

TRIBAL ACCESS PROGRAM FOR NATIONAL CRIME INFORMATION (TAP) AND THE ALASKA INFORMATION EXCHANGE AGREEMENT



THE TRIBAL ACCESS PROGRAM AND ALASKA INFORMATION EXCHANGE AGREEMENT

TAP:

Nationwide program for federally recognized tribes

Provides access to national crime information databases for a wide range of law enforcement and public safety purposes

Data sharing related to missing persons, sex offenders, domestic violence orders, criminal histories, etc

More features, but with a rigorous application, bureaucratic procedures, and significant resource requirements

IEA:

Limited to Alaska tribes

Specifically focused on sharing Tribal Domestic Violence Protection Orders with the state law enforcement database

Streamlines DVPO verification for state troopers so victims don't need to carry physical copies of orders

Less features, but with a simple agreement, minimal bureaucracy, and low resource requirements

TRIBAL ACCESS PROGRAM

- Launched in 2015 by the U.S. Department of Justice
- Provides federally recognized Tribes with access to national crime information systems
- Enables authorized use of criminal and non-criminal data
- Intended to enhance Tribes' ability to effectively serve and protect their nation's citizens



TRIBES CAN USE TAP FOR ALL PURPOSES AUTHORIZED BY FEDERAL LAW

Enter and enforce protection orders on and off Tribal lands

Register sex offenders to comply with federal law

Prevent illegal gun purchases

Enter and share arrest warrants for broader awareness

Screen employees/volunteers working with children

Screen housing applicants and tenants

Document arrests and convictions

Access investigative records from other agencies

Locate absent parents to enforce child support orders

Search information on missing persons/property

Identify new charges against supervised individuals

Obtain complete histories for court proceedings

TAP PROVIDES ACCESS TO

National Crime Information Center (NCIC):

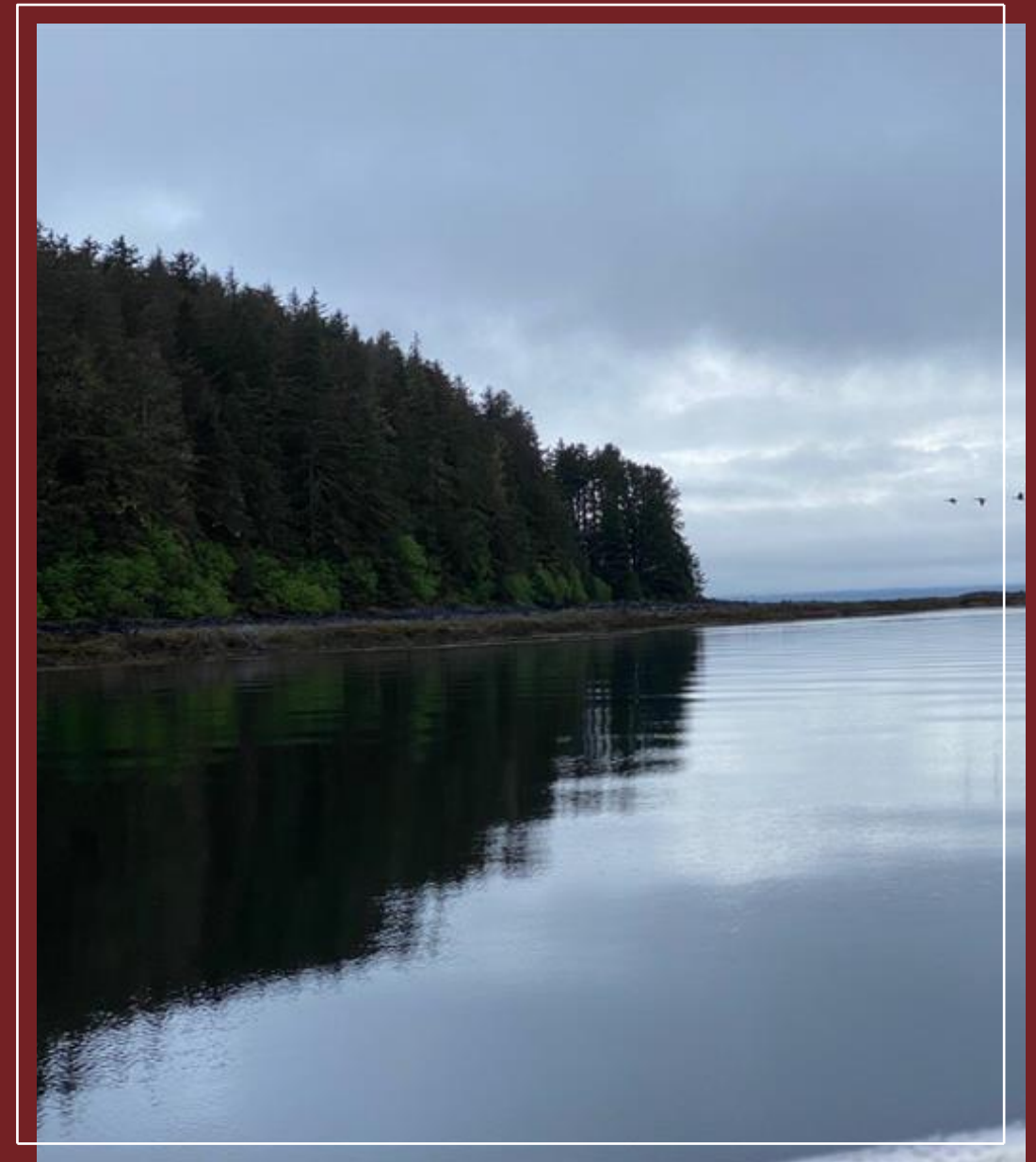
Criminal records database.

