



Division of Criminal
Justice Services

Confidentiality of Identification Information Data

February 2015

Overview:

NYS Executive Law requires DCJS to “adopt appropriate security measures to assure the security and privacy of identification information data.”



Criminal History Record Information (CHRI)

CHRI is information collected by criminal justice agencies on individuals consisting of:

- **Identifiable descriptors (name, DOB, etc.)**
- **Notations of arrests**
- **Criminal charges**
- **Indictments**
- **Dispositions arising from court cases**
- **Incarceration, supervision and release information**



Purpose of Training

- **To increase staff awareness of the proper use and dissemination of CHRI, Fingerprint data, or any other confidential information.**
- **To make staff aware that violations of DCJS policies or any applicable laws may result in disciplinary action, termination of employment, and/or criminal prosecution.**



Rationale of Confidentiality Policy

Areas of Concern:

- **Privacy issues**
- **Identity theft**
- **Compromising Law Enforcement and Prosecutorial capabilities**



- **Employees with access to CHRI, in the performance of their duties, must adhere to DCJS policy and procedures.**
- **Final responsibility for maintaining the security and confidentiality of CHRI rests with the individual accessing and utilizing this information.**



Employees may only:

- **Examine a criminal history record or any other confidential information when they are required to do so in the course of their official duties and responsibilities.**



Employees may only:

- **Remove official documents or copies of such documents from the premise if they are acting within the scope of their assigned duties or receive specific authorization to do so from their supervisor.**



Employees may not:

- **Discuss the contents of any confidential record, including CHRI, or otherwise disclose personal information on persons in the Division's files or data banks with anyone unless the employee is authorized to do so and is acting within the scope of their duties.**



Accessing CHRI

- **When running CHRI, enter all appropriate information such as Requestor, Reason Code, Case Number, Comments and Inquiry Key.**
- **Running a test record [Sammy Sample, 5870633R] is acceptable for testing and training.**




Criminal Repository
Repository Inquiry

* Requestor: * Request Reason: * Case#:

* Comments:

Using 16 of 200 characters

Inquiry Key: * Inquiry No:

Specify the Criminal Cycle Limit Desired in the Response

Maximum Criminal Cycles to be Returned Cycle On or After:

Select to Reverse Cycle Order

Specify the Data Segments Desired in the Response

- Criminal History
 Job/License
 III
 Criminal Summary
 NYS Wanted
 NCIC
 Mug Shot
 NYS Missing

SELECT ALL

* = Denotes Required Field

CLEAR **SUBMIT**



Repository Inquiry

To: **DAtest For: Test DA Case No:Test Docket Number NYSID Number - 05870633R - CRI**

New York State Division of Criminal Justice Services
 Alfred E. Smith Building, 80 South Swan St.
 Albany, New York 12210. Tel:1-800-262-DCJS

Michael C.Green, Executive Deputy Commissioner of the NYS Division of Criminal Justice Services

[Identification](#) [Summary](#) [Criminal History](#) [Job/License](#) [Wanted](#) [Missing](#) [NCIC/III](#)

Attention - Important Information

* See **Additional Information** at the bottom of this response for more banners pertaining to the criminal history

DEPORTED ALIEN

Further information is available regarding this subject from U.S. Immigration and Customs Enforcement. To verify immigration status, submit a query via the Integrated Justice Portal using the PEOPLE>IMMIGRATION tab.

Violent Felony offense(s) on file

DNA SAMPLE OWED Required to provide a DNA sample for inclusion in the State DNA Databank. If more information is required call DCJS Office of Forensic Services at 1-800-262-3257
["DNA specimen collection guide"](#)

Missing Person Information is included with this record

Identification Information



Name:

SAM SAMPLE	Test
Relief Relief	Cert C Relief JR
Sammy S Sample JR	TESTONE PREDEPLOYMENT
MICHAEL SAMPLE	JOHNNIE DOE



Consequences for misuse of CHRI: NYS PENAL LAW

- **Unauthorized Use of a Computer – “A” misdemeanor, PL 156.05**
- **Computer Trespass – “E” Felony, PL 156.10**
- **Computer Tampering 4th Degree – “A” misdemeanor, PL 156.20**
- **Computer Tampering 3rd Degree – “E” Felony, PL 156.25**
- **Criminal Possession of Computer Related Material – “E” Felony, PL 156.35**
- **Tampering with Public Records 2nd Degree – “A” misdemeanor, PL 175.20**
- **Tampering with Public Records 1st Degree – “D” Felony, PL 175.25**
- **Unlawful Possession of Personal Identification Information – “A” misdemeanor, PL 190.81**
- **Official Misconduct – “A” misdemeanor, PL 195.00**



Consequences for misuse of CHRI:

- **Adverse consequences of the Information Security Breach and Notification Act:**
- **Having to notify the individual and other state agencies damages the agency's reputation.**
- **Places a burden upon the agency of having to conduct the notifications (difficulties in locating the individual).**



User Security Measure

- **The most proactive measure, particularly in a PC based application, is a user who safeguards the confidentiality of their password and exits applications promptly when completing their assigned task or leaving their workstation.**



IJ Portal User Security Measures

- **A user must never leave their PC unattended while connected to the IJ Portal.**
- **Leaving your PC unattended while connected to IJ Portal could allow another person to make a CHRI inquiry under your user ID and password.**
- **Your User ID, your password and your unattended PC = your responsibility.**



IJ Portal User Security Issues

- **The use of another person's user ID and password is a violation of National Crime Information Center (NCIC) and DCJS policy, and is prohibited.**
- **IJ Portal users must never discuss CHRI or disclose the existence of CHRI to anyone, NOT even co-workers, except as authorized by law and as necessary to carry out official agency business.**



IJ Portal User Security Issues

- **CHRI must be stored in secure locations to prevent any unauthorized access to or use of the data.**
- **Discard all CHRI information or any other confidential information in “Sensitive Scrap” bins or receptacles designated for shredding or appropriate disposal. DO NOT discard in everyday trash.**



NYS DCJS Audit & Compliance:

- **Conducts routine reviews of staff access and use of CHRI.**
- **Monitors eJusticeNY audit logs, identifies and investigates questionable searches.**
- **Investigates reported misuse of CHRI by User agency staff.**
- **Suspected abuse should be reported via e-mail to: DCJS.OIAC@dcjs.ny.gov**



When in doubt:

If you have a question on the proper use and dissemination of CHRI or other confidential information you should always:

- **See your Terminal Agency Coordinator (TAC)**
- **Contact the DCJS Office of Internal Audit and Compliance at: DCJS.OIAC@dcjs.ny.gov**



Code:

DCJS01490

