

SECTION .0200 – RESTRICTED AND RESTRICTED FILES

14B NCAC 18B .0201 DOCUMENTATION AND ACCURACY

(a) Law enforcement and criminal justice agencies may enter stolen property, recovered property, wanted persons, missing persons, protection orders, or convicted sex offenders into NCIC restricted and unrestricted files. Any record entered into NCIC files must be documented. The documentation required is:

- (1) a theft report of items of stolen property;
- (2) an active warrant for arrest or order for arrest for the entry of wanted persons;
- (3) a missing person report and, if a juvenile, a written statement from a parent, spouse, family member, or legal guardian verifying the date of birth and confirming that a person is missing;
- (4) a medical examiner's report for an unidentified dead person entry;
- (5) a protection order or ex parte order (for "temporary orders") issued by a court of competent jurisdiction for a protection order entry; or
- (6) a judgment from a court of competent jurisdiction ordering an individual to register as a sex offender.

(b) All NCIC file entries must be complete and accurately reflect the information contained in the agency's investigative documentation at the point of initial entry or modification. NCIC file entries must be checked by a second party who shall initial and date a copy of the record indicating accuracy has been confirmed.

(c) The following key searchable fields shall be entered for person-based NCIC file entries, if available, and shall accurately reflect the information contained in the entering agency's investigative documentation:

- (1) Name (NAM);
- (2) Date of Birth (DOB);
- (3) Sex (SEX);
- (4) Race (RAC);
- (5) Social Security Number (SOC), for any person-based NCIC file entry other than sex offenders;
- (6) Aliases (AKA);
- (7) FBI Number (FBI);
- (8) State Identification Number (SID); and
- (9) Agency's file number (OCA).

Other data elements may be required for entry into the NCIC. Those additional data elements shall accurately reflect an agency's investigative file.

(d) Searchable fields that are required by the DCIN end user interface shall be entered for property-based NCIC file entries, and shall accurately reflect the information contained in the entering agency's investigative documentation.

(e) An agency must enter any additional information that becomes available later.

*History Note: Authority G.S. 114-10; 114-10.1;
Eff. August 1, 2014;
Transferred and Recodified from 12 NCAC 04I .0201 Eff. November 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*