Function: Search for information on stolen property, missing persons, wanted persons, domestic violence protection orders, criminal histories, and access National Sex Offender Registry.

Next Generation Identification (NGI):

Biometric database.

Function: Allows verification of identity, submissions of arrest information, and access to fingerprint-based criminal histories.





TAP PROVIDES ACCESS TO (CONT.)

National Data Exchange (N-DEx):

Nationwide investigative information sharing system

Function: Access incident reports, arrest reports, booking/ incarceration reports, etc. from Tribal/State/Federal agencies 24/7 from any secure internet device.

Background Check System (NICS):

System for firearm/explosives purchase eligibility checks

Function: Determine eligibility to buy firearms, prevent prohibited persons from purchasing firearms, issue firearms-related permits, manage seized firearms.



TAP PROVIDES ACCESS TO (CONT.)

Law Enforcement Enterprise Portal (LEEP):

Gateway for law enforcement agencies

Functions: Access unclassified law enforcement intelligence products and systems like N-DEx, Intelink, RISSNET, etc.

International Justice and Public Safety

Network (Nlets): Interstate justice and public safety network

Functions: Inquire into state systems for info on criminal history, driver's license, etc.

Inquire into federal systems like DHS, DEA, FAA, and into the Canadian Police Information Centre (CPIC)



Two Options for Access

TAP-LIGHT:

Provides software for access

Allows for searching records using names

Enables entering person and property information into systems

Does not include fingerprint submission capability

TAP-FULL:

Includes both software and necessary hardware

Offers both name-based and fingerprint-based record searches

Enables all functions of TAP-LIGHT, plus



TAP LIGHT EXAMPLES

- Conduct name-based criminal histories for the purpose of adjudicating Tribal public housing applicants (on behalf of Public Housing Agencies)
- Enter and query protection orders and warrants in NCIC
- Enter and query civil protection orders
- Conduct name-based criminal history checks from III; containing arrest, disposition, and NCIC warnings, in cases of child abuse, neglect or exploitation
- Conduct name-based criminal history checks from III, containing arrest, disposition, and NCIC warnings
- Enter and query stolen property, including vehicles, boats, articles, guns, securities in NCIC



TAP FULL EXAMPLES

- Perform fingerprint-based inquiries on unknown or uncooperative detainees to confirm and identification and access their criminal history
- Perform fingerprint-based background checks for employment purposes
- Conduct a fingerprint-based record check for Tribal employees, prospective employees, or volunteers in positions that involve regular contact with, or control over, Indian children to include checks for child placement or foster care, healthcare, after school programs, daycare, or schools under Public Law 101-630
- Perform fingerprint-based background checks for adult applicants or tenants receiving housing assistance for the purpose of screening, lease enforcement, or eviction
- Plus everything TAP LIGHT can do

ELIGIBILITY REQUIREMENTS

Tribes must:

1. Adhere to all auditing, policy, personnel, physical, and technical security requirements applicable to national crime information systems.
2. Decide which agencies will participate and designate a Terminal Agency Coordinator (TAC) for each.
3. Have TAP participation approved by Tribal leadership.



