required at the LEADS Data Center.

- .....
- (3) ISP will provide assistance for identifying the source of operational problems and make arrangements for the correction of those problems determined to be related to the LEADS Data Center or the communication line. ISP accepts no responsibility for the correction of difficulties found to be associated with the user agency's equipment or software.
  - (4) The LEADS Administrator must approve the agency's hardware and software configuration prior to the agency connecting to LEADS.

### D. COMMUNICATIONS LINE

#### 1. Options

Refer to the ISP LEADS 3.0 web site for details and information concerning Illinois Century Network (ICN) circuits:

<https://www.isp.illinois.gov/LawEnforcement/LEADS3dot0>

- a. Multiple Agency Connection -- Multiple agencies may share the same circuit if a wide-area network (WAN) is established. For additional information, refer to <https://www.isp.illinois.gov/LawEnforcement/LEADS3dot0>  
NOTE: Agencies are responsible for establishing the wide-area network and all costs associated.
- b. Dedicated Line Connection -- A dedicated connection (ICN circuit) is used by only one agency and is generally much more expensive than a multiple agency connection (Local Area Network [LAN] or Wide-Area Network [WAN]).

#### 2. Agency Responsibilities

- a. The agency will pay the initial cost for connecting to the State of Illinois Century Network.
- b. If opting for a dedicated line, the agency will pay the cost of connecting the line to the transmission control unit at the LEADS Data Center.
- c. The agency will pay all monthly charges for use and maintenance of the line as well as any costs for relocation and removal of the line.

#### 3. ISP Responsibilities

- a. ISP will provide assistance in placing orders for the installation, relocation or removal of all communications lines and related communications facilities.

- \*\*\*\*\*
- b. ISP will make all technical service arrangements related to the installation, maintenance, repair, relocation and removal of all communications lines and related communications equipment.
  - c. ISP will absorb all costs related to the computer equipment at the ISP Data Center.
  - d. ISP will provide assistance for identifying the source of operational problems and make arrangements for the correction of those problems determined to be related to the LEADS Data Center or the communication line. ISP accepts no responsibility for the correction of difficulties found to be associated with the user agency's equipment or software.

### E. ADMINISTRATION AND TRAINING

#### 1. Agency Responsibilities

- a. The agency will provide operating and administrative personnel at all terminal locations.
- b. The agency will ensure that its system will provide access to ALL authorized LEADS files and services, and permit the agency's operators to perform all necessary functions.
- c. The agency will ensure that all personnel are adequately trained and certified as required. (See section XI of these regulations.)
- d. The agency will absorb the expense of travel, lodging and meals incurred by agency and vendor representatives who attend training sessions, conferences, etc., unless otherwise stipulated by ISP.
- e. The agency will notify ISP in writing and receive approval from ISP prior to connecting the equipment to or disconnecting it from LEADS.

NOTE: All written communications necessary for the above must be addressed to LEADS Administrator; Illinois State Police, 801 South Seventh Street, Suite 600-M, Springfield, Illinois 62703, fax (217) 524-2498;

- f. Meet with ISP, if requested.

2. ISP Responsibilities

- a. ISP will provide training for terminal operators and interested administrative personnel regarding information in the LEADS Operating Manual and the various LEADS services.
- b. ISP will provide an electronic reference manual, publications, notices and special bulletins.

NOTE: The user must understand that the terminology and procedures described in LEADS publications will frequently NOT correspond exactly to the terminology and procedures established in various environments supplied by outside vendors or by the agency's own staff. This places an additional responsibility on the user agency to ensure that all written communications from LEADS are understood and adhered to.

F. MOBILE DATA COMPUTER (MDC)

- 1. “Mobile Data Computer” Defined -- any laptop, tablet, or pocket/handheld device having the capability to send and receive LEADS data without requiring physical network or peripheral cabling.
- 2. Mobile Data Computer Regulations -- Whenever an MDC is used to send data to and/or receive data from LEADS, the user of the MDC is governed by section IV of these LEADS Regulations and Policies – Making the Connection to LEADS. In addition, the following requirements must be met:
  - a. Every officer or other individual who operates a MDC must, as a minimum, be certified by successfully completing a Less than Full Access certification training as described in section XI.C. of these regulations.
  - b. Agencies must meet all technical and administrative controls found the most current version of the FBI CJIS Security Policy, Section 5.13 – Mobile Devices.

V. **FINANCIAL RESPONSIBILITY**

Agencies participating in LEADS shall promptly meet all monetary obligations to the vendor(s) which provides terminal equipment, maintenance and lines.



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### A. FINANCIAL OBLIGATIONS

1. Normal Monthly Charges -- Normal monthly charges include the following:
  - a. Charges for LEADS lines, if applicable.
  - b. Charges for vendor-owned LEADS terminal equipment.
  - c. Charges for contract maintenance on LEADS equipment not owned by the vendor(s).
2. Other Charges -- Other charges include the following:
  - a. Charges for relocating LEADS communications lines or equipment.
  - b. Maintenance charges not covered by normal LEADS equipment leasing or contract maintenance charges. Damage caused by failing to maintain the proper terminal environment, not keeping the electrical supply within specifications, or abusing the equipment will result in additional charges on a time and materials basis.

### B. SUPPLIES

Participating agencies will purchase their own printer paper, printer cartridges and miscellaneous supplies.

