COLORADO
Bureau of Investigation
Department of Public Safety
Crime Information Management Unit
690 Kipling Street, Suite 3000
Denver, CO 80215

CBI CJIS Vendor Management Program
Vendor Agreement

1. Purpose

The purpose of this Vendor Agreement is to outline the responsibilities the Colorado Bureau of Investigation (CBI) maintains as the CJIS Systems Agency (CSA) for the state of Colorado, as they relate to the CBI CJIS Vendor Management Program. The CBI agrees to provide supporting services to private and public entities contracted by any Colorado Contracting Government Agency (CGA). To ensure vendor personnel undergo a fingerprint-based background check and to ensure audits of CJIS systems are accurate and consistent, the CBI will provide the policies and systems to allow background check results for a vendor employee to be accessible to CGA's and to allow audit findings from Shared CJIS Systems to be accessible to CGA's.

1.1. Policy

The CBI is the CJIS Systems Agency (CSA) for the State of Colorado. Pursuant to the user agreement between the CBI and the Federal Bureau of Investigation (FBI) Criminal Justice Information System (CJIS) Division, the CBI adopts the FBI-CJIS policies—including but not limited to the CJIS Security Policy—as the standard for all CBI-CJIS systems. Additionally, all operating policies, manuals, and procedures specific to CBI-CJIS Systems are incorporated by reference. It is the CBI policy that all data contained within and accessed via CCIC, NCIC, Nlets, N-DEx, and SDDS are considered Criminal Justice Information (CJI) and may only be accessed and/or disseminated as specifically prescribed and authorized by the FBI CJIS Security Policy and, when applicable, Colorado law.

A Vendor Administrator shall be designated by each participating vendor, who is responsible for that vendor's use, security, and personnel who access CBI-CJIS Systems or otherwise support operations of a criminal justice agency. All parties shall operate in accordance with Colorado and Federal law; this Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Colorado. This Vendor Agreement shall not be amended; any revision will require a new version of this agreement produced by the CBI and signed by all parties.

1.2. Governing Standards

The agency shall access, retain, submit, and destroy all CJI following the requirements within the laws, policies, and manuals listed below and incorporated into this agreement by reference herein.

- Title 28, Code of Federal Regulations, Part 20
- CJIS Security Policy
- CBI Misuse Policy
- NCIC Operating Manual
- CCIC System User Guide
- Interstate Identification Index (III) Operating Manual
- N-DEx Policy and Operational Manual
- Colorado Revised Statute 24-33.5-412(3)(c)(II)
- Colorado Open Records Act (CORA)/Colorado Criminal Justice Records Act (CCJRA)
- Secure Document Delivery System Manual

1.3. Definitions

BED: Board of Executive Directors
BWA: Board of Working Advisors
CBI: Colorado Bureau of Investigation
CBI-CJIS Systems: *CCIC, NCIC, Nlets, N-DEx, and the Secure Document Delivery System*
CCIC: Colorado Crime Information Center
CCH: Computerized Criminal History Database
CGA: A CGA is a government agency, to include criminal justice agencies, that enters into an agreement with a private contractor subject to the CJIS Security Addendum.
CHRI: Criminal History Record Information, a subset of CJI
CJA: Criminal Justice Agency
CJI: Criminal Justice Information
CJIS: Federal Bureau of Investigation Criminal Justice Information Services
CJIS Access Vendor: Vendors with intentional access to CJI, directly or indirectly (e.g., IT support, software, cloud storage, document shredding, media sanitization, etc.)
CJIS Support Vendor: Vendors with situational, potential access to CJI (e.g., custodial, vending, maintenance, etc.)
CSA: CJIS Systems Agency; in Colorado, the CSA is the Colorado Bureau of Investigation
CSO: CJIS Systems Officer; this is a role held at the CJIS Systems Agency
FBI: Federal Bureau of Investigation
III: Interstate Identification Index
ISO: Information Security Officer; the CJIS ISO is a role held at the CJIS Systems Agency
Individual User: An employee of a CJA or its contractors with access to CJIS information
LASO: Local Agency Security Officer
LEA Interface: Law Enforcement Agency Interface; any system connected to the CBI which provides operators with access to CBI-CJIS Systems
Live scan: A device or machine used to obtain and/or transmit electronic fingerprint captures
MBIS: Morpho Biometric Identification System; the statewide fingerprint repository owned and maintained by the CBI
NCIC: National Crime Information Center
N-DEx: National Data Exchange
Nlets: International Justice and Public Safety Network, formerly the National Law Enforcement Telecommunications System

