



Josh Kaul
Attorney General



TIME System Newsletter

A Message From Our Director

We continue to find ourselves in very unusual times for our state and our country. I would like to again thank each and every one of you for what you do to protect the citizens of Wisconsin every day but especially during these very demanding times. Most of the CIB staff are continuing to work remotely but we remain available to assist in any way that we can. If there is anything CIB can do to help, please feel free to contact us and stay safe.

We continue to work on the project to replace the current eTIME advanced authentication solution with a new process that offers additional security in compliance with the CJIS Security Policy. Our intent remains to start with DOJ users and then reaching out for an agency to pilot the new solution. Implementation will allow for a gradual transition, user by user, to enroll in the new advanced authentication. Stay tuned and we will keep you updated on this effort. You can find more information of this project on page 5 of this newsletter.

Wisconsin continues to make progress in our "Fix NICS" initiative to ensure all eligible warrants are entered in NCIC. As of November 1st, 2020, 91.8% of the Wisconsin felony warrants and 66.4% of the Wisconsin misdemeanor warrants are in NCIC. I again thank you for your assistance. We would not have been able to get to this point without your help. Several of your agencies received "gold stars" for your assistance and efforts in this area. See page 7 of this newsletter for the list of the gold star recipients. Congratulations to those agencies. If you are interested in how your agency can be added to the list, please send an email to CIBTrain@doj.state.wi.us.

On the national side, the FBI CJIS Division has seen a drop in the average daily NCIC transactions to 6.1 million per day as a result of the COVID-19 pandemic. Their record high day remains as April 6, 2017 with 18.6 million transactions that day. We have also seen a drop in the daily number of TIME System transactions. The average number of TIME System transactions in 2019 was 182,398 per day. For the time frame of March 1st 2020 through October 15th, 2020, the daily average for TIME System transactions was 139,324.

Please feel free to contact me or any of the CIB staff to discuss your thoughts on how we can continue to improve.

Stay safe...

Walt Neverman
Director CIB

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Violent Person File

Do you have members in the community that have a history of violence towards law enforcement? Are you aware that these individuals can potentially be entered in NCIC as a Violent Person? This record provides a warning to law enforcement about individuals who have a tendency for violence against law enforcement. This protects not only your officers within your community but all law enforcement who might encounter these individuals. There are certain criteria to qualify for this record, see below:

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.

If your agency has an active imminent threat to law enforcement, you are also able to send an Imminent Threat to Law Enforcement (ITLE) administrative message through the TIME System. An (ITLE) administrative message is broadcasted statewide to law enforcement only. The following criteria must be met to qualify as an ITLE message:

1. Threat to cause death or serious injury to a law enforcement officer;
2. Death or serious injury of a law enforcement officer in the line-of-duty; and/or
3. Law enforcement officer missing in connection with official duties.

Use the mnemonic ITLE to send the message. If you have any questions about either a Violent Person file or an ITLE contact one of our Training Officers. If it urgent and after hours, please contact TSCC 608-266-7633.



Reading Records: Violent Person

Violent Person records can be entered by any law enforcement agency and return as part of a standard person query. The record is maintained in NCIC only. All NCIC person records have the same basic information on the subject (name, descriptors, etc.) but the Violent Person File has a few additional fields unique to the file. A Violent Person record can be entered using a caution and as with other person files, the Miscellaneous remarks field will contain additional information explaining the circumstances for the caution.

The file, as with all NCIC files, also supports the use of Caution/Medical Conditions, where further information can be entered using the codes provided. These can indicate to law enforcement agencies if the subject has any medical conditions and/or specific cautions to responding officers, such as in this record, that the subject is known to abuse drugs.

All NCIC records could contain a caveat at the top of the record. Caveats are important because they can identify to a user what action could or should be taken relating to the record, including use caution when approaching the subject. The Violent Person Entry criteria can be found on page 2 of this newsletter.

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.

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.

WARNING-THE SUBJECT IN THIS RECORD HAS BEEN DEEMED A SERIOUS THREAT TO LAW ENFORCEMENT OFFICERS. USE CAUTION IN APPROACHING THIS INDIVIDUAL. DO NOT ARREST OR DETAIN BASED SOLELY ON THIS INFORMATION.