## VI. TERMINAL ENVIRONMENT, LOCATION AND SECURITY

The following constraints pertaining to LEADS terminal environment, location and security are binding on each participating agency:

### A. ENVIRONMENT

The terminal must be located in a safe, clean and dry environment.

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### B. SECURITY

All terminal components (system unit, keyboard, monitor, etc.) must be placed in a location under the direct control and supervision of authorized personnel as identified in these LEADS Regulations and Policies and be inaccessible to the public or persons not qualified to either operate, view or possess LEADS transmitted or received data. The computer site and/or terminal area must have adequate physical security to protect against any unauthorized viewing or access to the computer equipment, access devices or stored/printed data at all times. Such sites include locations or vehicles housing wireless devices or laptop/handheld devices capable of accessing LEADS information.

### C. VISITORS

All visitors to computer centers and/or terminal areas must be accompanied by authorized personnel at all times.

### D. AUTHORIZED EMPLOYEES

Agencies having terminals with access to LEADS and FBI NCIC/Interstate Identification Index (III) information must allow data access only by terminal operators screened according to the guidelines below. Access to the terminal area should also be restricted to the minimum number of authorized employees needed to complete the work.

#### 1. Background Screening

The candidate agency must conduct a thorough background screening of all personnel whose assignment requires access to LEADS prior to granting access. This applies to all agencies accessing LEADS with no exceptions.

State of residency and national CHRI checks by fingerprint identification, using the Criminal Justice Applicant fingerprint card, must be conducted for terminal operators, programmers and other persons employed or utilized to effectuate access to, or initiate transmission of LEADS and NCIC information, regardless of the frequency of access.

Support personnel, contractors, and custodial workers who access computer terminal areas shall be subject to a state of residency and national fingerprint-based record check, using the Criminal Justice Applicant fingerprint card or equivalent (if using out-of-state fingerprint card) unless these individuals are escorted by authorized personnel at all times.

***NOTE:** "Authorized personnel" are those persons who have passed a state and national fingerprint-based record check and have been granted access.*

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If results of the state of residency or FBI fingerprint-based background check confirms a felony conviction, the individual's access to LEADS will be prohibited. No person will be permitted LEADS access (including persons who provide maintenance or technical services) unless they are of good character and have not been convicted of a felony or a crime involving moral turpitude under the laws of this or any other jurisdiction. Any person may have their LEADS access denied if charged with a felony or crime of moral turpitude under the laws of this or any other jurisdiction.

2. State Identification Number (SID)  
Each direct access user must be assigned a state identification (SID) number obtained from the ISP BOI which confirms that a fingerprint-based state of residency and national criminal history records check has been conducted.
3. Discipline of Policy Violators  
Each criminal justice agency authorized to receive LEADS information must have appropriate written standards for discipline of policy violators.
4. Accountability  
Agencies must provide, upon request, a list of any and all terminals (devices) with LEADS access. Terminal identification forms are available for this purpose.

NOTE: Further information regarding System security can be obtained from the FBI CJIS and LEADS Security Policies, located at:

<https://www.isp.illinois.gov/LawEnforcement/LEADS3dot0>

## VII. RECORD RESPONSIBILITY

Each agency assumes certain obligations inherent with its participation in LEADS. Each participating agency implicitly agrees to the following conditions concerning the entry, maintenance and removal of its records and the maintenance of associated files:

### A. COMPUTERIZED HOT FILES (CHF) RECORDS

1. 24-Hour Terminal Manning Requirement -- Any agency which has entered records into the CHF must ensure that its terminal is operated on a 24-hour-per-day basis by persons who have successfully completed the LEADS Full Access Operator Certification Program.

- .....
2. Supporting Documents -- Each LEADS/NCIC record must be supported by an investigative document, active warrant or complaint. No LEADS or NCIC entry should be made based solely on a telephone report by the alleged victim or owner. Documents supporting LEADS/NCIC records must be available on a 24-hour-per-day basis to the terminal operator, either by direct access or telephone inquiry, for purposes of case confirmation, quality control, validation, record maintenance, etc.
  
  3. Timeliness of Record Entry -- Each agency must enter all records pertaining to thefts, criminal acts and missing/runaway persons into LEADS and NCIC (where appropriate) as soon as the occurrence is known and sufficient identifiers are available to permit the establishment of a record. All CHF entries must be in accordance with current procedures and codes as published in the LEADS Operating Manual.

LEADS and NCIC records must be entered promptly to ensure maximum system effectiveness. A “timely entry” in the Wanted Person File is one made **immediately** after: (1) the decision to arrest or authorize arrest has been made; and (2) the decision has been made as to whether and how far to go for extradition. Timely entry of license plates, vehicles, vehicle parts should be made as soon as a cross-checking with motor vehicle registration files has been completed. Timely entry of gun, articles, and securities information means within a few hours of the time complete information is available.

All warrants will be immediately entered into LEADS by the responsible agency within 24 hours after receiving reliable information sufficient to permit the establishment of a LEADS record unless entry is delayed by emergency operational needs. (LEADS Administrative Rules, Section 1240.60 3.& 4.)

Effective June 2009, pursuant to NCIC policy, records for missing persons under the age of 21 must be entered into the appropriate Missing Person file category within 2 hours of receipt of the complete initial missing person report. This is a result of the Adam Walsh Child Protection and Safety Act of 2006, and Title 34 United States Code, Section 41307 (Suzanne’s Law).

