



KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL

KCJIS NEWSLETTER

Volume 3: Issue 1: February, 2001

KCJIS Annual Conference To Be Held At The Highway Patrol Training Center In Salina On February 20 & 21, 2001

Criminal justice agencies and the courts are urged to send representatives to the KCJIS Conference in Salina. The February conference will focus on new features of the Kansas Criminal Justice Information System, progress reports on project initiatives, and breakout sessions for system users. The conference will start at 9:00am on Tuesday, February 20th and conclude at 12:00p.m. on Wednesday, February 21st. Project managers, administrators, IT support people and vendors from the KCJIS Project will be present and available to meet with attendees. There is no registration fee for the conference.

The tentative agenda includes the following topics:

- Update on the KCJIS Project, progress to date, and future initiatives —
- Demonstration of the KCJIS Web Portal —
- Introduction to the BOLO, Misdemeanor Warrant, Offender Registration and Missing Persons Hot Files —
- Updates on system security and related technology —
- Update on the implementation of the KIBRS Gateway and the Local Law Enforcement Case Management Application —
- Update on the deployment of the Local Prosecutor Case Management Application —
- Status report on the state's voluntary use of the National Protection From Abuse Order File —
- KBI Help Desk issues and answers —
- Breakout sessions for KIBRS, AFIS, the local prosecutor application, accessing criminal history information, and system administration —

Web Based Technology Will Drive KBI Criminal History System

In December 2000 the state released a Request for Proposals (RFP) for a web based criminal history system at the KBI. The implementation of the new criminal history system for adult and juvenile records is the cornerstone to the completion of the KCJIS core components at the central repository. The criminal history system will have to support key interfaces to the Automated Fingerprint Identification System (AFIS), the KCJIS Message Switch for III dissemination,

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the Public Access Server via the Information Network of Kansas (INK), and the internal Document Imaging System. The system will also support a central library for offender photographs, scars and tattoos. The RFP closed on January 5, 2001. The contact will be awarded in late January, with work starting in February 2001. Delivery of the initial application is expected by June 30, 2001, with final acceptance by December 31, 2001.

A second RFP for web based development services was released on January 26, 2001. The purpose of this RFP is to acquire web development services as needed for the completion of the KCJIS Web Portal and other web based applications. The contract for services will be used in concert with the criminal history project and other projects to fully implement the KCJIS Web Portal. A contract for services is expected by early March 2001.

Gordon E. Lansford, Director **Kansas Criminal Justice Information System**

Please allow me to introduce myself as your new KCJIS Director. I began this job in mid-December and am trying to meet as many of you as quickly as I can! I am very excited about this opportunity and based on what

I know, and have seen so far, I am confident that Kansas is building a leading-edge system that will become a "model" for other states.

Prior to joining KCJIS I spent 30 years with IBM and retired in the summer of 1998. I worked briefly in banking, but quickly realized an old dog should stick to what he knows, and I am extremely excited about helping with this system. With IBM, I had various technical and marketing jobs, and spent 15 years in management. I am finding that my varied background was perfect training for KCJIS because it also requires technical, marketing, and management skills.

On a personal note, my wife, Phyllis, and I moved to Kansas in 1979 with IBM, and intentionally chose to remain in Kansas, and make it our home. Having lived in many states we believe Kansas to be the best! It is now our home and the home of our 3 children and their families, and our five wonderful grandchildren.



Gordon Lansford
KCJIS Director

KCJIS Becomes Fully Available This Summer

"Then our challenge will "switch" from building the system to utilizing the system."

Each and every agency can have access to the KCJIS database:

- Via direct connection or via the internet
- For "inputting" information.
- For "retrieving" information.
- Each agency, depending on its' size and function, will have differing requirements.
- Criminal Justice Information will now be available to each and every person whose agency decides it is a priority.
- Only three things are required for access:
 1. The approval and implementation by the agency.
 2. The appropriate computer device, such as a Personal Computer (PC) or a Mobile Data Terminal (MDT).

3. Proper security authorization.

KCJIS was designed as an INTERNET accessible system so that every agency and person could have access. KCJIS works TODAY, and will be fully implemented this summer. If you would like me to come to your office and show it to you all you have to do is call me and I will be happy to do so, at your convenience.

I can be reached in various ways:

Email: gordon.lansford@state.ks.us
Office: 785-291-3527
Cell: 785-554-4000
Home: 785-273-1694

I sincerely look forward to meeting each and everyone of you! Please call me personally if you have questions, concerns, or if you just want to talk about the system or see it in action.

