

14B NCAC 18B .0204 HIT CONFIRMATION

(a) Any agency entering record information into the NCIC restricted and unrestricted files, or which has a servicing agency enter record information for its agency, shall provide hit confirmation 24 hours a day. Hit confirmation of NCIC records means that an agency receiving a positive NCIC response from an inquiry must communicate with the official record holder to confirm the following before taking a person or property into custody:

- (1) the person or property inquired upon is the same as the person or property identified in the record;
- (2) the warrant, missing person report, theft report, or protection order is still outstanding; or
- (3) a decision regarding the extradition of a wanted person has been made; the return of a missing person to the appropriate authorities is still desired; the return of stolen property to its rightful owner is still desired; or the terms, conditions, or service of a protection order still exist.

(b) The official record holder must respond after receiving a hit confirmation request with the desired information or a notice of the amount of time necessary to confirm or reject the record.

(c) An agency that is the official record holder shall have 10 minutes to respond to a hit confirmation request with a priority level of "urgent." If the agency fails to respond after the initial request, the requesting agency shall send a second hit confirmation request to the official record holder. Any subsequent hit confirmation requests shall also be at 10-minute intervals.

(d) An agency shall have one hour to respond to a hit confirmation request with a priority level of "routine." If the agency fails to respond after the initial request, the requesting agency shall send a second hit confirmation request to the official record holder. Any subsequent hit confirmation requests shall also be at one-hour intervals.

*History Note: Authority G.S. 114-10; 114-10.1;
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0204 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*