U.S. Department of Justice
Federal Bureau of Investigation
Science and Technology Branch
Criminal Justice Information Services Division

ADVISORY POLICY BOARD (APB) COMPLIANCE EVALUATION SUBCOMMITTEE (CES)

Why did I receive this letter?

This brochure will help answer the question *"Why did I receive this letter?"*

Essentially, your office is receiving this letter in order to assist a Criminal Justice Information Services (CJIS) Systems Agency (CSA) in achieving full compliance with CJIS system policies. A Federal Bureau of Investigation (FBI) audit was conducted and there are unresolved compliance issues, which the FBI has attempted to resolve through correspondence. Although remedial actions may be on-going, your office may be able to provide additional support to achieve compliance.

The following information describes the roles and missions of the FBI CJIS Division, the CJIS Audit Unit (CAU), the CJIS Advisory Policy Board (APB), the CSA, the CJIS Systems Officer (CSO), and the Compliance Evaluation Subcommittee (CES).

FBI CJIS DIVISION MISSION STATEMENT: *The CJIS Division's Mission is to equip our law enforcement, national security, and intelligence community partners with the criminal justice information they need to protect the United States while preserving civil liberties.*

FUNCTION: The FBI established the CJIS Division to serve as the focal point and central repository for criminal justice information services within the FBI. The CJIS Division has the management responsibility for the day-to-day operation of CJIS systems. In an effort to manage these systems, triennial audits of the National Crime Information Center (including the National Sex Offender Registry File), National Instant Criminal Background Check System, Next Generation Identification, National Data Exchange, and Information Technology Security are conducted by the CAU.

CAU MISSION STATEMENT: *To evaluate, report, and improve policy compliance in order to increase the integrity and security of CJIS systems and programs.*

FUNCTION: The CAU evaluates the integrity and security of information in CJIS systems by: conducting audits of agencies' policies, procedures, practices, and data; reporting findings to agencies and the appropriate oversight bodies; translating findings into recommendations so appropriate corrective actions can be taken; and providing support to CJIS program offices and oversight bodies.

APB: The FBI established the CJIS Advisory Process to obtain the user community's advice and guidance on the operation of various programs managed by the CJIS Division. After each biannual APB meeting, the Board makes recommendations to the Director of the FBI for review and approval. The philosophy underlying the advisory process is one of shared management; that is, the FBI along with local, state, tribal, and federal data providers and system users share responsibility for the operation and management of all systems administered by the FBI for the benefit of the criminal justice community.

CSA and CSO: A CSA is a criminal justice agency that has overall responsibility for the administration and usage of the CJIS Division programs within a state, district, territory, or foreign country. This also includes any federal agency that meets the definition and provides services to other federal agencies and/or whose users reside in multiple states or territories.

A CSO is an individual responsible for monitoring system use, enforcing system discipline, and assuring that CJIS Division operating policies and procedures are followed by users as well as other related duties.

CES: The APB established the CES to evaluate the results of audits conducted by the CAU. The CES makes specific recommendations to the APB concerning compliance with policies and regulations. The CES recommends commendations for agencies in compliance or appropriate sanctions for agencies not in compliance with the policies established by the APB for the operation of CJIS programs.

The APB CES meets biannually to review audit findings and responses to CES correspondence in an effort to determine the level of sanction, if necessary. Through recommendations to the APB, the APB can issue the following types of letters:

- *Commendation*-minor or no policy violations identified.
- *Concern*-serious and/or numerous minor violations identified or the response to the audit finding was not adequately addressed.
- *Sanction*-numerous serious violations, repeat violations, or audit response not adequate.
- *Follow-up*-responses to a letter of concern or sanction not adequately addressed.
- *Closure*-all issues addressed and corrected.

The APB will issue follow-up letters to higher levels of authority at the CSA when issues remain unresolved, when inadequate responses are received, or when responses are not received. Ultimately, the APB will issue letters to the Governor or Attorney General, depending upon state organizational structure; or to higher levels within the federal government for federal CSAs. The goal of the letter is to request assistance in resolving the issue(s) within the state/federal CSA.

AUDIT AND RESOLUTION PROCESS

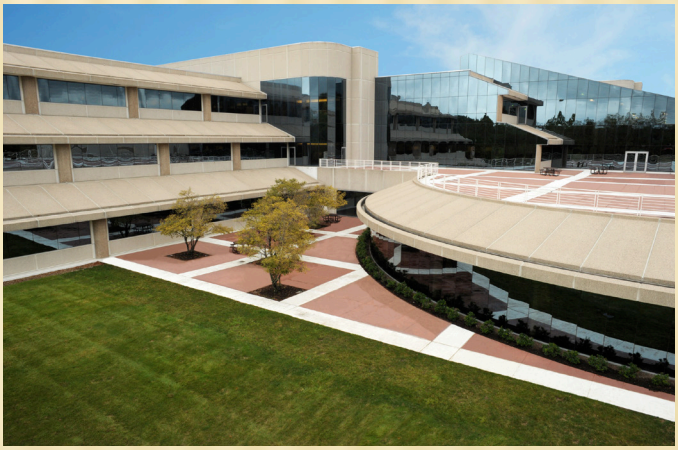
- FBI CAU conducts audit;
- FBI CAU drafts audit report and the CSO responds;
- Audit results are presented biannually to the CES;
- CES makes recommendation to the APB;
- The APB decides the level of sanction to impose if any;
- CSO receives APB letter and is requested to respond;
- CSO's response is reviewed at the next CES meeting;
- The CSO will continue to receive correspondence, which could be escalated, from the APB until the issue(s) are resolved;
- If correspondence reaches the Governor/Attorney General level it will remain at this level until the issue(s) are resolved.

WHY COMPLY?

Users of CJIS systems are required to abide by all applicable policies. Compliance is essential to safeguard public and officer safety as well as to protect the privacy of United States citizens. Failure to comply and potential sanctions, to include loss of service, may jeopardize these safeguards and protections. It is critical that agencies that provide CJIS systems access receive the appropriate level of resources and support in order to achieve full compliance.

For additional information please contact the CAU at (304) 625-3020 or via e-mail at CESUB@ic.fbi.gov

Additional information can be found on the Internet at **www.fbi.gov**

Select the following links:

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