Thank you!

National Governors' Association Grant Program Aimed At Helping States With Criminal Justice Integration Planning

The State of Kansas was recently awarded a \$25,000 grant from the National Governors' Association Center for Best Practices to aid in planning criminal justice information integration projects. A planning group comprised of nine state and local criminal justice practitioners is working on a project proposal that will be submitted to the NGA in March 2001. If selected, the project would be supported by a follow-on grant from the NGA. The planning group is currently looking at the feasibility of an interface between the KCJIS Web Portal and the Department of Corrections Total Offender Activity Documentation System (TOADS). The project would include the migration of TOADS to a web based application, and the addition of a master name index to the KCJIS Web Portal. Upon completion, the interface would allow KCJIS users to access a subset of the TOADS database for compact probation, state parole, and other offender information. The web portal piece of the project would streamline lookups by providing a single name search capability.

Additional information about the NGA program is available through Chuck Sexson, KBI, 785-291-3029, or sexson@kbi.state.ks.us.

KCJIS Web Portal

What is a 'Web Portal'? It is "a gateway web site that becomes a launching pad for connections to other sites, and to other applications that contain pertinent data for the user".

The KCJIS web portal site is designed to provide secured criminal justice information to criminal justice users only. Therefore the site is protected, requiring the user to enter their personal identifier and the password from their security token. The KCJIS web site will eventually offer criminal justice information from a number of criminal justice agencies, including but not limited to the Kansas Bureau of Investigation (KBI), Kansas Department of Corrections (KDOC), Juvenile Justice Authority, Office of Judicial Administration and local agencies. Currently the site only links to the KBI and KDOC.

Once into the web site, you can see that the web page is designed to offer information from four major categories: Information about a person or property, statistics, KCJIS services offered, and additional criminal justice links.

The KCJIS web portal is new and will undergo significant changes in the next six months as development time is dedicated to the site. The KCJIS web portal can be found at www.kcjis.state.ks.us

KASPER Update

The development of the adult supervision repository is seeing early successes. The initial phases of connecting to the Department of Corrections Offender Management Information System have been completed. Currently KASPER is capable of extracting critical elements of information from the AS/400 based application and storing this information in an SQL 7.0 database format.

Work continues to develop a web browser based interface to the KASPER databases so that users will be capable of requesting information from KASPER using a web browser and viewing the results with the browser. The query application will be accessed using a KASPER portal or other authorized KCJIS portal.

Plans are underway to enable the Total Offender Activity Documentation System (TOADS). This migration to web browser approach will facilitate the development of a TOADS portal and connectivity to KASPER.

The Supervision Task Force plays an important role in determining the priorities of KASPER development and provide input on the information to be retrieved, stored and shared among all agencies.

OJA Reviewing Court System Proposals

The Kansas Office of Judicial Administration issued a Request for Proposal in October 2000 to acquire a district court accounting and case management system. The new system will replace the current CMASS accounting software and will move the courts toward a uniform technology infrastructure that supports the collection and maintenance of critical court information. Court staff are reviewing vendor proposals and expect to finalize a contract by late March 2001. The software will initially be installed in several pilot sites. Once the system is operating with reliability in the pilot sites, it will be implemented in phases for the remaining court locations.

NIBRS Training Opportunity

During the week of April 2-6, 2001 trainers from the FBI's CJIS Division will be conducting "NIBRS Introduction" workshops at four different locations in Kansas. These workshops emphasize the classification of crime offenses by defining fundamental NIBRS terminology. Exercises included as part of the workshop are: classifying scenarios, identifying multiple offenses and "lesser included offenses" situations, recognizing an incident and acting in concert situations, distinguishing separation of time and place.

These workshops are recommended for local and state administrators, training instructors, report analysts, coders, data entry clerks, and police officers who are responsible for collecting and recording NIBRS crime data for submission to the FBI.