The Sex Offender Registration (SOR) Act (730 ILCS 150/8) requires the registering agency to enter SOR data into LEADS within three days after the offender has registered.

The Illinois Domestic Violence Act (750 ILCS 60/101), Civil No Contact Order Act (740 ILCS 22/101) and Stalking No Contact Order Act (740 ILCS 21/1) specifies these orders must be entered into LEADS by county sheriff agencies on the same day issued.

4. Completeness --Complete records include all information that was available on the person or property at the time of entry. Validation should include a review of whether additional information which is missing from the original entry that could be added has become available for inclusion to the record.

Complete inquiries on persons include numbers, i.e., Social Security number, passport, vehicle identification number, license plate, driver's license, etc., that could be indexed in the record. Inquiries should be made on all names/aliases used by the suspect. Complete vehicle queries include vehicle identification number and license plate numbers.

5. Quality of Records -- Each agency assumes responsibility for the accuracy of the records entered under its authority. The accuracy of LEADS/NCIC records must be double-checked by a second party. This must be done within 24 hours of entry. Verification should include assuring that the available cross-checks (e.g., VIN/License Numbers) were made and that data in the LEADS/NCIC record matches the data in the investigative report. To ensure compliance of second party quality checking, the person who conducts the check must indicate on the LEADS/NCIC record printout (or if maintained electronically, electronic cross-checks are acceptable) their name, ID or badge number along with the original supportive documentation and maintain for review during the LEADS audit.

Also, each agency will cooperate with LEADS and NCIC quality control efforts by modifying or removing records that are either incorrect or invalid. An agency must take action relative to a record in question as soon as possible and at least during the shift or work period that notification is received. LEADS and NCIC (through "Serious Error" messages) have the right to remove any record where a substantial question exists concerning the validity or accuracy of the record. Immediately upon removal of any record, ISP or NCIC will notify the entering terminal.

6. Active Messages File -- Each agency will maintain an Active Messages File by entry category (wanted or missing persons, stolen vehicles, stolen guns, etc.) that is readily accessible to the terminal operator. The hard copy of the Enter Acknowledgment Message, complete with the LEADS Message Number (LDS) and, if appropriate, the NCIC Message Number (NIC), must be retained in the file as long as the message remains active in LEADS/NCIC. An agency with a computer connected to LEADS may maintain its Active Messages File on the computer instead of in hard copy form as long as the local computer file is readily accessible to the LEADS terminal operator and the computer file record is complete.

7. Canceled Records File -- Once a record has been canceled, it must be removed from the Active Messages File. The hard copy printout of all canceled records, complete with recovery/apprehension data and date, must be retained for at least one year in a Canceled Records File. This file must be maintained separately from the Active Messages File. An agency with computer facilities may maintain the Canceled Records File storage media as long as all data elements specified here for a hard copy file are contained in the computer record.

NOTE: "Recovery/apprehension data" means confirmation requests and confirmation responses, which are formal directed messages that explain the reason for cancellation, gives the recovering or apprehending agency's name and the officer's name or badge number and details the action by the agencies involved.

8. Multi-Terminal Agencies -- Agencies with multiple LEADS terminals must ensure all CHF record entries are made from a terminal manned 24 hours per day. If entry into CHF is made from a terminal that is not manned 24 hours, computerized or automatic message re-routing to a 24-hour terminal is permissible as long as re-routing is consistently activated as appropriate. Re-routing is performed by contacting the ISP LEADS Integrated Help Desk at 866/532-3700 or sending an administrative message to CDC/KQC.
9. Record Files Maintained by a Multi-Jurisdictional Communications Center -- Multi-jurisdictional communications centers must maintain complete and separate Active Messages Files and Canceled Records Files for each member agency served by the center and authorized to enter records into LEADS. When a member agency in a communications center has access to LEADS via another terminal located within its own department in addition to the terminal or terminals located within the communications center, the member agency must select one location, either the agency location or the communications center, that will (a) enter, maintain and remove all LEADS records for that agency and (b) abide by LEADS policy relative to security and staffing constraints.
10. Record Status Inquiries -- Each agency will respond promptly to inquiries for confirmation from other agencies relative to the validity and currency of its LEADS/NCIC records. See section X.D – 10-Minute Rule.
11. Record Removal -- Each agency will promptly cancel its records when the agency is notified or when it becomes aware that the legal intent of its entry has been satisfied, i.e., stolen property has been recovered, or the suspect has been apprehended or returned.

NOTE: It is mandatory that all agencies having records in the LEADS/NCIC (CHF) participate in the LEADS Record Validation Program which calls for the correction or removal of inaccurate, incomplete or unsupported CHF records. See section VIII.

### VIII. VALIDATION OF CHF RECORDS

#### A. DEFINITION

To validate records means to compare the accuracy of the CHF data in your agency's LEADS/NCIC records with the supportive documentation that your agency has accumulated and to verify the status of that information with the complainant, victim, prosecutor, court, non-terminal agency, or other appropriate source or individual.

#### B. PURPOSE

The purpose of validation is to correct or remove inaccurate, incomplete or unsupported CHF records, which is essential to maintaining the integrity of the LEADS/NCIC Files and alleviating civil liability problems resulting from false arrest or detention. Record accuracy and completeness also relate directly to the safety and effectiveness of police officers nationwide.

Validation affords agencies the opportunity of updating information on supporting documents as well as their records in LEADS/NCIC by renewed contact with the complainant. A new telephone number or address change, additional items that aid investigatory efforts, or facts leading to the closure of a case may be gleaned from such contact, which is also an excellent public relations tool.