PARTICIPATION/TECHNICAL REQUIREMENTS

1. Provide high-speed internet access.
2. For TAP-FULL, pay FBI CJIS User Fees for fingerprint-based checks for non-criminal justice purposes.
3. Execute an MOU with the FBI CJIS to pay these fees.
4. Establish legislative/policy guidance on what Tribal data can be shared.

TAP SELECTION CRITERIA

Must be used for one of the main purposes:

- Law Enforcement
- Sex Offender Registries (Adam Walsh Act)
- Non-Criminal/Criminal Protection Orders
- Misdemeanor DV Convictions
- Foster Care Placement
- Child Abuse/Neglect Investigations

How to Apply

The TAP Application Period is usually open during the summer *or* fall of each year.

Check the TAP website regularly for updates on when the application period is open:

<https://www.justice.gov/tribal/tribal-access-program-tap>



ALASKA INFORMATION EXCHANGE AGREEMENT (IEA) FOR TRIBAL PROTECTION ORDERS

Purpose:

- Enables Alaska State Troopers to enforce Tribal Domestic Violence Protection Orders (DVPOs) more effectively.
- Allows Tribal DVPOs to be entered into the state database (APSIN), accessible to law enforcement.
- Victims/survivors don't need to carry physical copies of DVPOs for enforcement.

ALASKA INFORMATION EXCHANGE AGREEMENT (IEA) FOR TRIBAL PROTECTION ORDERS

Benefits:

- Faster verification of DVPOs for law enforcement
- Improved response times for domestic violence incidents
- Increased safety for victims and survivors

Limitations:

- State troopers won't enforce banishment orders
- There are additional conditions if a Tribal DVPO contains firearm restrictions

ALASKA INFORMATION EXCHANGE AGREEMENT (IEA) FOR TRIBAL PROTECTION ORDERS

DVPO Requirements:

- Must include specific information (names, dates, prohibitions, etc.)
- Must contain at least one of seven specific prohibitions

Tribes must notify the state within 24 hours if the following occurs:

the DVPO gets served

the tribe modifies the DVPO

the tribe decides to end or dissolve the DVPO

the tribe extends the expiration date of the DVPO

ALASKA INFORMATION EXCHANGE AGREEMENT (IEA) FOR TRIBAL PROTECTION ORDERS

Participation:

- Voluntary.
- Tribal DVPOs remain enforceable even without database entry

Implementation:

- Tribes sign an IEA with the state
- Submit DVPOs electronically (email/fax) to the state for entry

Feature	TAP	APSIN Agreements
Scope	Nationwide	Alaska Tribes only
Data Access	Access to multiple national crime information systems	Primarily focuses on Domestic Violence Protection Orders (DVPOs)
Purpose	Enhance public safety by facilitating the exchange of criminal information.	Facilitate enforcement of Tribal DVPOs by State Troopers
Participation	Requires application, selection process, and compliance with federal requirements	Requires signing an agreement with the state
Technical Requirements & Cost	High-speed internet, FBI CJIS User Fees for some checks	Electronic submission of DVPOs (email/fax). No direct cost.
Additional Considerations	Offers two options with varying levels of access and capabilities	Voluntary participation for Tribes and Troopers

TAP VS. APSIN AGREEMENTS



PRACTICAL CONSIDERATIONS

- Would access to national crime information databases through TAP provide information relevant to your community's specific needs?
- Does your Tribe have the necessary resources in terms of personnel, technology upgrades, and ongoing maintenance required for TAP participation?
- Are you prepared to address potential liability concerns related to data breaches or misuse of information?
- Are you prepared to commit to the long-term investment of time, resources, and personnel required for successful TAP participation?
- Does the IEA, with its focus on DVPO sharing and integration with APSIN, adequately address your community's most urgent needs?

QUESTIONS
&
COMMENTS

