

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.