#### C. REQUIREMENTS

1. Each record in the files is identified with the agency originating that record, and that agency alone is responsible for the accuracy of the record. When a terminal agency has entered records for a non-terminal agency, it is the responsibility of the terminal agency to obtain confirmation from the non-terminal agency that the records are still valid.
2. All CHF records must have documentation to support their existence. If circumstances change or documentation no longer exists, records must either be modified or removed from the LEADS/NCIC systems.
3. All agencies having records in the LEADS Computerized Hot Files (CHF) must participate in the LEADS Record Validation Program.

4. Failure of an agency to comply with the validation regulations will result in the removal of that agency's LEADS/NCIC records. No extensions or grace periods will be allowed.

### D. VALIDATION PROCESS

Each month your agency will receive a validation listing from the ISP. This listing will contain records that were entered by your agency three months previously and during the same month in previous years. For example, the list you receive in October will contain records that were entered in July of any year.

For a step-by-step approach to the validation process, refer to the Validations chapter in the LEADS Operating Manual.

## IX. DISSEMINATION OF DATA OBTAINED THROUGH LEADS

### A. GENERAL RESTRICTIONS

1. Criminal Justice Purposes Only -- All data supplied through LEADS is to be used strictly for criminal justice purposes.
2. Personal Use Prohibited -- It is strictly forbidden to obtain any data through LEADS for personal reasons.
3. Personal Messages Prohibited -- It is strictly forbidden to transmit messages over LEADS or to encourage messages to be transmitted over LEADS for reasons of personal, unofficial communication. LEADS may not be used for communicating personal messages from one LEADS terminal to another.
4. Selling Data Prohibited -- It is strictly forbidden to sell any information obtained through LEADS to any individual, group of individuals, organization, government agency or corporation.
5. Unauthorized Dissemination Prohibited -- It is strictly forbidden to disseminate any information obtained through LEADS to any individual or organization that is not legally authorized to have access to that information.



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### B. SPECIFIC DATA DISSEMINATION REGULATIONS

#### 1. Computerized Hot Files (CHF)

The information found in the CHF is documented criminal justice information. This information must be protected to ensure correct legal dissemination and use as per all applicable laws, policies, and regulations.

#### 2. National Crime Information Center (NCIC)

a. The following statements apply to NCIC data and are taken directly from the NCIC Operating Manual:

(1) "The data stored in the NCIC is documented criminal justice information and this information must be protected to ensure correct, legal and efficient dissemination and use."

(2) "The FBI uses hardware and software controls to help ensure system security. However, final responsibility for the maintenance of the security and confidentiality of criminal justice information rests with the individual agencies participating in the NCIC System."

b. As an NCIC CJIS Systems Agency (CSA), the ISP must assume responsibility for and enforce NCIC system security with regard to all agencies participating in NCIC through LEADS.

#### 3. Secretary of State (SOS)

a. Any request for SOS data (including Images) via LEADS shall be for criminal justice purposes only.

b. SOS data required for non-criminal justice purposes must be obtained directly from the SOS; i.e., LEADS may not be used.

c. Although the Illinois Compiled Statutes authorize the Secretary of State to charge fees for providing registration and vehicle records, there is no provision for any criminal justice agency to charge for SOS data obtained through LEADS. Any such charge or fee is prohibited under the General Restrictions (IX.A.5) of these regulations.

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4. Foreign States' Drivers Licenses and Vehicle Registrations via NLETS
    - a. Driver's license and vehicle registration information is provided by other states to Illinois departments via NLETS/LEADS on the same basis that the Illinois SOS provides this information -- FOR CRIMINAL JUSTICE PURPOSES ONLY.
    - b. If out-of-state driver or vehicle data is required for non-criminal justice purposes, LEADS/NLETS may not be used. Instead, agencies participating in LEADS/NLETS must advise the requester to deal directly with authorities in the state that houses the desired records.
  5. Firearm Owner's Identification (FOID)
    - a. FOID data is provided by the ISP according to the Firearm Owner's Identification Card Act (430 ILCS 65).
    - b. Dissemination of FOID information obtained through LEADS is restricted to criminal justice agencies, for criminal justice purposes only.
  6. Criminal History Record Information (CHRI)
    - a. CHRI obtained from the ISP, Bureau of Identification, over LEADS shall not be disseminated to any person or agency not authorized by law to receive such information.
    - b. The ISP Bureau of Identification is permitted to disseminate CHRI for licensing or non-criminal justice employment purposes only after completing a fingerprint search of its files. The ISP will not respond to computerized inquiries (CHRI inquiries or directed messages through LEADS) for licensing or non-criminal justice employment purposes.
    - c. The ISP will respond to a computerized inquiry for criminal justice employment purposes provided the appropriate format and purpose code are utilized. It is incumbent upon each agency to establish the necessary administrative controls concerning the use of the information provided as the response will be based only upon a name check thereby lacking the establishment of positive identification.