These sessions will be conducted from 8:30 a.m. - 5:00 p.m. at each site. Seating is limited so reservations should be made no later than March 15, 2001 by contacting Kathleen Bledsoe at 785-296-8278. Locations and dates are:

| | | |
|---------------|-----------------|--|
| April 2, 2001 | -Wichita- | Hughes Metro Complex, 5015 E 29 th Street North (29 th and Oliver) |
| April 3, 2001 | -Wichita- | Hughes Metro Complex, 5015 E 29 th Street North (29 th and Oliver) |
| April 4, 2001 | -Salina- | Kansas Highway Patrol Academy, 2025 E Iron Avenue |
| April 5, 2001 | -Topeka- | Topeka Police Department, 320 S Kansas Avenue |
| April 6, 2001 | -Overland Park- | Antioch Justice Center, 8500 Antioch |

If you have any questions please feel free to contact Mary Ann Howerton, CDIC Manager, 785-296-8277 or email howerton@kbi.state.ks.us

KIBRS Update

Fifteen agencies are now submitting data through the KIBRS Gateway. Fourteen of these agencies are using the KIBRS Law Enforcement Case Management software (KIBRSLE) and one agency has interfaced their record management software to the KIBRS Gateway software. Sixteen agencies using KIBRSLE have indicated that they will start submissions after January 1, 2001. And three interface agencies plan on submitting data to the KIBRS test server within the next 60 days.

Attorney General Carla Stovall released a statement on Monday, January 8, 2001, about the successful implementation of the law enforcement E-business application. The Attorney General stated, "We are thrilled with this momentous occasion. This new advancement eventually will eliminate the backlog of reports waiting to be entered in the Kansas Incident Based Reporting System (KIBRS). Once all agencies are transmitting data electronically, the system will have the most up-to-date statistics. And we'll have a clearer picture of crime in Kansas."

The Attorney General further noted that while today there is a year or more lag time before crime

data can be generated due to time consuming manual entry of hundreds of thousands of reports each year at the KBI, when the majority of agencies submit data electronically, Kansas law enforcement officers and crime analysts will be able to immediately track crime trends and patterns.

Congratulations to the following agencies for their participation in these efforts:

Decatur County Sheriff's Office
Hamilton County Sheriff's Office
Haskell County Sheriff's Office
Kearny County Sheriff's Office
Linn County Sheriff's Office
McPherson County Sheriff's Office
Russell County Sheriff's Office
Augusta Department of Public Safety
Caldwell Police Department
Garnett Police Department
McPherson Police Department
Oberlin Police Department
Overland Park Police Department
Pittsburg State University Police Department
St. Francis Police Department.

Costs For CJIS Connection to Change Effective July 1, 2001

DISC is completing the conversion of the CJIS network to ATM, which will reduce the router and management fees somewhat. DISC now projects the cost for a 56k circuit from SWB, including the KUSF surcharge, and the CJIS router/management fees, to total \$450.00 a month. The breakout for the \$450.00 is as follows:

| | |
|------------------------------|----------|
| 56 Kbs circuit from SWB | \$119.00 |
| KUSF surcharge (4.26% * 119) | 5.00 |
| Router/Mgt Fee | 310.00 |
| Adm. Surcharge (5.0% * 310) | 16.00 |

These costs will be effective for FY02 and FY03 (effective July 1, 2001 through June 30, 2003).

If your circuit is not provided by SWB, or if your CJIS circuit is higher than a 56k, you may contact Cory Jager at DISC, 785-296-4883, for further information to assist in your budget preparations.

Datamaxx Changes

Ms. Kimberly Brogle is now Kansas' sales representative from Datamaxx. Kim replaces Curt Owens who recently left Datamaxx. You may contact Kim at the following address:

Kimberly A. Brogle, Channels Manager
Datamaxx Applied Technologies, Inc.
3780-A Peddie Drive
Tallahassee, FL 32303
Phone: 850-575-1023 ext. 224
E-mail: kbrogle@datamaxx.com

The state of Kansas has renewed its contract, #33178, with Datamaxx to provide the LINXX2010 software and maintenance. An addendum to the contract has changed the annual cost of the Software Enhancement Program and 8X5, Monday through Friday technical support from \$250.00 per year to \$300.00 per year. For budget purposes, plan that this cost for the Software Enhancement Program and support will increase up to 6% annually. You may view the contract and addendum via the Internet at: <http://da.state.ks.us/purch/contracts/Contract.asp>. Type in the contract number, 33178

and click on "Go". After the new page appears, click on "Criminal Justice Information Systems Hardware." Should you have any questions regarding the contract, please contact Robert J. Sachs, Procurement Officer, 785-926-2770 or via e-mail: robert.sachs@state.ks.us.

Current plans are underway to have a new version of the LINXX2010 software out to the KCJIS customers by June 1. This is a major upgrade and will include all new message keys for the state's hot files, correct all reported errors in the current screens and functionality, and includes an enhancement that will ensure message delivery to terminals or their backup terminals, among other items. The tentative schedule is that the new version of the software will be provided to the state by May 1 for testing and final release to the users by the end of May. Additional information will be forthcoming as timeframes are confirmed.