MKE/VIOLENT PERSON - CAUTION

CMC/20 - KNOWN TO ABUSE DRUGS

VPC/4 - THREAT TO LAW ENFORCEMENT

ORI/WI013225Y NAM/DOE, JOHN M SEX/M RAC/W POB/WI

DOB/19800724 HGT/511 WGT/185 EYE/BLU HAI/BR0 FBI/123123XX6

SMT/PRCD L EAR

SOC/123456789

OLN/D1230123012304 OLS/WI OLY/2027

OCA/20-3 SID/WI123456

MIS/JOHN HAS MADE THREATS TO HARM/KILL A POLICE OFFICER THAT RESIDES IN MIS/NOWHERE, WI, HE HAS ALSO MADE THREATS TO KILL HIS FAMILY MEMBERS IN MIS/ADAMS COUNTY, HE IS DIAGNOSED SCHIZOPHRENIC AND IS NOT TAKING HIS MIS/MEDICATION, HE HAS THREATENED TO DEFEND HIMSELF FROM POLICE AND IS MIS/DELUSIONAL AND BELIEVES LAW ENFORCEMENT HAS BEEN TAKEN OVER BY BODY MIS/DOUBLES, UNKNOWN IF HE HAS ANY ACCESS TO WEAPONS

DNA/N

ORI IS CRIME INFORMATION BUREAU MADISON 608 261-5800

NIC/L321XXX123 DTE/20200805 1711 EDT DLU/20200805 2131 EDT

Decommissioning the WIJIS Gateway

CIB is currently in the process of decommissioning the WIJIS Gateway application and we hope to do so by the end of 2020. CIB will be providing alternative access to the DA PROTECT data via the eTIME Browser application.

CIB is coordinating the transition of user access to the DA PROTECT database from the WIJIS Gateway to the eTIME Browser application. CIB staff will ensure that current active WIJIS users are given a specific authorization in their eTIME user profile that will authorize them to continue to run both Basic and Advanced searches within the DA PROTECT database via eTIME.

If individuals utilize the WIJIS Gateway to access case information that's been uploaded by other Wisconsin law enforcement agencies or your agency contributes and uploads case information to the WIJIS Gateway you will still be able to access and upload data until the end of this year. At the end of the year we will be decommissioning this functionality completely and the WIJIS Gateway will no longer be accessible. We encourage agencies that currently utilize this functionality in WIJIS, to research and consider signing up for access to the National Data Exchange (N-DEx) and contributing records to N-DEx. N-DEx provides access to similar information, but on a national level. You can find out more information regarding N-DEx below or by visiting this website: <https://www.fbi.gov/services/cjis/ndex>.

CIB will be contacting agencies and users affected by this change directly but if you would like more information please reach out to cibtrain@doj.state.wi.us and we'll be happy to assist.

What is the National Data Exchange (N-DEx)?

N-DEx is a criminal justice information sharing system implemented by the FBI's Criminal Justice Information Services (CJIS). N-DEx provides tools for law enforcement to search, link, analyze and share criminal justice information such as incident/case report data, arrest data, booking/incarceration data, and probation/parole data on a national level.

CIB encourages all Wisconsin law enforcement agencies who have an interest in data sharing to check out and consider utilizing the N-DEx database at your agency in the future. Your agency can find more information regarding N-DEx here: <https://www.fbi.gov/services/cjis/ndex>.

N-DEx is operational 24/7 and continues to grow in number of records and functionality.



N-DEx and Purpose Code F

Recently, the FBI Director signed a policy change to allow N-DEx access for purpose code F. This new functionality was recently deployed within the database this September. Purpose Code F is used when conducting a background check for a return of a firearm.

Agencies with N-DEx access can now search this national database, in addition to performing the standard Return of Firearms query via the Wisconsin TIME System, of other agencies' incident/case report, arrest data, booking/incarceration data, etc. when conducting a background check for a return of a firearm utilizing Purpose Code F. It is another tool for the toolbox that could help your agency ensure that firearms are not returned to unauthorized individuals.