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- d. Each transaction which involves any extra-agency release (release to any agency other than your own) of CHRI as supplied by the ISP must be logged in a Secondary Dissemination Log maintained by the agency which ran the inquiry. The content of entries required in the log is reflected in the LEADS Agreement, Criminal History Record Information Addendum, and includes:
  - (1) Identities of persons or agencies to whom the information is released
  - (2) Name of the requestor
  - (3) Authority of the requestor
  - (4) Purpose of the request
  - (5) Identity of the individual to whom the information relates
  - (6) Date of the dissemination

Secondary Dissemination Logs shall be maintained for a period of three years following the last date of dissemination contained therein. After the three-year maintenance period expires, the logs may be destroyed provided that express authorization is granted in accordance with either The State Records Act (5 ILCS 160) or the Local Records Act (50 ILCS 205/1), whichever is applicable.

### X. OPERATING PROCEDURE REGULATIONS

LEADS is a complex statewide information enterprise which must be shared by many users and agencies. The use or misuse of LEADS by one agency can significantly affect all other users. Therefore, compliance with these Operating Procedure Regulations is necessary to optimally and fairly allocate LEADS resources and services.

#### A. HOT FILES HIT PROCESSING

- 1. Subject or Property in Custody -- As soon as possible after receiving a positive hit response to an inquiry, the agency receiving the hit message must contact the Originating Authority (ORA) of the record to confirm the status of the record. The inquiring agency must also insure that the record, in fact, pertains to the same subject, vehicle, property, etc., which is in custody.
- 2. Locating -- A confirmed hit with the subject, vehicle or property in custody requires that the agency receiving the hit immediately perform a LOCATE transaction against all record(s) that were determined to be applicable.

3. Retention of Terminal-Produced Printout -- When an operational inquiry on an individual or property yields a valid positive response (hit), the original copy of the terminal-produced printout showing the record(s) on file in LEADS/NCIC must be retained for use in documenting probable cause for the detention of the missing person, arrest of the wanted person or seizure of the property. The printout may also prove valuable in a civil suit alleging a false arrest, a false imprisonment, a civil rights violation or an illegal seizure of property.

When a LEADS/NCIC inquiry yields a hit, the terminal employee making the inquiry should note on the original copy of the terminal-produced printout precisely how, when and to whom the information was given; sign and date this notation; and forward the printout to the inquiring officer or agency for retention in the case file. This procedure establishes the chain of evidence for the communication should the arresting officer need to substantiate his actions in a judicial proceeding.

The printout must be retained for as long as there remains any possibility that the defendant will challenge the arrest, search or other law enforcement action taken because of the information contained on the printout. Retain the printout until all possible levels of appeal are exhausted or the possibility of a civil suit is no longer anticipated. The recommended retention period is seven years.

### B. BROADCASTING OF MESSAGES

1. Stolen or Recovered Property -- Item-by-item lists of stolen or recovered property are NOT to be broadcast over LEADS either statewide, regionally or to a district. A brief summary message in generic terms may be broadcast if it is felt such a message will aid in the recovery of stolen property or in owner identification of recovered property.
2. Range Limitations -- The extent of the area over which a message is broadcast must be carefully limited to include only those agencies which can reasonably be expected to have interest in or a need to know the contents of the message. For example, a message concerning only Illinois and surrounding states should NOT be broadcast nationwide. A message of interest only to Cook and surrounding counties should not be broadcast statewide.
3. Holiday Greetings -- On no occasion is it permissible to use LEADS for broadcasting a message of holiday greetings.

4. Political Messages -- On no occasion is it permissible to use LEADS for broadcasting a message dealing with a political campaign, political rally or candidate for political office.
5. Commercial Messages -- The use of LEADS is prohibited for sending messages of a commercial nature.
6. Seminar, Training Class and Convention Announcements -- Such messages may not be transmitted through LEADS unless those receiving the message are being invited to attend at no charge. Using LEADS to announce an event intended to make a profit is strictly prohibited.

NOTE: A complete list of prohibited messages is published in the LEADS Operating Manual, Administrative Messages chapter.

### C. POINT-TO-POINT ADMINISTRATIVE MESSAGES

Improper Signature -- It is strictly prohibited to ever sign a LEADS message for another department or in any way imply that a message was authorized by an authority other than that of the sending terminal unless such other authority has specifically requested that the message be sent.

### D. PROMPT ACKNOWLEDGMENT OF MESSAGES RECEIVED

10-Minute Rule -- Except where unusual circumstances prevent compliance, all directed or administrative messages should be acknowledged by the receiving agency within 10 minutes of receipt. If a full reply can be sent within 10 minutes, the reply itself serves as the acknowledgment of receipt. If a complete reply cannot be prepared within 10 minutes, the message should be acknowledged (within 10 minutes) along with an indication as to when a complete reply can be expected.

NOTE: The 10-Minute Rule does not apply to a message broadcasted to many agencies as members of a broadcast list unless the sender specifically asks for an acknowledgment or reply.

### E. SERVICING NON-TERMINAL AGENCIES

The following regulations apply to any agency which routinely provides all LEADS services for one or more other criminal justice agencies which do not have their own LEADS terminals:

1. LEADS Message Service Agreement -- One copy of this Agreement must be executed with each agency which is routinely serviced. The signed Agreement must be filed with the ISP and a copy retained at the individual agencies.

NOTE: The non-terminal agency's NCIC ORI will point to the terminal agency's CDC/ORI in the LEADS system. This is especially important when CHRI inquiries are made for the non-terminal agency using their NCIC ORI, to ensure all responses are received at the terminal agency's LEADS device. Also, to ensure any NLETS messages are received for the non-terminal agency by the servicing (terminal) agency.

