**Section 1240.110 Non-Compliance/Sanctions**

The Department may suspend all or any portion of LEADS service without prior notification as the result of an agency's non-compliance with laws, rules, regulations, or procedures.

a) Minor Violations (Low Risk)

When a violation occurs that does not threaten the integrity of LEADS or LEADS data, the LEADS Administrator will give written notice to the agency explaining the violation. If the matter is promptly addressed, no suspension of any LEADS access or service will occur.

b) Repeated, Continuous, Multiple, or Major Violations that Do Not Require Immediate Suspension (Moderate Risk)

When an agency is repeatedly or continuously in violation, has committed multiple violations or has committed a major violation not requiring suspension, the Director or designee shall set a hearing date, providing the agency with at least a 20-day advance written notice.

c) Major Violations Requiring Immediate Suspension (High Risk)

When a violation occurs that could seriously affect the integrity of LEADS or could threaten the safety of officers or the public, or is against the law, the Director may immediately suspend all or part of LEADS access or services without prior notice. When immediate suspension becomes necessary, the Director will notify the suspended agency and give the following:

1) A list of the services that have been suspended;

2) Alleged violations;

3) A hearing date that shall be within 10 days after the date of the immediate suspension. The Director may lift the suspension prior to the hearing for emergency or public safety needs.

d) Hearing Procedures

When a hearing has been set by the Director or designee, the following procedures will be followed:

1) Agency representatives may appear at the hearing;

2) The Leads Administrator or designee will present evidence that a violation has occurred or is occurring;

3) The agency representatives may present any evidence they choose relevant and material to the alleged violation or to any corrective actions taken.

e) Director's Decision

At the conclusion of the hearing, the Director may:

1) Suspend service;

2) Find no violation;

3) End a suspension already imposed; or

4) Grant a period of time to correct the non-compliance. If the Director grants additional time to comply, the Director shall set a date for a subsequent hearing to review compliance with the terms of the Director's order. At the second hearing, the Director may exercise any option that could have been exercised at the original hearing.