



LAW ENFORCEMENT INFORMATION NETWORK Dispatch Authorities and Management Control

This correspondence is being distributed to authorized Law Enforcement Information Network (LEIN) user agencies to bring to your attention a federal Criminal Justice Information Services (CJIS) Security Policy requirement regarding access to the National Crime Information Center (NCIC) by non-criminal justice governmental agencies (NCJA) that perform criminal justice functions on behalf of a criminal justice agency (CJA), including dispatching.

Through the CJIS Administrative Rules, dispatch centers (that are not part of a criminal justice agency) have traditionally been granted access to both LEIN and NCIC when the dispatch center is under the management control of a governing board and the majority of its members are representatives of CJAs. However, the federal CJIS Security Policy does not recognize governing boards of non-criminal justice agencies performing criminal justice functions. The relevant language is as follows:

5.1.1.4 Interagency and Management Control Agreements (MCA)

A NCJA (government) designated to perform criminal justice functions for a CJA shall be eligible for access to the CJIS. Access shall be permitted when such designation is authorized pursuant to executive order, statute, regulation, or inter-agency agreement. The NCJA shall sign and execute a MCA with the CJA, which stipulates management control of the criminal justice function remains solely with the CJA. The MCA may be a separate document or included with the language of an inter-agency agreement.

On behalf of our non-criminal justice partners, the Michigan State Police submitted a topic paper to the federal CJIS Advisory Board through the working groups requesting a policy change to permit governing board management control, however the request was denied.

Therefore, in accordance with the above federal CJIS policy, all criminal justice agencies are required to execute a MCA with their servicing dispatch center. Both the CJA and the dispatch center must maintain a local copy ensuring it is available to an auditor upon request. The execution of this agreement will ensure there is no impact on the operations of dispatch centers with governing boards and the service they provide. Beginning October 1, 2016, the Michigan State Police (MSP) criminal justice agency auditors will begin requesting and reviewing these agreements during their triennial audits. Agencies without the necessary agreements will be required to execute them as part of their corrective action plan.

A sample MCA can be obtained at the LEIN Field Services website, www.Michigan.gov/LEIN. Agencies may also create their own agreement, provided the agreement contains the same five provisions found in the sample MCA, and ensures management control of the criminal justice function remains solely with the CJA.

Questions regarding this information should be directed to Ms. Liz Canfield of LEIN Field Services at 517-284-3103, or canfielde@michigan.gov.

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