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Operator: An individual user of CJIS data with direct access to CJIS systems

Organizational Executive: The Chief Executive Officer or other member of the vendor appointed as the authority responsible for the operations of the company

ORI: Originating Agency Identifier; a nine-digit number which identifies the agency within CBI-CJIS Systems

PII: Personally Identifying Information

Terminal Agency: An agency that accesses data derived from CBI-CJIS Systems

TAC: Terminal Agency Coordinator

UCR: Uniform Crime Reporting

Vendor: An organization that is contracted by a Colorado criminal justice agency to provide support of criminal justice functions, and is subject to the included standards through this agreement

Vendor Administrator: The primary point of contact at each enrolled vendor who is responsible for employee management, audits, and other concerns

Vendor Personnel: Individuals working for a contracted organization in any capacity, including employees, volunteers, and subcontracted staff

2. CBI CJIS Systems Agency (CSA) Responsibility

The CBI serves as the Colorado CJIS Systems Agency (CSA). As such, the CBI governs access to CCIC, NCIC, Nlets, N-DEx, and SDDS as lawfully authorized to criminal justice agencies and their eligible personnel and contracted vendors as needed. Furthermore, CJIS Vendors will be provided with services to reduce the cost and burden of CJIS compliance to the vendor and CGA's alike. These consolidated services will allow CJIS Vendors to undergo these processes once for the state, instead of once for each CGA within the state.

The CBI will maintain a list of Authorized Personnel available to criminal justice agencies, which will expedite the vetting process at the criminal justice agency for vendor personnel; this list is compiled of employees of enrolled vendors who have submitted fingerprints for this program. The CBI also maintains a Vendor Directory on its public website; vendors may opt out of this listing during their application.

3. Vendor Responsibility

The CJIS Vendor shall comply with all applicable standards of the CJIS security policy. These standards may apply differently to different CJIS Vendors depending on the services provided. The Vendor shall work proactively with their CGA(s) to ensure vendor responsibilities related to CJIS compliance are appropriately assigned and maintained. The vendor is ultimately responsible for ensuring all responsibilities listed in this section are satisfied.

3.1. Vendor Administrator Role

Each vendor shall appoint a Vendor Administrator and allow sufficient resources to perform all listed duties under section 3 of this agreement. When a new Vendor Administrator is designated, the vendor organization shall notify the CBI CJIS Systems Officer in writing of that appointment within ten days of the appointment. A new agreement is required if a new Vendor Administrator is designated.

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3.2. Enrollment

To apply for participation in the CBI CJIS Vendor Management Program, the vendor shall submit a Vendor Management Program application to the CBI through the Secure Document Delivery System (SDDS), to include a current contract with a Colorado criminal justice agency.

Pursuant to the CJIS Security Policy, private contractors (vendors) designated to perform criminal justice functions for a CJA shall be eligible for access to CJI; however, in order to submit fingerprints and to receive CJI, there must be a contract between the vendor company and a criminal justice agency. For participation in the CBI CJIS Vendor Management Program, a contract must exist between the vendor and at least one Colorado criminal justice agency. A minimum of one contract must be submitted with the application before the vendor is approved for the program.

Vendors designated as CJIS Access Vendors because of the services they provide are required to submit a contract that includes the CJIS Security Addendum, per the CJIS Security Policy section 5.1.1.5.

Subcontractors shall submit two contracts: one between the vendor and the subcontractor, and one between the vendor and the CGA(s).

If the conditions for enrollment are not met, the CBI will hold the application open for 30 days to await any pending documentation, after which time the application is retired.

3.3. Personnel Management

The Vendor Administrator will receive all communication from the CBI regarding the authorization status of vendor personnel. Pursuant to section 5.12.2 of the CJIS Security Policy, the Vendor Administrator shall notify the CBI immediately at cdps.cbi.cjisvendors@state.co.us if a participating employee has left the company or has been reassigned to a position where CJI will not be accessed.

3.4. Fingerprinting

Fingerprint-based background checks shall be required pursuant to the CJIS Security Policy for all vendor personnel with direct, indirect, or situational access to CJI. Access to CJI shall be denied to any personnel whose background check includes a felony conviction or active warrant. Fingerprints captured over one year prior to submission will not be accepted.

3.5. Security Awareness Training

The Vendor Administrator is responsible for ensuring that all personnel with access to CJI (situationally, indirectly, or directly) take routing Security Awareness training, at a level appropriate for their level of access as required by the CJIS Security Policy, section 5.2. This training shall be completed within 6 months of initial assignment, and every two years thereafter.