2. Responsibility for Agreement Initiation -- The agency providing LEADS services (the LEADS terminal agency) is responsible for initiating the Service Agreement with the serviced, non-terminal agency.
3. Source of Forms -- The "LEADS Message Service Agreement" form is available on the LEADS Forms site, <https://www.isp.illinois.gov/LawEnforcement/LEADS3dot0>
4. Termination of Service Agreement -- If either party to the LEADS Message Service Agreement wishes to terminate the Agreement for any reason, the LEADS terminal agency must immediately notify the LEADS Administrator of this fact.

F. **SERVICING NON-TERMINAL/NON-24-HOUR TERMINAL AGENCIES**

The following regulation applies to any agency which routinely enters Hot File records for a non-terminal or non-24-hour terminal agency.

1. Holder of the Record Agreement - One copy of this Agreement must be executed with each agency for which Hot File Records are routinely entered. A copy of the signed agreement must be on file at both the Record Owner and Record Holder agencies.
2. Responsibility for Agreement Initiation - The agency providing LEADS entry services (the Holder of the Record agency) is responsible for initiating the Holder of the Record Agreement with the Record Owner, non-terminal or non-24-hour terminal agency.
3. Source of Forms -- The "LEADS Message Service Agreement" form is available at: <https://www.isp.illinois.gov/LawEnforcement/LEADS3dot0>

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### XI. ADMINISTRATIVE RESPONSIBILITIES

It is imperative that LEADS agency personnel from the agency head on down the chain of command understand the responsibilities associated with participation in LEADS and NCIC. The ISP is willing to provide special in-service training and orientation as needed to criminal justice administrators and upper-level managers on LEADS and NCIC system use, regulations, policy, audits, sanctions and related civil liability. All LEADS agencies must meet the following administrative responsibilities:

#### A. APPOINT A LEADS AGENCY COORDINATOR

1. Appointment Required -- Every LEADS terminal agency is required to appoint one employee as its LEADS Agency Coordinator (LAC). Immediately upon appointment, the name of this person must be submitted to the LEADS administrator by using the LEADS Agency Data Correction form (and the Modify LAC form if modifying agency's existing LAC) located on the LEADS 2000 client Forms site. While each agency must appoint an LAC, the LAC duties, listed below, may be delegated by the LAC and performed by multiple authorized persons.
2. Qualifications -- The minimum requirements for the appointed LEADS Agency Coordinator are:
  - a. Must be an employee under the direct management control of the chief, sheriff, superintendent, district commander or other criminal justice agency head.
  - b. Must be LEADS certified at appropriate level prior to appointment and remain in certified status during time of appointment.
  - c. Must be thoroughly familiar with all LEADS Regulations and Policies.
  - d. Must be familiar with the LEADS Manual and all LEADS capabilities and procedures.
  - e. Must be thoroughly familiar with the LEADS 2000 Department and User Registry requirements and procedures.
3. Duties -- Some of the duties of the LAC will be to:
  - a. Serve as first line of contact and support for all LEADS questions/problems within the agency.

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- b. Serve as liaison with ISP personnel on routine, LEADS/NCIC related matters.
  - c. Coordinate training of all agency personnel on LEADS/NCIC capabilities, procedures, regulations and policies.
  - d. Assist the agency head to ensure that all LEADS/NCIC Regulations and Policies are followed.
  - e. Ensure the agency's Departmental and User profile information is accurate and updated as needed in a timely manner.
  - f. Provide input to LEADS personnel regarding problems and/or ideas for improvement of and changes to LEADS/NCIC.
  - g. Ensure agency data corrections/changes are submitted to the LEADS Administrator by using the LEADS Agency Data Correction form located on the LEADS Forms site.
  - h. Serve as a liaison with ISP personnel on LEADS terminal agency audits.
  - i. Notify LEADS staff if:
    - (1) LEADS circuit needs to be moved or disconnected utilizing the LEADS Disconnect Form.
    - (2) A CDC(s) needs to be cancelled utilizing the CDC Cancellation/CHF Record Transfer Request form.
    - (3) Additional CDC(s) for LEADS must be requested utilizing the Additional Device Data form. For a CAD, Mobile Data or Handheld/Palm device, the Interface CDC Assignment form must be used.
4. Termination -- Immediately upon the termination or reassignment of the LAC, the agency head must appoint a new LEADS Agency Coordinator and notify the LEADS Administrator of the appointment. Refer to the LEADS Agency Data Correction form and Modify Current LAC form.

### B. LEADS ELECTRONIC OPERATING MANUAL

- 1. Unless otherwise specified, copying of large portions of the LEADS Reference Manual strongly discouraged. The online Operating Manual is updated periodically and copied sections may rapidly become outdated.



2. While not considered classified, information within the LEADS Manuals is not authorized to be disseminated to any unauthorized entity.

