



**DEPARTMENT OF CORRECTIONS  
Operations Division**



<b>Title:</b>	<b>CJIS Background Clearances</b>	<b>DOC Policy: 20.5.23</b>
<b>Effective:</b>	<b>8/11/22</b>	<b>Supersedes: N/A</b>
<b>Applicability:</b>	<b>All DOC employees and contractors, volunteers, and other non-employee service providers</b>	
<b>Directives Cross-Reference:</b>		
<b>Rules:</b>	<b>257-010 Oregon Criminal Offender Information System</b> <b>291-015 Volunteer/Student Intern</b> <b>291-016 Facility Access</b>	
<b>Policies:</b>	<b>20.5.15 Identification Cards</b> <b>60.1.11 Acceptable Use and Management of Criminal Justice Information</b> <b>90.2.6 Volunteers/Student Interns</b> <b>100.1.1 Non-Employee Service Provider (Carded and Noncarded)</b> <b>100.1.2 Non-Employee Service Provider Training</b>	
<b>Other:</b>	<b>Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Security Policy</b>	
<b>Attachments:</b>	<b>CD 672 ID Card Request Form</b> <b>CD 1905 CJIS Denial-DOC Accommodations for Limited Access</b> <b>CD 1904 Acknowledgment of DOC Facility/Location Limited Access and CJ-Protection Restriction Requirements</b> <b>CJIS Approval/Denial and ID Card Issuance Workflow</b>	

**I. PURPOSE**

The purpose of this policy is to establish standards and guidelines for:

- A. Documenting Oregon State Police decisions on Oregon Department of Corrections (DOC) employee and non-employee service provider (NSP) Criminal Justice Information Services (CJIS) background investigations and CJIS clearance determinations in DOC records systems; and
- B. Establishing Criminal Justice Information (CJI) protection restrictions for DOC employees and NSPs without CJIS clearance.

**II. DEFINITIONS**

- A. Criminal Justice Information (CJI): CJI is defined in DOC Policy 60.1.11 Acceptable Use and Management of Criminal Justice Information. It is generally a term used to refer to all of the Federal Bureau of Investigations (FBI) CJIS-provided data necessary for law enforcement agencies to perform their mission and enforce the laws, including, but not limited to, biometric, identity history, person, organization, property (when accompanied by any personally identifiable information), and case or incident history data. In addition, CJI refers to the FBI CJIS-provided data necessary for civil agencies to perform their mission, including, but not limited to, data used to make hiring decisions. For the purposes of this policy, restricted CJI in DOC systems is FBI numbers and driver license numbers.

- B. Criminal Justice Information Services (CJIS): A national, central repository of criminal history records maintained by the FBI. The FBI CJIS division is responsible for the collection, warehousing, and timely dissemination of relevant CJI to the FBI and to qualified law enforcement, criminal justice, civilian, academic, employment, and licensing agencies.
- C. DOC Local Agency Security Officer (LASO): The DOC person responsible for oversight and compliance with this policy.
- D. Electronic Media: Memory devices in laptops and computer hard drives and any removable, transportable digital memory media such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, thumb drives, or digital memory card.
- F. Facility: The building and grounds area operated by a functional unit which houses adults in custody (AICs). For the purposes of this policy, a facility includes other locations at which DOC employees or NSPs are assigned to work or at public buildings owned or occupied by the DOC.
- G. Functional Unit: Any organizational component within the DOC responsible for the delivery of program services or coordination of program operations, to include correctional facilities, non-correctional facilities, and community corrections facilities. In a correctional facility, the functional unit manager (FUM) is the superintendent.
- F. Non-Employee Service Provider (NSP): As defined in DOC Policy 90.2.6 Volunteer/Student Interns and OAR 291-015 Volunteer Services/Student Interns, NSPs are generally individuals who provide services or programs to the department, to adults in custody (AICs), or to adults on supervision, but not as a paid DOC employee. Examples include contractors, volunteers or student interns, mentors, and other agency partners.
- G. Physical Media: Printed documents and imagery that contain CJJ.

