

By: Senator(s) Albritton

To: Judiciary, Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2841

1 AN ACT TO AMEND SECTION 45-27-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DUTIES AND FUNCTIONS OF THE MISSISSIPPI JUSTICE
3 INFORMATION CENTER; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 45-27-7, Mississippi Code of 1972, is
6 amended as follows:

7 45-27-7. (1) The Mississippi Justice Information Center
8 shall:

9 (a) Develop, operate and maintain an information system
10 which will support the collection, storage, retrieval and
11 dissemination of all * * * data described in this chapter,
12 consistent with those principles of scope, security and
13 responsiveness prescribed by this chapter.

14 (b) Cooperate with all criminal justice agencies within
15 the state in providing those forms, procedures, standards and
16 related training assistance necessary for the uniform operation of
17 the statewide center.

18 (c) Offer assistance and, when practicable, instruction
19 to all local law enforcement agencies in establishing efficient
20 local records systems.

21 (d) Make available, upon request, to all local and
22 state criminal justice agencies, to all federal criminal justice
23 agencies and to criminal justice agencies in other states any
24 information in the files of the center which will aid such
25 agencies in the performance of their official duties. For this
26 purpose the center shall operate on a twenty-four-hour basis,
27 seven (7) days a week. Such information, when authorized by the

28 director of the center, may also be made available to any other
29 agency of this state or any political subdivision thereof and to
30 any federal agency, upon assurance by the agency concerned that
31 the information is to be used for official purposes only in the
32 prevention or detection of crime or the apprehension of criminal
33 offenders.

34 (e) Cooperate with other agencies of this state, the
35 crime information agencies of other states, and the national crime
36 information center systems of the Federal Bureau of Investigation
37 in developing and conducting an interstate, national and
38 international system of criminal identification and records.

39 (f) Make available, upon request, to nongovernmental
40 entities or employers certain information for noncriminal justice
41 purposes as specified in Section 45-27-12.

42 (g) Institute necessary measures in the design,
43 implementation and continued operation of the justice information
44 system to ensure the privacy and security of the system. Such
45 measures shall include establishing complete control over use of
46 and access to the system and restricting its integral resources
47 and facilities and those either possessed or procured and
48 controlled by criminal justice agencies. Such security measures
49 must meet standards developed by the center as well as those set
50 by the nationally operated systems for interstate sharing of
51 information.

52 (h) Provide data processing for files listing motor
53 vehicle drivers' license numbers, motor vehicle registration
54 numbers, wanted and stolen motor vehicles, outstanding warrants,
55 identifiable stolen property and such other files as may be of
56 general assistance to law enforcement agencies; provided, however,
57 that the purchase, lease, rental or acquisition in any manner of
58 "computer equipment or services," as defined in Section 25-53-3,
59 Mississippi Code of 1972, shall be subject to the approval of the
60 Mississippi Information Technology Services.

61 (i) Maintain a field coordination and support unit
62 which shall have all the power conferred by law upon any peace
63 officer of this state.

64 (2) The department, including the investigative division or
65 the center, may:

66 (a) Obtain and store fingerprints, descriptions,
67 photographs and any other pertinent identifying data from crime
68 scenes and on persons who:

69 (i) Have been or are hereafter arrested or taken
70 into custody in this state:

71 (A) For an offense which is a felony;

72 (B) For an offense which is a misdemeanor;

73 (C) As a fugitive from justice; or

74 (ii) Are or become habitual offenders; or

75 (iii) Are currently or become confined to any
76 prison, penitentiary or other penal institution; * * *

77 (iv) Are unidentified human corpses found in the
78 state; or

79 (v) Have submitted fingerprints for conducting
80 criminal history record checks.

81 (b) Compare all fingerprint and other identifying data
82 received with that already on file and determine whether or not a
83 criminal record is found for such person, and at once inform the
84 requesting agency or arresting officer of those facts that may be
85 disseminated consistent with applicable security and privacy laws
86 and regulations. A record shall be maintained for a minimum of
87 one (1) year of the dissemination of each individual criminal
88 history, including at least the date and recipient of such
89 information.

90 (c) Establish procedures to respond to those
91 individuals who file requests to review their own records,
92 pursuant to Sections 45-27-11 and 45-27-12, and to cooperate in
93 the correction of the central center records and those of

94 contributing agencies when their accuracy has been successfully
95 challenged either through the related contributing agencies or by
96 court order issued on behalf of an individual.

97 (d) Retain in the system the fingerprints of all law
98 enforcement officers and part-time law officers, as those terms
99 are defined in Section 45-6-3, and of all applicants to law
100 enforcement agencies.

101 **SECTION 2.** This act shall take effect and be in force from
102 and after July 1, 2006.