



June 1, 2018

To: Mayor Teresa Jacobs  
And the Board of County Commissioners

From: Cornita A. Riley, Chief *CR*  
Orange County Corrections Department

Contact: Toni M. Hutchinson, Administrative Supervisor, Information Services  
407-836-0341

Subject: Interagency Agreement between Orange County Florida and  
the Office of the State Attorney, Ninth Judicial Circuit of Florida

The Orange County Corrections Department (OCCD) and the Office of the State Attorney, Ninth Judicial Circuit of Florida (SAO) are criminal justice agencies recognized by the Federal Bureau of Investigation and Florida Department of Law Enforcement (FDLE). Both the SAO and OCCD have entered into Criminal Justice User Agreements with FDLE for access to state and national Criminal Justice Information. This Agreement will allow SAO access to OCCD's Inmate Management System in order to facilitate the performance of their respective duties.

**ACTION REQUESTED:**

**Approval and execution of Interagency Agreement Orange County, Florida and Office of the State Attorney Ninth Judicial Circuit of Florida for a term of three years from the date the last party signs the agreement.**

CR/ru

cc: Dr. George A. Ralls, Deputy County Administrator  
Anthony D. Watts, Deputy Chief, Administrative Services  
Louis Quinones, Deputy Chief, Security Operations  
Toni M. Hutchinson, Administrative Supervisor, Information Services  
File

## INTERAGENCY AGREEMENT

ORANGE COUNTY, FLORIDA  
AND  
OFFICE OF THE STATE ATTORNEY  
NINTH JUDICIAL CIRCUIT OF FLORIDA

### **PARTIES**

This Interagency Agreement (Agreement) is between the Orange County, Florida, a charter county and political subdivision of the State of Florida (County) and the State Attorney, Ninth Judicial Circuit of Florida (SAO), which are the parties hereto.

### **PURPOSE**

This Agreement is entered into for the purpose of sharing information with the SAO, for the Ninth Judicial Circuit, by allowing access to inmate records, in order to facilitate the SAO's performance of its duties.

**WHEREAS**, The Orange County Correction Department (OCCD) is the Orange County, Florida department responsible for maintain records regarding Orange County jail inmates ("Inmates"); and

**WHEREAS**, the OCCD and the SAO are both criminal justice agencies formally recognized by the Federal Bureau of Investigation (FBI) and the Florida Department of Law Enforcement (FDLE); and

**WHEREAS**, both the OCCD and the SAO have entered into Criminal Justice User Agreements (UA) with FDLE, and are required to abide by the FBI Criminal Justice Information Systems (CJIS) Security Policy (Security Policy) for access to state and national Criminal Justice Information (CJI), as more specifically defined by the Security Policy; and,

**WHEREAS**, the SAO presently has the benefit of access to the National Crime Information Center (NCIC), and the Florida Crime Information Center (FCIC), via connectivity to the FDLE and seeks use of the County's Computer system, through the OCCD, to obtain Inmate information for use in the performance of its duties; and

**WHEREAS**, the parties agree that providing SAO access to the County's Inmate records and information shall serve a public purpose.

**NOW THEREFORE**, The parties agree as follows,

1. The SAO shall be permitted to use the computer systems provided via OCCD for the purpose of gaining access to inmate information.
2. OCCD agrees to allow the SAO access to the Inmate Management System (IMS) for the purpose of viewing inmate information.

3. The SAO agrees to abide by all applicable local, state, and federal laws, rules and regulations, as well as the CJIS Security Policy, with regards to the use of said computer systems.
4. The SAO agrees to abide by all the terms and conditions of the User Agreements executed between the Florida Department of Law Enforcement and OCCD.
5. The SAO agrees that it shall make use of the OCCD computer systems only for the administration of criminal justice, as defined in section 943.045(2), Florida Statutes.
6. OCCD agrees to maintain a current Management Control Agreement with the Orange County Information Systems and Services Division (ISS), to provide for the security of CJIS information as specified in the FBI CJIS Security Policy.
7. The term of this agreement shall be for a period of three (3) years from the date the last party signs the Agreement, unless otherwise terminated by either party.
8. Either party may terminate this Agreement, without cause, upon thirty (30) days written notice, which shall be provided in accordance with paragraph 11 herein. Either party may terminate this agreement immediately, and without notice, upon finding that the terms of this agreement have been violated.
9. This Agreement constitutes the entire agreement of the parties and may not be modified or amended without written agreement executed by both parties.
10. Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other party.
11. Any notices required or allowed to be delivered hereunder shall be in writing and may be: (a) hand delivered; (b) sent by recognized overnight courier; or (c) mailed by certified or registered mail, return requested, in a postage prepaid envelope, and addressed to the other party as set forth below:

As to County:                      Orange County, Florida  
   Attn: Chief of Corrections  
   Orange County Corrections Administration Bldg.  
   3723 Vision Blvd.  
   Orlando, Florida 32839

As to State Attorney :      Office of the State Attorney  
   Attn: State Attorney  
   415 North Orange Avenue  
   Orlando, Florida 32801

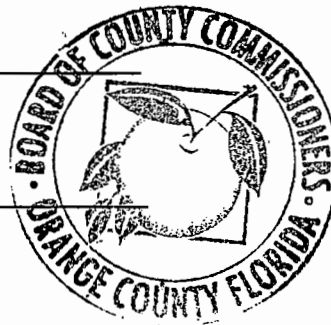
IN WITNESS HEREOF, the parties have executed this Agreement on the dates set forth below.

ORANGE COUNTY, FLORIDA

By:    Orange County Board of County Commissioner

By: *B. Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: 7.10.18



ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Kate Pina*  
Deputy Clerk

By: *Cornita A. Riley*  
Cornita A. Riley, Chief of Corrections

Cornita A. Riley, Chief

Date: 5/25/18

By: *Aramis D. Ayala*  
Aramis D. Ayala, State Attorney Ninth Judicial Court

Date: 5/14/2018