If your agency is interested in this new functionality within the N-DEx database or simply interested in N-DEx access please send an email to cibtrain@doj.state.wi.us to find out what to do next.

CIB Projects

Some upcoming Wisconsin Department of Justice (DOJ) projects will impact how you as TIME System users login to the eTIME Browser application and complete TIME System training. These projects will consolidate law enforcement training programs and provide improved security

eTIME Browser Authentication



This project will provide a new and improved access security to the eTIME Browser application. The current user patterns and challenge questions will be replaced with a one time pass code delivered via email, text message, or software application depending on user configuration. This project is tentatively set to deploy in the near future.

TRAIN Consolidation with ACADIS

To consolidate the Wisconsin Department of Justice law enforcement Learning Management System (LMS) to a single platform, CIB is meeting with Training & Standards staff and the vendor to migrate from the existing training platform, referred to as TRAIN (Training Resources Available via the Internet) to the Training & Standards training platform known as ACADIS. We anticipate a go-live date in 2021. More details will follow as we get continue to progress with the transition.



Protection Order File: Marsy's Law and Petitioner Data

Marsy's Law is a set of rights guaranteed to crime victims during the criminal justice process. One of the rights guaranteed by Marsy's Law is the victim's right to privacy.

Recently, CIB staff and law enforcement agencies have found protection orders and injunctions which do not list the victim's name or information. While this is ensuring the right to privacy for the victim, it is counterproductive to the ability of law enforcement agencies to protect the victim. Marsy's Law does not prohibit agencies from sharing petitioner information in a confidential format where no further sharing of information would occur.

CIB recommends agencies continue to enter the petitioner's full name into the TIME System for officer information and the protection of the victim. Entering the petitioner's initials only in a protection order file can be counterproductive to protecting the victim. The petitioner's data is searchable in the TIME system when a name/sex/race/dob is included. If the petitioner's name contains initials only it will not result in a match when the full name of the petitioner is queried due to our soundex search which will result in the officer not being aware of the order. Having the petitioner's full name will aid an officer in determining if someone may be in violation of the order.

Protection Order/Injunctions: PCO Code 7 Required for Injunctions with Firearms Restriction

Have you ever received an error when updating a TRO into an injunction that states <<*** CIB REJECTED MODIFY/SUPPLEMENT PROTECTION ORDER CONDITION (PCO) MUST BE 07 FOR THIS ORDER TYPE. **>>? If so, you are not alone! This error occurs when modifying a temporary restraining order (TRO) into an injunction that has a firearms restriction—including domestic abuse injunctions and child abuse injunctions—but doesn't include the correct Protection Order Condition Code.

State statute requires that domestic abuse and child abuse injunctions have a firearms restriction prohibiting the respondent from purchasing or possessing firearms for the duration of the injunction.

NCIC provides Protection Order Condition (PCO) Codes which are standard language used in protection orders across the nation. The use of these standard codes provides more free space in the Miscellaneous Remarks field for specific details of the protection order. One of these PCO codes is # 07 - THE SUBJECT IS PROHIBITED FROM POSSESSING AND/OR PURCHASING A FIREARM OR OTHER WEAPONS AS IDENTIFIED IN THE MISCELLANEOUS FIELD.

The use of PCO Code #07 is required during entry of a domestic abuse or child abuse injunction. If you are modifying a TRO into an injunction, you must include PCO Code # 07 in the modification transaction when it is submitted. This modify transaction will overwrite whichever PCO code was entered in the base record when the TRO was entered (if one was entered). If that deleted PCO code is still needed, it will need to be added back after the modification transaction with a supplement transaction.

CIB Only Misdemeanor Warrants: Update

Earlier this year we started our campaign for eligible non-felony state law warrants to be entered into NCIC. Below are the statistics for the year. As you can see the number of non-felony state law warrants that were in the CIB Only Hotfiles has decreased greatly from February to October which means agencies are doing a great job of ensuring that these warrants are being entered into NCIC. However, we still have a ways to go. As of October 1 we have 24,965 misdemeanor records that are still listed in CIB only.

