

8.01.1 - Central Minnesota Emergency Services Board Standards, Protocols, Procedures

Document Section:	8 – Miscellaneous Standards	Status: Approved – CM Logger Committee 6/9/2017
Sub-Section:	CM 8.01.1	
Procedure Title:	CM Logger Interagency Information Sharing Agreement – Personnel Background Checks	
Date Established:	06/09/2017	CMESB Approval: Approved – 7/26/2017
Replaces document dated:	n/a	
Date Revised:	n/a	

1. Purpose or Objective:

The purpose of this standard is to establish the procedure to establish a contract agreement with a Lead Contract Agency (LCA) for the security screening of contractor or vendor personnel. This is needed when the entity joining the Regional Logger will access the Regional Logger through the Criminal Justice Data Network (CJDN).

2. Technical Background

▪ **Capabilities**

Provides the requirements for background check/security screening of vendors/contractor personnel to provide another layer of security assurance.

When recording encrypted talkgroups, it is important that the System Administrator have access to a key loader and keys from all participating Agencies.

The LCA needs to provide proof that they can secure or provide a secure facility to which the network equipment will be housed.

▪ **Constraints**

Allowance of contractor/vendor personnel that have not been sufficiently background checked could risk the security of data on the Regional Logger and other networks.

If participating Agencies do not share their encryption keys with the System Administrator to record their encrypted talkgroups, this will impact the ability to record this resource. System updates or other maintenance may require that the keys be reloaded into the VPM(s) and the AIS(s). If Agencies chose not to share keys with the System Administrator, they will be responsible for loading their keys into the Regional Logger.

3. Operational Context

The BCA has established baseline requirements for multiple agency agreements that access to the CJDN network.

4. Recommended Protocol / Standard

- An agency that desires to join the Regional Logger that has connectivity through the CJDN must complete a contract with the LCA. See appendix A

5. Recommended Procedure

If an entity will access the CJDN network to access the Regional Logger, they must enter into an agreement with the LCA for security/background checks for contractors and vendor personnel.

Entering into this agreement requires communication board, County Board or City Council approval.

6. Management

The Regional Logger committee will assure that prior to joining the logger that a new agency has completed the agreement with the LCA.

Agreement between the
XXXXXX – CONTRACT AGENCY (CA)
XX Second St XX
XXXX, MN XXXXX
and the
St. Cloud Police Department – LEAD CONTRACT AGENCY (LCA)
101 11th Ave North
St. Cloud, MN 56303

relating to

Interagency Information Sharing Agreement for
Contractor/Vendor Personnel Security Screening

WHEREAS, the *Contract Agency (CA)* has access to the Criminal Justice Data Network (CJDN);

WHEREAS, the *Lead Contract Agency (LCA)* performs security screening on contractor/vendor personnel according to the FBI CHIS Security Policy standards for background checks, and;

WHEREAS, this agreement meets the requirements of the FBI CJIS Security Policy for agencies who enter into the following Agreement setting forth the rights and responsibilities assumed by the parties in this agreement relating Contractor/Vendor Personnel Security Screening Requirements,

THEREFORE, in consideration of the mutual covenants contained herein, the parties herein agree as follows:

1. Agencies shall abide by the FBI CJIS Security Policy for access to state and national criminal justice information.
2. Agencies shall abide by the FBI CJIS Security Policy for background check requirements for personnel security of contractors and vendors.
3. Initial background checks by the LCA shall be fingerprint based for each contractor and vendor employee. The LCA must agree to conduct background re-checks of all contractor and vendor employees no less than once every 12 months using Name/DOB checks using either Purpose Code “J” or “C” under the following conditions:
 - a. For a contractor/vendor maintaining systems that allows them to have access to Criminal Justice Information (CJI) as defined in the FBI CJIS Security Policy Purpose Code “J” administration of criminal justice would be used,
 - b. For a contractor/vendor that is maintaining systems where they would not have access to CJI data Purpose Code “C” for site security would be used.

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4. Agencies will ensure that contracts with vendors whose employees fall under this agreement and require a CJIS background will include a clause with the following elements.
 - a. Vendors will notify the LCA within one business day if an employee is the subject of a misdemeanor, gross misdemeanor, or felony arrest, charge, and/or conviction or is incarcerated for any reason. Notification may be an email or other written communication to the LCA background contact and must include the offense for which one is arrested or charged, date, time, jurisdiction of the alleged occurrence, and any other relevant information.
 - b. Vendors will notify the LCA within one business day if any employee leaves employment. Notification may be an email or other written communication to the LCA background contact and must include the last day of employment.
5. Agencies may perform federal name and date of birth based checks for subsequent checks of contractor and vendor employees using the appropriate Purpose Code as identified above.
6. The LCA will scan the criminal history response from the BCA and provide that response to the CA contacts for review.
7. If the LCA or the CA wants to make an exception for a vendor with a criminal history containing a felony, the contact shall write a letter to the CSO outlining the extenuating circumstances. Any vendor with such history shall be indicated to the CA. Each CA can independently decide to allow that vendor employee access pending the outcome of the CSO's ruling.
8. The LCA will maintain a list of all Vendors and Contract employees. This list will be shared with each CA when an annual records check is complete. The list and dates will include a copy of the criminal history results used to validate or invalidate the contract employee.
9. The LCA will send out updated lists to the primary and secondary contact as stated in Section 8 of Vendors and Contract employees as they are made aware that employees have been released from employment or new employees have been hired.
10. Both the LCA and CA shall designate a primary and secondary contact for purposes of meeting the communication provisions of the agreement. The LCA primary contact is responsible for keeping the contact list and requesting updated and confirmed contacts once a year.
11. The LCA shall ensure that contractor/vendor employees complete appropriate security awareness training and the LCA and each CA must be able to produce a list of all contractor/vendor employees that have completed training when requested by the BCA or FBI. The LCA shall comply with this by ensuring all contract and vendor employees

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are on the CJIS Online website and ensure each employee has certification. The training certification expiration dates shall be kept on the master list. The CA contact(s) should have access to CJIS Online and can print the contract and vendor employee certifications if desired for agency files.

12. Each agency is responsible for ensuring that they have a signed Security Addendum with each contractor/vendor and a signed security certification by each contractor/vendor employee.
13. Each agency recognizes the data about the contractors is classified as personnel data under Minn. Stat. 13.43 and all parties agree to treat it in that manner.
14. The term of the Agreement is from the date of the last signature hereto and shall continue until terminated as provided herein.
15. This Agreement may be terminated by either party at any time with or without cause, upon sixty (60) days written notice delivered to the address of the parties specified above.

[CA Agency Name]

[LCA Agency Name]

Sheriff/Chief

Date

Sheriff/Chief