

**RULES  
OF  
TENNESSEE BUREAU OF INVESTIGATION**

**CHAPTER 1395-1-4  
CRIMINAL INTELLIGENCE UNIT AUTOMATED CRIMINAL INTELLIGENCE SYSTEM OF  
TENNESSEE PROGRAM**

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**1395-1-4-.01 STATEMENT OF INTENT AND APPLICATION.**

The Automated Criminal Intelligence System of Tennessee is a procedure by which the Tennessee Bureau of Investigation receives intelligence information from Criminal Justice Agencies within the State of Tennessee which are not members of the Regional Organized Crime Information Center (ROCIC), and submits that information to ROCIC for Storage and retrieval. This intelligence information will be conducted and submitted in accordance with the provisions of 28 Code of Federal Regulations (CFR) Part 23 as outlined in the Department of Justice, Office of Justice Programs, Guidelines G4600.1B, and subsequent modifications or revisions of these guidelines.

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.02 DEFINITIONS.**

- (1) ACIST - Automated Criminal Intelligence System of Tennessee
- (2) CFR - Code of Federal Regulations
- (3) CIU - Criminal Intelligence Unit of the TBI
- (4) MCOT - Missing Children of Tennessee
- (5) Missing Children - A missing child is defined as a child who is believed to have been removed by force, persuasion, trick, enticement, false pretense, has voluntarily left the custody of such child's parent without permission or is absent for unexplained or unknown reasons.
- (6) Multi-jurisdictional Records - Intelligence information involving more than one law enforcement jurisdiction.
- (7) NCIC - National Crime Information Center is a database of information maintained by the FBI on wanted persons, stolen weapons, orders of protection and other specific criminal information.
- (8) NCMEC - National Center for Missing and Exploited Children.
- (9) ROCIC - Regional Organized Crime Information Center
- (10) State Clearinghouse - State Repository of records for missing and exploited children.

(Rule 1395-1-4-.02, continued)

- (11) Submissions - Information either written, printed, or recorded on computer disc regarding individuals or organizations whose criminal activity is extensive or whose impact meets the standards set forth in 28 C.F.R. 23.
- (12) TBI - Tennessee Bureau of Investigation

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.03 ACCESS CRITERIA.**

- (1) Information received through ACIST is submitted to ROCIC and is available only to authorized personnel of federal, state, and local law enforcement agencies.
- (2) Information received for submission must meet the standards as set forth by ROCIC and 28 CFR part 23.

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.04 DISSEMINATION OF INFORMATION.**

- (1) Intelligence Information will be disseminated and assigned according to 28 C.F.R. § 23 and any guidelines as set forth by the Regional Organized Crime Information Center (ROCIC).
- (2) Dissemination of information will only be on a “right to know” and a “need to know” basis and is used for law enforcement purposes only. “Need to know” and “right to know” shall have the meanings assigned to them by 28 C.F.R. § 23.

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.05 INFORMATION RETENTION.**

- (1) All information received through ACIST will be designated as submissions to ROCIC.
- (2) Criminal history information shall not be retained with the original submission.
- (3) All information will be retained as set forth by rules and standards established by ROCIC.

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.06 INQUIRY PROCEDURE.**

- (1) An inquiry shall be initiated, received, processed and disseminated as follows:
  - (a) Inquiries will be initiated, received, and processed only for state, federal, and local law enforcement agencies, and must involve reasonable suspicion of criminal activity;
  - (b) Inquiries concerning religious and/or political organizations, or matters of sexual content that do not involve specific criminal violations will not be processed;

(Rule 1395-1-4-.06, continued)

- (c) All requests for inquiries must be submitted in written form by mail or fax on departmental stationary, with agency contact and telephone number listed; and
- (d) All inquiries must meet all standards and rules as set forth by the ROCIC.

**Authority:** T.C.A. § 38-6-102 and 28 C.F.R. § 23. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.

**1395-1-4-.07 TENNESSEE MISSING CHILDREN CLEARINGHOUSE.**

- (1) The TBI has a signed memorandum of understanding with the National Center for Missing and Exploited Children (NCMEC) which establishes the TBI as the State Clearinghouse for Missing Children.
- (2) Whenever any law enforcement agency receives information from a custodial parent, legal guardian or any source it deems credible, it shall prepare a Missing Child Report in a manner specified by the TBI CIU standard operating procedures and transmit a copy thereof immediately to the TBI CIU.
- (3) The report shall include the following information about the missing child:
  - (a) Name;
  - (b) Date of birth;
  - (c) Sex;
  - (d) Race;
  - (e) Height;
  - (f) Weight;
  - (g) Eye color;
  - (h) Hair color;
  - (i) Date of last known contact with the child;
  - (j) Location of last known contact with the child; and
  - (k) Category under which the child is report missing.
- (4) The TBI CIU shall collect the data submitted, pursuant to (a) above, and disseminate the same by computer, mail or other reliable communication to any law enforcement agency, the FBI, or any other state.
- (5) The law enforcement agency shall, immediately upon notification of a missing child, enter the child into NCIC, pursuant to Title 37, Public Law 101-647 (The National Child Search Assistance Act of 1990). The law enforcement agency shall simultaneously enter the missing child into the MCOT File.
- (6) The TBI CIU may display photographs of missing children via the Tennessee Internet Crime Information Center on the State of Tennessee's World Wide Web site.
- (7) The TBI will publish monthly a Missing Children Bulletin which shall be available to federal, state, and local law enforcement agencies, as well as the public. Nothing in this section will prohibit republication of this bulletin.

**Authority:** T.C.A. §§ 38-6-116, 38-6-117 and Pub. L. 101-647. **Administrative History:** Original rule filed November 6, 2001; effective March 30, 2002.