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**Section: THREE  
Chapter: TWENTY-SEVEN**

**SUBJECT:** New York State Police Information Network  
**ISSUE DATE:** 03-27-16  
**REFERENCE:** NYSA 55.1

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**I. POLICY**

- A. The New York Statewide Police Information Network (NYSPIN) is available to employees through E Justice, Radcom and, to some extent, by radio through 911 dispatch. This access will be used only for official law enforcement purposes. It will not be used for any private purposes. Employees will not disclose any confidential information acquired in the use of the system to any person not authorized to receive it, or use the information in the system to further personal interests of any other non-authorized purpose. Misuse of this system may result in disciplinary charges as well as criminal prosecution.
- B. The Executive Law of the State of New York requires that a police agency receiving a complaint of A FELONY INVOLVING THE USE OF DEADLY PHYSICAL FORCE OR A DEADLY WEAPON IN WHICH THE SUSPECT HAS NOT BEEN APPREHENDED WITHIN THIRTY MINUTES AFTER THE COMPLAINT HAS BEEN RECEIVED, will cause the information of such felony to be transmitted over the police communications NYSPIN system. The NYSPIN message number will be attached to the job and referenced on the incident report.
- C. Pursuant to Section 221 of the Executive Law of the State of New York, the transmission of a NYSPIN message regarding the occurrence of **ANY** felony crime, which no arrest or apprehension has been made, WILL BE MADE within five hours.
- D. NYSPIN teletype messages and data entry to the DCJS & NCIC missing person files WILL BE MADE IMMEDIATELY (within 2 hours) of any missing person less than 18 years of age or less or any endangered or involuntary missing person.
- E. Patrol personnel shall be responsible for requesting the transmission by Wayne County E911 personnel of all NYSPIN messages in accordance with NYS law, NYSPIN regulations and Departmental policy.

**II. PROCEDURES**

- A. NYSPIN
  - 1. The Palmyra Police Department does not maintain a NYSPIN terminal; employees wishing to utilize NYSPIN either for transmission of information or in response to an inquiry will do so through the Wayne County E911 Center.
  - 2. One copy of each NYSPIN message transmitted at the request of employees of the Department will be attached to or otherwise made a part of, the case or report for which the message was transmitted.
  - 3. Special provisions for the transmission of serious felony information:
    - a) Pursuant to the provisions of Section 221.00 of the Executive Law of the State of New York, officers who investigate felonies involving the use of deadly

physical force or the use of a deadly weapon in which no arrest or apprehension has been made must ensure that a NYSPIN message is sent within thirty minutes. Notify the E911 dispatcher and request that the appropriate teletype be sent, providing the following information:

- (1) Type of crime (Robbery, Burglary, Murder)
- (2) Date, time, and place of occurrence
- (3) Description of weapon(s)
- (4) Suspect description
- (5) Vehicle description
- (6) Description of stolen property
- (7) Last known direction of travel

4. Transmission of routine teletype messages:

- a) Pursuant to Section 221 of the Executive Law of the State of New York, the transmission of a NYSPIN message regarding the occurrence of ANY FELONY CRIME, which no arrest or apprehension, **MUST BE MADE** within five hours. Officers of this Department will notify the E911 Center and request that the appropriate teletype be sent, providing the following information:
  - (1) Type of crime
  - (2) Date, time, and place of occurrence
  - (3) Suspect description (if known)
  - (4) Vehicle description (if known)
  - (5) Description of property stolen damaged etc
  - (6) Last known direction of travel (if known)
- b) Special provisions for missing persons:
  - (1) Pursuant to Article 837-E of the Executive Law of the State of New York, NYSPIN teletype messages and data entry to the DCJS & NCIC missing person files **MUST** be made **immediately** (within 2 hours) of any missing person less than 18 years of age or any endangered or involuntary missing person.

B. Criminal History Information Record (CHRI)

1. Policy

- a) The Palmyra Police Department may conduct Criminal History inquiries on all persons arrested by the Department as well as persons under investigation by the Department.
- b) It is the policy of the Palmyra Police Department to obtain Criminal History Information (CHRI) in accordance with all applicable State and Federal Laws and in accordance with the Use and Dissemination Agreement on file with the New York State Division of Criminal Justice Services.

2. Procedures

- a) Criminal History Record Information may be obtained by any sworn member of the Palmyra Police Department for legitimate criminal justice purposes **only**.
- b) Officers may request CHRI for any of the following:
  - (1) on-going investigation
  - (2) arrested persons
  - (3) warrant investigations
- c) CHRI will be obtained through E Justice.

- d) All persons who are the subject of a CHRI inquiry must be named in a current investigation, warrant or arrest. Investigation reports must indicate why the inquiry was made. (i.e. suspect, victim etc.)
- e) After obtaining the CHRI, the original will be placed with the original case file, warrant jacket, investigative file or attached to the arrest report.
- f) All inquiries or CHRI requests must have a current case number entered in the appropriate field.
- g) At no time is any members of this Department authorized or permitted to destroy any CHRI. Any CHRI, which is to be destroyed, will only be done under the authority of the Chief of Police. The Chief shall note in the case file, warrant jacket, arrest or investigation report and on the Request for Criminal History form that the CHRI was destroyed and the date the CHRI was destroyed. Any destruction of a CHRI will be achieved by shredding.
- h) Photocopying of CHRI is **strictly prohibited**. Should the Wayne County District Attorney's Office or any other criminal justice agency, including the Local Criminal Court, request a copy of a specific CHRI, they may review the Departmental copy under the exclusive care and control of the Palmyra Police Department. Should the requestor require a copy, they may obtain one using their ORI number.

By the Order of:

David B. Smith  
Chief of Police