SB 30

STATE OF MONTANA

DEPARTMENT OF JUSTICE

INFORMATION TECHNOLOGY SERVICES DIVISION

CRIMINAL JUSTICE INFORMATION SERVICES BUREAU

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DATE: January 6, 2005

FROM: Nancy Bloom, CJIS Bureau Chief Nancy B Bloom

TO: Members of the Senate Judiciary

RE: Question regarding availability of Montana criminal history records to law enforcement agencies through CJIN and NCIC

Under the authority of MCA 44-5-213, the Montana Department of Justice manages a centralized repository of criminal history record information to serve all criminal justice agencies in the state. All criminal history records maintained by the Repository are fingerprint based and submitted by local law enforcement agencies in Montana only.

The National Crime Information Center (NCIC) manages an index of criminal history records maintained by all of the state repositories and the FBI. This index is called the Interstate Identification Index (III). Only names and identifiers for the criminal history records maintained by the state repositories are submitted to the FBI for inclusion in the III. A law enforcement agency in any state can query the III via NCIC to see if the subject of their inquiry might have criminal history information available from the FBI or other state repositories. The III response will identify which state repositories hold a criminal history record on the subject of the search. The law enforcement agency will then perform a second search that utilizes NCIC and the National Law Enforcement Telecommunications System (NLETS) to return the record(s) from the various repositories that might be holding the individual's records. This second search automatically sends multiple queries that search and return the criminal history records maintained by the individual state repositories identified by the Index. The Criminal Justice Information Network (CJIN) is the name for the Montana law enforcement communications system that provides Montana's law enforcement agencies with access to NLETS and NCIC and direct access to certain state databases.

At one time before the III became available, the FBI maintained Montana's criminal history records on behalf of the state of Montana. This is no longer the practice since the records are available from our repository directly, through the process described in the previous paragraph.

SENATE JUDICIARY
Exhibit No. 7
Date 1-7-05
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