### C. OBTAIN AND MAINTAIN OPERATOR CERTIFICATIONS

1. LEADS operator certification is mandatory (approved by the LEADS Advisory Policy Board on September 29, 1988, and also mandated by NCIC) for all LEADS agency personnel who enter data into, perform CHF maintenance on and/or access and receive LEADS/NCIC data.
2. LEADS operators must achieve the appropriate level of LEADS certification within six months of employment or assignment.
3. The LEADS Operator Certification Program (LOCP) was established to train, test and enhance the competency of LACs (LAC) and terminal operators. The LOCP is administered by the ISP. The program's goal is to ensure the safety of officers in the field by:
  - a. improving the quality of data entered into the LEADS/NCIC files,
  - b. ensuring compliance with LEADS/NCIC rules and regulations,
  - c. ensuring instruction on interpreting data,
  - d. increasing knowledge and usage of all aspects of LEADS/NCIC,
  - e. establishing standards of competency for all LEADS terminal operators, and
  - f. providing a statewide standard of training and testing
4. Levels of Certification
  - a. Full Access Certification: is achieved via the on-line nexTEST System and is required for the following individuals:
    - (1) LACs of full access agencies,
    - (2) All operators responsible for responding to record status inquiries (hit confirmation),
    - (3) LEADS operators who enter or perform file maintenance on computerized hot file records.
  - b. Less Than Full Access Certification: is achieved via the online nexTEST system.

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- (1) LACs of Less Than Full Access agencies. This is a minimum requirement. All LACs are encouraged to complete Full Access certification.
  - (2) LACs of agencies using only mobile data computers. This is a minimum requirement. All LACs are encouraged to complete Full Access certification.
  - (3) Operators having limited or restricted use of LEADS, i.e., those operators (including mobile data computer operators) primarily responsible for Secretary of State file inquiries, directed messages and criminal history inquiries. Curriculum includes instruction on response interpretation.
- c. Practitioner Training: Those with No Direct LEADS/NCIC Access (i.e., do not directly key the inquiry identifiers into LEADS). Certification via nexTEST is not mandated; however, this training must be provided within 12 months of employment in some form to ensure understanding of the LEADS/NCIC data and its content. To assist with providing this training, ISP has developed two LMS courses: Practitioner of LEADS data for administrators and Practitioner of LEADS data for officers and other criminal justice personnel. Practitioner training is required for the following individuals:
- (1) Users who do not directly access LEADS/NCIC data (i.e., do not directly key the inquiry identifiers into LEADS).
    - a. Responsibility for providing this training lies with the agency's LAC.
    - b. This responsibility includes training users for any non-terminal agencies that the agency may provide service for.
    - c. It is the responsibility of the LAC to coordinate training of all agency personnel on LEADS/NCIC capabilities, procedures, regulations, and policies, and maintain an accurate record/list of employees who have been trained.
    - d. Any new information applicable to the indirect user must be provided as it becomes available.
  - d. Security Awareness Training: is achieved via the CJIS online training platform, (<https://www.cjisonline.com/>) and is required for the following individuals:

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All employees who manage or have access to LEADS and NCIC systems within six months of assignment and once every two years thereafter. This includes IT personnel, private contractors, and terminal operators.

### 5. Expiration of Certifications and Recertifications

Individuals attaining certification or recertification for all levels will have an expiration date of 2 years hence from the month and day of successful completion of the appropriate level exam.

### 6. Recertification

Recertification must be achieved prior to the issued expiration date. Recertification curricula apply to all levels of certification. Failure to recertify prior to the expiration date requires the user to take the initial (for Full and Less Than Full access) certification course.

## D. KNOW DAILY BRIEFING CONTENT

1. Every day, Monday through Friday (except holidays), the LEADS staff posts a message which is referred to as the Daily Briefing. The Daily Briefing contains a wide variety of information from critically important operational bulletins to nice-to-know tips and comments.
2. All LEADS terminal agencies/users will be held responsible for knowledge of and compliance with ALL information and instructions promulgated through the Daily Briefing.
3. Agencies that provide LEADS service for non-terminal agencies/users (including mobile data terminal only agencies) should ensure Daily Briefings are provided to these entities that do not have the capability to access the on-line Daily Briefing.

## XII. LEADS TERMINAL AGENCY AUDIT POLICY AND PROCEDURES

In order to comply with the NCIC mandate stating that "...each CJIS Systems Agency (CSA) shall establish a method to triennially audit every terminal agency to ensure compliance with state and local NCIC policy and regulations", the ISP has initiated the following audit procedures to assure that LEADS users are within compliance of these principles:

- A. Each LEADS terminal agency will be audited at least once every three years by the ISP. The agency will be notified prior to the audit. The ISP will primarily audit remotely, utilizing the online CJIS Audit software.
- B. The LAC or representative will assist the ISP Field Specialists (FS) and make available

to them all agency files, logs, or any other documentation that they may need to examine.

- C. Following the audit, each LEADS terminal agency will receive an analysis detailing the findings, recommendations, discussions and requirements for compliance generated by the audit.
- D. If an agency is found out of compliance with LEADS/NCIC policy, the agency's chief administrator must respond (within 30 days of receiving the audit report) with a plan of action that will place the agency within policy guidelines and compliance.
- E. If the chief administrator of an agency that is not in compliance with LEADS/NCIC policy and regulations fails to respond (within 30 days of receiving an audit report) with a plan of action that will place the agency within policy guidelines and compliance, or if the chief administrator fails to notify the LEADS Administrator that the agency has accomplished its planned objectives and is now in full compliance with LEADS/NCIC policy and regulations, then further action will be taken by ISP. See section XIV, Non-Compliance, for a detailed explanation.
- F. If an agency refuses to cooperate in an ISP audit, the agency will be considered noncompliant and will be subject to suspension of all LEADS services.