Misdemeanor Warrants, Registered Offender, BOLO, And Missing Persons Hot Files

The state's misdemeanor warrants, registered offender, Be On the Look Out (BOLO) and Missing Persons hot files are currently being tested and should be finalized and fully functioning by the end of May. Datamaxx and Vendata upgrades (to be released by the end of May) will include the new message keys. An updated message key book including these message keys will be released 2/1/01 and will be sent to all interface agencies. Should you have any questions regarding these message keys, please contact Vicky Harris, KBI, 785-296-8261 or e-mail: harris@kbi.state.ks.us.

Help Desk News

Help Desk Staffing:

The great news is that the Help Desk is almost up to full staffing. We have an excellent team with a wide variety of knowledge and experience. Our team is focused to customer service and support, and we are looking forward to the ongoing changes with the KCJIS network.

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Help Desk Tickets:

In June of last year we implemented a new Help Desk Ticketing System. Anytime that a problem is reported to the Help Desk a ticket is opened. This system has provided excellent statistics to us. We are able to determine which days of the week are the busiest, so that we can staff more personnel on those days. We also are able to tell how many calls are received during a specific time period, the types of problems that are reported and the number of tickets opened by a specific agency.

The great news is that all user's of the KCJIS network can access this system. As an end user you can check the status of a ticket without having to call the Help Desk. In order to check the status of a ticket do the following:

Go to www.kcjis.state.ks.us

Click on Help Desk

Click on View Ticket Status

Type in the ticket number

If the ticket is still open or is in a pending status you will be able to see each item that is entered into the ticket. If the ticket has been resolved the information is not available. The important thing for you to remember as an end user is for you to obtain the Help Desk Ticket Number for each problem that you report. Not only is this ticket number needed for checking the status on line, but it is helpful when calling into the Help Desk. If you call the Help Desk with an outstanding problem it is important that you give the technician the ticket number so that they can easily look up the information and be able to help you in a more timely manner.

Mnemonics:

When calling the Help Desk it is extremely important that you know your terminal mnemonic. We receive a number of calls in which the operator does not know the mnemonic that they are working on. All tickets have to be opened using the terminal mnemonic that you are operating from. If you are unable to provide the mnemonic for the terminal it is very difficult to trouble-shoot the problem.

Sending Messages on KCJIS:

When sending a message to another agency on the KCJIS network it is important to use either the agency ORI number or their shortcut. If you

use the ORI of the agency then the message will automatically go to the terminal that is manned 24 hours.

If you are needing a list of the KCJIS terminal addresses and their ORI's it has been placed on the KCJIS web site. In order to view and/or print the list you will need to do the following:

Go to www.kcjis.state.ks.us

Click on Help Desk

Click on KCJIS Terminal Addresses

Phone Numbers:

KCJIS Help Desk - 785-368-6382

785-368-6383

KCJIS Help Desk FAX - 785-296-7154

AFIS and IAFIS News

The Kansas central site AFIS at the KBI will soon be completely installed. Printrak, the AFIS vendor, is loading the final software pieces that will:

1. Support the receipt of livescan records from Identix livescan devices. This is the action that Printrak had to accomplish in order to receive and process NIST-compliant livescan records. (The NIST standards provide the common format used by the FBI, the KBI and Kansas CJIS.)

2. Replace all livescan software with the most current version of the NIST standard for Kansas livescan records. That is Version 4.4, which was distributed to all livescan agencies in early December, 2000.

3. Provide the interface between the AFIS host site and the KBI computerized criminal history (CCH) database. Implementation of that interface will then wait until the new CCH is on-line this summer.

4. Provide the interface between the AFIS host site and IAFIS (the federal AFIS at the FBI). We hope to begin initial testing of this interface soon.

5. Put in place the edit and validation application that will check the content of each livescan submission. That will analyze each livescan submission, compare the text content with the business rules for the NIST message map (V4.4), and reject those that are not constructed in accordance with those business rules. This edit/validation piece is essential to the final structure of the AFIS/CCH/IAFIS automated record submission process.

BSE Prosecutor Application

Business Software and Equipment, Inc (BSE) is completing Beta Version 1.2 of the Prosecutor's case management application. The Riley, Allen, Chase, Pratt and Marion County prosecutor's offices are conducting the testing. We hope to be finished soon, with a release of the first production version before too long.