If the vendor chooses to deliver required Security Awareness training through CJIS Online (www.cjisonline.com), it is the responsibility of the Vendor Administrator to create user profiles for each participating vendor employee, and monitor these employees' certification status within CJIS Online. A

comprehensive guide to employee management within CJIS Online will be provided to the Vendor Administrator during onboarding to the Vendor Management Program.

If the vendor chooses not to use CJIS Online for delivery and tracking of Security Awareness training, an alternative program may be used with curriculum and reporting that meets CJIS standards and has been approved by the CBI.

3.6. Security Addendum Certification for Access Vendors

Vendor personnel designated as Access Vendors (i.e., staff who support criminal justice agencies by intentionally accessing CJI, such as for document destruction, media sanitation, software support, IT services, cloud storage, etc.) must each sign the Security Addendum Certification page located within the CJIS Security Policy, page H-7. The Vendor Administrator can choose to upload these signed certifications into www.cjisonline.com.

3.7. Audits

The CBI will conduct an audit for each vendor at least once every three years. The objective of this compliance audit is to verify adherence to CBI and FBI policies and regulations. The Vendor Administrator is the primary point of contact during CBI audits and shall respond to all audit-related communication during the specified time frames.

The CBI will share vendor audit findings with CGA's. Requests for detailed information which may comprise trade secrets, security vulnerabilities, or other types of information determined to be sensitive by the CBI discovered or revealed through CJIS security processes will not be shared with the CGA. The CGA will be referred directly to the vendor for access to any information not provided by the CBI.

4. Advisory Process

The Colorado CJIS Advisory Process is composed of two major components, the Board of Executive Directors (BED) and the Board of Working Advisors (BWA). The BWA and BED are responsible for reviewing policy issues, potential sanctions, as well as applicable technical and operational issues related to the programs administered by the CBI. The BWA and BED provide recommendations to CBI as the official representative bodies of the Colorado criminal justice community.

5. Sanctions for Violations

The CBI may sanction the vendor for failure to meet the standards of the policies referenced in this document.

If a vendor is out of compliance with this agreement and/or an audit, the CBI may impose sanctions upon the vendor. The sanctions process begins with a mitigation plan, which serves as a timeline for fixing the out-of-compliance items. If no progress is made toward achieving compliance in a timely manner, the CBI will provide the organization 30 days' notice of disqualification from the CJIS Vendor Management Program and alert all criminal justice agencies who receive support from the vendor of this

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disqualification, as the agencies themselves will be out of compliance due to these findings. Findings may be presented to the Board of Executive Directors (BED) for review.

6. Certification

Once signed, return **THE FOLLOWING PAGE ONLY** to:

Colorado Bureau of Investigation
Crime Information Management Unit
690 Kipling Street, Suite 3000
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Alternatively, this form may be emailed to cdps.cbi.cjisvendors@state.co.us.

End of Agreement

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CBI CJIS VENDOR MANAGEMENT PROGRAM - VENDOR AGREEMENT

ACKNOWLEDGEMENT

As a CJIS Vendor supporting CJIS systems within the state of Colorado, the vendor hereby acknowledges the responsibilities as set out in this document as well as those documents incorporated by reference. The vendor also agrees to comply with all state and federal statutes and regulations as may apply, and to use the information received over CJIS systems for criminal justice purposes only.

The vendor acknowledges that these responsibilities have been developed and approved by the CBI and/or the FBI in order to ensure the security, reliability, confidentiality, completeness, and accuracy of all records contained in or obtained by means of CJIS systems.

The vendor acknowledges that a failure to comply with these responsibilities will subject the CBI, CGA, and this vendor to various sanctions as recommended by the NCIC Advisory Policy Board, the BED, and/or the respective Directors of the CBI and/or the FBI.

To preserve the integrity of CBI-CJIS Systems, the CBI reserves the right to suspend service to the CGA, Vendor, connected system, or an individual system user when the security or dissemination requirements are violated. The CBI may reinstate service upon receipt of satisfactory assurance that violation(s) have been corrected. Either the CBI or the vendor may discontinue service upon thirty days' advance written notice.

This agreement remains separate from all contracts between the vendor and CGAs. Issues which may arise between the vendor and the CGA shall be resolved between the contract parties.

IN WITNESS WHEREOF, the parties hereto caused this agreement to be executed by the proper officers and officials. This agreement will become effective upon the date signed.

Business Name:	
Address:	

Signature of Vendor CEO or Designee	Title and Printed Name	Date
Signature of Vendor Administrator	Title and Printed Name	Date
Signature of CBI Director or Designee	Title and Printed Name	Date

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