

4501:2-10-11 **Sanctions.**

(A) Any violation by a terminal user of any of the rules within this chapter could result in denial of access to LEADS. LEADS has established the following progressive sanction process to enforce these rules while cooperating with agencies to continue to protect the officers in the field.

STEPLEVEL 1: Notice of the violation. If the situation is not corrected with documentation to LEADS within forty-five days from the date notice is sent, step 2 will be initiated.

STEPLEVEL 2: Notice is sent to the agency administrator with a copy also forwarded to the local chief executive or designee. Notice shall include the progressive sanction steps and may include restrictions for specific operators. If the situation continues or the correction is not documented to ~~the~~ LEADS within thirty days, step 3 will be initiated.

STEPLEVEL 3: The agency participation in ~~the~~ LEADS will be reduced to limited access, i.e., inquiry only. Entry of new records into the system will be denied until the situation is corrected. If corrective action is not taken, including written documentation to LEADS within thirty days, step 4 will be initiated.

STEPLEVEL 4: The agency's access to the Ohio computerized criminal history (CCH) files and the NCIC interstate identification index (III) will be terminated. If corrective action is not completed, including documentation to LEADS, within thirty days, step 5 will be initiated.

STEPLEVEL 5: All records entered by the agency into the LEADS and NCIC files shall be cancelled and the agency will not be permitted entry capabilities. This shall remain in effect until recommendation by the LEADS steering committee and authorization of the chairperson is obtained to reinstate access for the agency. If the situation is not corrected, including documentation to LEADS within thirty days, step 6 will be initiated.

STEPLEVEL 6: The agency's access to the Ohio bureau of motor vehicles files shall be terminated. If the agency continues to fail to correct and document their actions to LEADS within thirty days, step 7 will be initiated.

STEPLEVEL 7: The agency shall no longer be permitted to participate in the LEADS. All ~~terminal~~ LEADS owned/leased equipment will be removed. The agency shall remain responsible for any unpaid fees due LEADS to this date.

The agency shall not be approved terminal access until review by the LEADS steering committee and approval of the chairperson. The agency may institute a non-terminal user agreement with LEADS, but this shall be limited to inquiry capabilities only and excludes access to the criminal history and NCIC III files.

- (B) Exceptions and modifications to the progressive sanction process may be authorized by the LEADS steering committee chair, if in his/her opinion, circumstances warrant such action.

- (C) As with any sanction, there is a right of appeal to be heard by the LEADS steering committee. This process is not under adjudication procedures (Chapter 119. of the Revised Code).

Effective: 02/15/2008

R.C. 119.032 review dates: 11/29/2007 and 11/29/2012

CERTIFIED ELECTRONICALLY

Certification

02/05/2008

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 5503.10
Rule Amplifies: R.C. 5503.10
Prior Effective Dates: 10/10/91, 10/21/95, 11/2/96, 7/31/98, 7/1/01, 11/1/03