Statewide, about two dozen prosecutor's offices have indicated that they will use this software package. Any other prosecutor interested in obtaining this application should contact Wayne Dirks, BSE Prosecutor Application Project Manager, at 785-232-4433 or at wdirks@bsegov.com.

Kansas Disposition Report (KDR) Gateway

There has been significant progress in the construction of the KDR Gateway designed by Business Software and Equipment, Inc (BSE).

The gateway provides an interface between local prosecutors and the Central Repository to process and validate electronically transmitted criminal history Kansas Disposition Reports (KDR). The agencies that use this gateway will package all the data found on the Kansas Adult Disposition Report (KADR) and the Kansas Juvenile Disposition Report (KJDR) and send the data by electronic file rather than by use of the printed forms.

BSE has recently delivered the final version of the Interface Control Document (ICD), which gives all the details and specifications an agency will need to make connection for automated record submission. The ICD gives options for connectivity and the technical standards that a programmer needs to develop local applications for message structure and record movement. Also included are the business rules for editing and validating record content.

Agencies that have participated in the initial design of the KDR Gateway have been given copies of the ICD. Any other agency that wishes to review the document is encouraged to contact either Wayne Dirks, BSE, at wdirks@bsegov.com, or SAC David G. Sim, KBI, at dsim@kbi.state.ks.us.

Reporting Hyphenated Last Names

When the KBI Central Repository migrates to its new database and operating system later this year, one of the major improvements will be a new name-search program. This application will search the database for exact or possible name matches, as decided by the operator. It is an exceptionally robust application that will dramatically improve the likelihood that a query of the database will find the correct record.

To prepare the name index for the new system, we have adopted the standard that hyphenated last names will retain the hyphen (as opposed to dropping the hyphen or separating the family names into individual records). This decision best supports the capabilities of the new name search program, which will be able to search a hyphenated name. It is also the same standard used by the federal databases.

All submissions to the Central Repository should use the same standard. When you have a hyphenated last name, report it as such. Don't try to disassemble the name or report each variation.

Another standard is to include the full middle name. This assists record identification during queries.

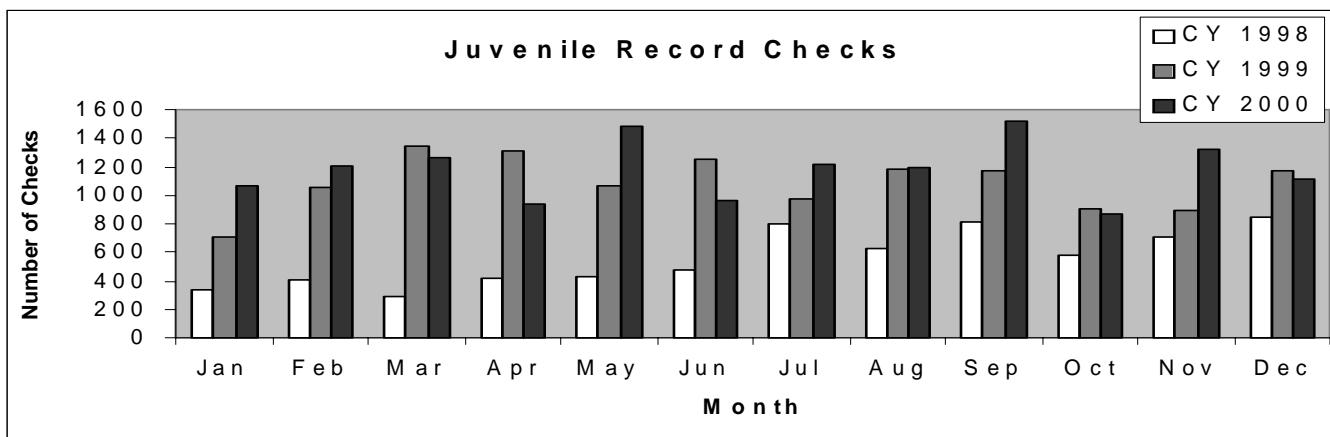
New RAP Sheet Cover Page

Two months ago the KBI Central Repository added a cover sheet to the adult RAP sheet. That cover sheet included the mailing address of the requesting agency, for use with a window envelope. In January, general information regarding the use of the RAP sheet was added to the cover sheet. There are five brief statements printed on the page for the benefit of the receiving agency, covering the following topics:

- References for the key laws and regulations governing the use of criminal history record information.
- Obligation to notify the subject of the record check.
- Conditions for the use and subsequent dissemination of the record.
- Requirement to permit the subject an opportunity to challenge the record.
- Procedures for challenging and correcting the record.