### III. POLICY

A depiction of the sequence of events for complying with this policy is provided in the CJIS Approval/Denial and ID Card Issuance Workflow provided as an attachment.

#### A. CJIS Clearance Determination

1. The Oregon State Police is the state agency responsible for managing the Oregon Criminal Offender Information System (OAR 257-010), conducting background investigations, and determining whether a person may be allowed unescorted access to CJIS.
2. The LASO will record the determination in the DOC tracking system and notify the affected business unit(s).
3. It is DOC's policy to:
  - a. Comply with Oregon State Police CJIS access clearance or denials; and
  - b. Determine whether adequate CJJ-protection restrictions can be implemented to allow a DOC employee or NSP (potential or current) issuance of an identification card for unescorted facility access.

4. Employees and NSPs with Oregon State Police CJIS clearance may be issued DOC identification cards provided they comply with the requirements of DOC Policies 100.1.1 NSP (Carded and Noncarded) and 100.1.2 NSP Training, and meet all other identification card requirements in accordance with DOC Policy 20.5.15 Identification Cards.
5. Employees and NSPs for whom Oregon State Police denies CJIS clearance cannot be issued a DOC identification card or given unescorted facility access until DOC determines adequate CJJ-protection restrictions can be implemented and they are approved by the FUM or their designee.

#### **B. Identifying CJJ-Protection Restrictions**

1. If a DOC employee or NSP (current or potential) is denied CJIS access by the Oregon State Police, the LASO will confer with the affected business unit(s) to determine if adequate CJJ-protection restrictions are or can be put in place to allow the employee or NSP unescorted facility access.
2. Examples of CJJ-protection restrictions include, but are not limited to:
  - a. Assigning the employee or NSP with a DOC systems profile that limits system access and redacts CJJ from user screens.
  - b. "Authorized Staff Only" signage identifying areas persons without CJIS clearance may not enter unescorted due to CJJ being stored, accessed, or otherwise available.
  - c. Assigning key sets that do not allow entry to areas in which CJJ is stored, accessed, or otherwise available.
  - d. Securely storing electronic and physical media within a physically secure or controlled area. A secured area includes a locked drawer, cabinet, or room only accessible to authorized staff.
  - e. Restricting access to electronic and physical media to authorized staff.
  - f. Ensuring only authorized staff remove printed or digital CJJ.
  - g. Storing all hardcopy CJJ printouts in a secure area accessible to only those employees whose job function requires them to handle such documents.

#### **C. Approving or Denying CJJ-Protection Restrictions**

1. The LASO will present the proposed CJJ-protection restrictions to the FUM or their designee for their review and decision (CJIS Denial-DOC Accommodations for Limited Access CD 1905).
2. The FUM or their designee will review each employee or NSP and the proposed CJJ-protection restrictions on a case-by-case basis.
3. If the proposed CJJ-protection restrictions are adequate to protect CJJ, the FUM or their designee will provide the LASO with a written approval (CJIS Denial-DOC Accommodations for Limited Access CD 1905).

4. If the proposed CJI-protection restrictions are inadequate to protect CJI, the FUM or designee will identify the deficiencies, as well as any other reason for denial of unescorted facility access, in their written denial to the LASO (CJIS Denial-DOC Accommodations for Limited Access CD 1905).
5. The LASO will inform the affected business unit(s) of the decision.
6. Employees or NSPs without CJIS clearance but with approved CJI-protection restrictions will be informed of the restrictions and must review and acknowledge in writing the requirement to comply with the OAR 291-016 Facility Access and CJI-protection restrictions (Acknowledgment of DOC Facility/Location Limited Access and CJI-Protection Restriction Requirements CD 1904).
7. Employees or NSPs without CJIS clearance but with approved CJI-protection restrictions will be identified on the ID Card Request Form CD 672.
8. Employees or NSPs without CJIS clearance and for whom CJI-protection restrictions were not approved will not be issued a DOC identification card with unescorted access to any affected facility.

#### IV. IMPLEMENTATION

This policy will be adopted immediately without further modification.

Approved: signature on file  
Julie Vaughn, Rules Coordinator

Approved: signature on file  
Heidi Steward, Acting Director