February
34,385

June
27,218

October
24,965

A special thank you to all of the Gold-Star agencies listed below that have already reached out for a list of their records:



Washington Co SO
Ozaukee Co SO
Marshfield PD
Chippewa Co SO
Columbia Co SO
Kenosha Joint Services
Vernon Co SO
Florence Co SO
Polk Co SO
Pepin Co SO
Janesville PD
Jefferson PD
Sheboygan PD



**Remember, NCIC accepts only one warrant into NCIC and it should be the warrant with the highest extradition limitation. If you have multiple warrants for a subject in CIB Only and none in NCIC, cancel and reenter one record into NCIC. If you cancel the warrant in NCIC, and have another warrant in CIB Only, you should cancel and reenter the warrant from the CIB Only Hotfiles into NCIC.

This process can also be done during the monthly validation process. If your agency would like to join the gold star agencies above please contact CIBTrain@doj.state.wi.us for a list of your CIB only warrants.

Keep up the great work! Let's keep the momentum going.

CIB Departures

Justice Program Supervisor Jon Morrison has retired as of August 28, 2020. Brandon Smith will be the main point of contact for our criminal history section here in CIB. Brandon's contact information can be found on page 9 of the newsletter.

Why are there so many...LOCATES?

As Wisconsin agencies have been transitioning their felony and misdemeanor warrants out of CIB Only and into the CIB & NCIC files, agencies have asked why they are getting so many Locates...and who's responsible for them.

The answer starts with knowing that although CIB staff have recommended using Locates on CIB Only warrants – it was not a requirement. As a result, many agencies did not request a Locate on CIB Only warrants. Now that more and more of these warrants are being moved to NCIC, agencies are being met with NCIC's requirement that a Locate *must* be placed on a warrant before a Detainer can be added. This has resulted in many agencies seeing a significant increase in the use of the Locates.

A Locate is, essentially, exactly what it sounds like. It's a process which identifies that the subject of the record entry (e.g. warrant, missing person, stolen property, etc.) has been located – and what agency located it. Let's look at a couple scenarios.

1. Let's imagine you are working a patrol shift and arrested a subject on a nationwide felony warrant from Sweetwater County, Wyoming. As the arresting agency, it would be your responsibility (or your agency's responsibility) to have the Locate placed on the wanted person record. In many cases, this is done through your local dispatch center.

Once the Locate is added, the record will be updated to show the subject has been located and that your agency located the subject. This comes in handy to prevent multiple arrests on the same warrant and to advise other agencies that the warrant has already been served.

Now that you've had the Locate added to the Wanted Person record, Sweetwater County can now add the Detainer to the record. The Detainer simply indicates that the subject of the wanted person record is in the custody of another jail/prison and is awaiting transfer back to Sweetwater County, Wyoming.

2. As with the above example, you're working patrol and just detained a subject on the same nationwide felony warrant from Sweetwater County, Wyoming. The difference now is that Sweetwater County has responded saying they will not come to Wisconsin to pick up the subject because it's too far away. Since you have found the subject, but Sweetwater County will not pick them up, you will want to have a Locate placed on this Wanted Person record to prevent any other agencies from acting on this record. Let's imagine that now, all of a sudden, Sweetwater County's dispatch center got inundated with emergency calls and they were unable to remove or update the warrant entry in a timely fashion, but your agency did place a Locate on the record.

Being upset after having been detained this individual speeds off and gets stopped in another jurisdiction. Since your agency placed a Locate on the record during your contact with them, the officer who stopped this individual for speeding will now see the wanted person record identified as a "Located Wanted Person" which will inform him that your agency already addressed this record. Due to the Locate being placed on the record this officer will know not to detain the subject again because your agency already handled it.

In a nutshell, Locates are the responsibility of the agency that found the person or property. Locates help ensure accurate and up-to-date information is in both the CIB and NCIC Hotfiles. It can help reduce liability by preventing situations, or claims, of false arrest when a subject is detained or arrested multiple times on the same warrant. It can also help agencies ensure they are updating or removing their records as needed. If you have further questions on Locates, please email us at cibtrain@doj.state.wi.us.



CIB Contacts

	<u>Name</u>	<u>Telephone</u>	<u>Fax Number</u>	<u>Email</u>
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	Vacant			
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	608-266-6924	wijis@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 www.wilenet.org