

**MEMORANDUM OF AGREEMENT
MANAGEMENT CONTROL
CRIMINAL JUSTICE INFORMATION SYSTEMS**

Between the
COCHISE COUNTY
And
BISBEE POLICE DEPARTMENT

Interface Vendor: **Spillman Systems**

Whereas, Bisbee Police Department, Information Technology operates an electronic data processing and computer center to store and process certain criminal justice information; and

Whereas, Bisbee Police Department is desirous of interfacing its computer system with the Arizona Criminal Justice Information System (ACJIS); and

Whereas, it is a prerequisite for accessing ACJIS via computer interface that the concerned computer operations be under the management of a criminal justice agency; and

Whereas, it is not the purpose of this agreement to infringe upon or impair the normal right of the Director of Bisbee Police Department to make and place in effect decisions concerning the operation of Bisbee Police Department, any of the rights, powers or authority the Director of Bisbee Police Department had prior to the signing of this agreement is retained, except that specifically abridged, delegated, granted or modified by this agreement; and

Whereas, various statutes, regulations and rules require that certain conditions be met to ensure the privacy and security of the criminal justice information and access through ACJIS, in local computer systems; and

Whereas, this agreement is necessary to comply with those requirements, and to obtain authorization for the Bisbee Police Department to interface its computer system with that of the Arizona Department of Public Safety.

It is therefor, agreed as follows:

Cochise County Information Technology is hereby designated to have management control of **Bisbee Police Department's** computer operations, relating only to the utilization of storage, processing, handling and dissemination of criminal justice information accessed through ACJIS, and the **Cochise County Chief Information Officer ("Cochise County CIO")**, or his mutually agreed on designee, is authorized to take administrative action necessary to ensure compliance with all statutes, regulations and other laws relating to the privacy and security of computerized criminal justice information accessed through ACJIS. Management control shall include, but not limited to, the right to the following:

1. Set and enforce priorities and policies governing the operation of computers, circuits, and telecommunications terminals to process criminal justice information accessed through ACJIS, insofar as that equipment is used to process, store or transmit criminal justice information.

2. Set and enforce security measures regarding:
 - a. A backup power supply or uninterruptible power source;
 - b. Environmental monitors and controls for temperature, air conditioning, humidity and the like;
 - c. Emergency lighting;
 - d. Adequate fire detection/suppression devices;
 - e. Emergency shutdown of system and/or power devices; and
 - f. Duplicate computer files as a countermeasure for unauthorized destruction of original files, which are to be maintained off premises. Computer tapes or disks shall be locked in a safe, fireproof storage area under the control of senior agency personnel. Secondary storage (second location) will be used to back up data.

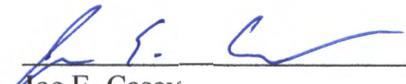
3. Set and enforce standards for the selection, training, supervision, and termination of personnel involved in the processing, storing or transmitting of criminal justice information accessed through ACJIS, including, but not limited to the following:
 - a. **Bisbee Police Department** agrees that **Cochise County Information Technology** will screen and have the right to reject for assignment any personnel proposed to be authorized for access to criminal justice information accessed through ACJIS;
 - b. **Bisbee Police Department**, agrees that only designated criminal justice agency employees shall know the criminal justice information system programs in their entirety;
 - c. **Bisbee Police Department** agrees to initiate, or permit **Cochise County Information Technology** to initiate, administrative action leading to the immediate transfer or removal of **Bisbee Police Department Information Technology** employees, where such employees are believed to have violated provisions of Title 28, Code of Federal Regulations, or the provisions of the Arizona Criminal Justice Information Systems user agreement with the Arizona Department of Public Safety, or other security requirements established for the collection, storage or dissemination of criminal justice information. **Bisbee Police Department** agrees to initiate administrative action, should the investigation warrant it. The **Bisbee Police Department Information Technology** employee will be prohibited from working on the criminal justice information system during the investigation period;
 - d. **Cochise County Information Technology Department** understands and agrees that the day to day supervision of employees of **Bisbee Police Department Information Technology** shall remain the responsibility of the **Bisbee Police Department**; and
 - e. Any **Bisbee Police Department Information Technology** employee involved in or associated with an administrative investigation related to the provisions of this agreement shall make themselves available as directed by the investigator conducting the administrative investigation. **Bisbee Police Department's Information Technology Director** shall ensure that all personnel or other information necessary for the completion of an administrative investigation are made available to the administrative investigator upon request.

Memorandum of Agreement
Management Control

4. **Bisbee Police Department Information Technology and Cochise County Information Technology** agree that **Bisbee Police Department, Cochise County CIO**, or designee, and the **Arizona Department of Public Safety** shall have the authority to independently or jointly inspect, monitor and audit all procedures and systems pursuant to this agreement and any other matters concerned with the security of criminal justice information accessed through ACJIS.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by the proper officers and officials.

The County of Cochise

BY: 
Joe E. Casey

Title: _____
Cochise County Chief Information Officer

Date: 09/10/18

Bisbee Police Department

BY: 
David M. Smith

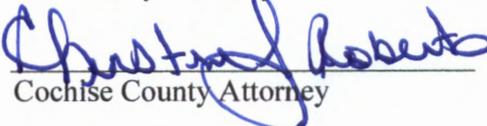
Title: _____
Mayor, City of Bisbee

Date: 09/05/18

Reviewed and Approved as to Form:

BY: 
Bisbee City Attorney

Date: 09/05/18

BY: 
Cochise County Attorney

Date: 9/13/18