### **XIII. PROCEDURES FOR IMPLEMENTING CHANGES**

#### **A. CHANGES TO THESE REGULATIONS**

If it should become necessary for the Director to change these regulations, the following procedures will be used:

1. Filed with the SOS -- All changes to these regulations will be filed with the Secretary of State in accordance with provisions of the Illinois Administrative Procedure Act (5 ILCS 100/5-65).
2. Published in the LEADS Electronic Operating Manual -- Upon taking effect, changes to these regulations will be published as part of a routine modification to this section of the LEADS Operating Manual.

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### B. CHANGES TO LEADS SERVICES

The following regulations will apply when changes are to be made to LEADS:

1. The ISP will:

- a. Announce Each Change -- Major additions or changes to LEADS services or procedures for LEADS access will be announced by ISP at least 45 days prior to the planned implementation date. Such announcements will be made as articles in the LEADS on-line Daily Briefing. (See section XI.E of these regulations.)
- b. Issue Technical Bulletin -- When the ISP LEADS staff believes that a change will dictate that technical modifications must be made by local LEADS users to equipment or software, a technical bulletin will be provided by ISP. The bulletin will be posted (notification will be made either by mail, LEADS Administrative Message and/or Daily Briefing) to all requesting LEADS user agencies at least 30 days prior to the planned implementation date of the change or addition.
- c. Provide Notice of Implementation -- When a change is implemented, ISP will immediately notify all users of that fact through the Daily Briefing.
- d. Expedite Emergency and Minor Changes -- ISP reserves the right to make emergency and minor changes and additions to LEADS without prior notice or with less notice than called for in subparagraph "a" above. Whenever this becomes necessary, ISP will still provide notice of implementation, and make Operating Manual modifications. If deemed necessary, a technical bulletin will be issued at the earliest possible time.

2. All LEADS User Agencies will:

- a. Stay Abreast of Changes -- All users must be aware of all changes and additions to LEADS that are announced in the Daily Briefing. All LEADS operators and other appropriate personnel should be informed at the earliest possible time.

NOTE: Agencies that provide service for non-terminal agencies must also ensure those users are apprised of changes and/or new or updated policy and procedures.

### 3. Agencies Using Vendor-Programmed or Internally Programmed Software

These regulations require that any agency using vendor-programmed or internally programmed software must provide access to ALL authorized LEADS files and services and permit the agency's operators to perform ALL LEADS functions. (See section IV.C.2.b.).

Such agencies are required to:

- a. Promptly Implement Technical Changes -- The agency must implement any necessary technical changes within 60 days after the actual ISP implementation date or within 60 days after the technical bulletin is received, whichever occurs first.
- b. Request An Extension -- In any case where the agency believes it cannot comply with a. above, within the specified time frame, it must submit a written request for an extension. The request must state the circumstances necessitating the extension and give the agency's plan and target date for becoming compliant. Requests must be sent to the ISP, LEADS Administrator, 801 South Seventh Street, Suite 600-M, Springfield, Illinois 62703.

The Director will grant extensions on an individual basis depending on the circumstances involved. Either the Director or the agency may also request a hearing as provided for in Section XIV of these regulations.

## XIV. NON-COMPLIANCE

Violation of these regulations will be dealt with on an individual basis and could result in suspension of part or all LEADS capabilities, either temporarily or completely and permanently.

The ISP reserves the right to suspend all or any portion of LEADS service without prior notification as a result of an agency or user's non-compliance with laws, regulations or procedures.

### A. MINOR VIOLATIONS

When a violation of these regulations occurs that does not threaten the integrity or security of LEADS, the LEADS Administrator will give written notice to the agency or user explaining the violation.

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### B. REPEATED, CONTINUOUS OR MULTIPLE VIOLATIONS

When an agency or user is believed to be repeatedly or continuously in violation of these regulations or has violated multiple regulations, the Director shall set a hearing, providing the agency or user with at least 20 days advance written notice of the hearing date. See Hearing Procedures (D) below.

### C. MAJOR VIOLATIONS

1. When a violation of these regulations or related law occurs that could seriously affect the integrity of LEADS, or could threaten the safety of officers or the public, or is against the law, the Director reserves the right to immediately suspend all or part of LEADS access or services without prior notice. When this becomes necessary, the Director will immediately notify the suspended agency or user by the quickest means possible with a follow-up letter giving the following:
  - a. A list of the services which have been suspended;
  - b. Reason for suspension;
  - c. If the violation(s) warrants a hearing, the ISP will schedule in an expeditious manner.
2. If circumstances warrant, the Director may lift the suspension prior to the hearing for emergency or public safety needs. Normally, however, the suspension would remain in effect at least until the hearing has been concluded.

### D. HEARING PROCEDURES

When a hearing has been set by the Director or his designee, the following procedures will be followed:

1. The agency or user that is believed to be in non-compliance will appear at the hearing.
2. Representatives of the LEADS Advisory Policy Board will present evidence that a violation has occurred or is occurring.
3. The agency or user shall be given an opportunity to explain the reasons for non-compliance or explain why the agency or user believes they have not committed a violation.
4. If a violation has occurred, the agency or user will explain the steps taken to prevent a future violation or to eliminate non-compliance.

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### E. DIRECTOR'S DECISION

At the conclusion of the hearing, the Director may:

1. Suspend service and/or access temporarily;
2. Suspend service and/or access permanently;
3. Find compliance;
4. Lift a suspension already imposed; or
5. Grant a period of time to comply with the regulations.

If the Director grants additional time to comply, the Director shall set a date for a subsequent hearing to review compliance with the terms of the Director's order. At the second hearing, the Director may exercise any option he/she could have exercised at the original hearing.