Increasing Use of the Juvenile Justice Information System

The juvenile offender database maintained at the KBI Central Repository reports continued growth in the number of record checks and record releases. For the past three years there has been an increasing number of queries of the database and the subsequent release of juvenile abstracts of record. Barbara Berggren, the supervisor of the Juvenile Records Unit at the KBI, attributes criminal justice agency awareness as the main reason for the increase. The following chart shows the steady increase in use of juvenile data. This data does not include record checks of the juvenile database for applicant processing; that number is holding steady at about 3,300 per year.



Decrease Noted in Juvenile Dispositional Submissions

While submissions of juvenile arrest fingerprint cards to the Juvenile Justice Information System database at the KBI Central Repository are increasing each year, there has been a decrease in the reporting of juvenile case dispositions. That means that there are more arrests being reported than dispositions, and the gap is widening. There are two immediate consequences of this problem:

- ✓ The juvenile offender database becomes increasingly incomplete. Users of the data will not receive all the information that should be in the record.
- ✓ Funding decisions that rely on statistics from the database may penalize the counties that are not reporting their dispositional activity.

The news is certainly not all bad. There are several counties that are to be commended for their successes in submission of arrest and dispositional information. In alphabetical order, they are:

Barton, Butler, Chase, Finney, Harvey, Jackson, Jefferson, Saline and Sedgwick counties.

FBI Fees for Background Checks on Contracted Criminal Justice Services

The FBI was recently asked to review their policies regarding fingerprint-based record checks for persons employed by a contractor providing support to a law enforcement agency. Throughout the United States there are more and more service contracts being awarded to private companies that administer criminal justice on behalf of a governmental criminal justice agency. For example, 911 dispatch centers.

A logical consequence of that expanded role of private contractors is the review of the status of the contractor's employees. Are they considered criminal justice employees and thus subject to the waiver of fees for applicant fingerprint processing?

The FBI has determined that the answer is "no." A user fee is imposed consistent with the fee paid by any private employer. In part, their position is explained as follows:

"...The employee of a contractor, while performing an administration of criminal justice function, does not become a criminal justice employee. He/she remains an employee of the private, for-profit contractor, who simply has access to the criminal justice agency. Those employees are at all times considered private employees, regardless of assignment."

FAQ

Questions Received via Mail, E-mail, Fax, Phone and Thrown Bricks . . .

Q – Our County Attorney and Sheriff are both newly elected. Aren’t they supposed to sign an agreement that permits use of the NCIC and ASTRA networks?

A – Yes. The agreements are required by both state and federal rules and regulations. If there is a change in the head of any agency that accesses NCIC data through the KCJIS network (whether the agency is a terminal or a non-terminal agency), a new agreement must be signed for NCIC and KCJIS access. The Kansas Highway Patrol is the NCIC Control Terminal Agency for Kansas. As such, the KHP CJIS Auditors are already in the process of distributing agreements to the new terminal agency heads via USPS or in person. Two of the more-common agreements required for access are the *Kansas Terminal Users Agreement for NCIC Access* and the *ORI User Authorization Agreement*.

Q – But what about the other NCIC users that are not terminal agencies?

A – Terminal agencies that have *ORI User Authorization Agreements* with non-terminal agencies must get new agreements signed whenever the non-terminal agencies receive new agency heads. Also, regional dispatch centers must have a new *Management Control Agreement for Regional Dispatch Centers* signed if a new sheriff has management control, or if a new sheriff is on a governing board with management control.

Q – I’m a dispatcher in the Sheriff’s Office and I was recently authorized to run record checks through KBARS. When I ran one name, KBARS responded that the criminal history record wasn’t available on-line, and asked if I wanted the subject’s record automated. What’s that all about and how will I get the subject’s record?

A – The Kansas Central Repository database is not fully automated. That means that many criminal history records are missing arrest or disposition segments. When you search the database through KBARS and hit a record that is fully automated, the RAP sheet immediately displays on

the screen and you can print the record on your system’s printer. However, if you hit a record that isn’t fully automated, KBARS asks if you want the record brought up-to-date. If you say “yes,” a clerk in the central repository will pull the record jacket and enter all the missing pieces into the database. You will then be sent an e-mail advising you that that record is now automated and available on-line.

Q – Under what circumstances must a juvenile register under the provisions of the Kansas Offender Registration Act?

A – This question is too complex for a short answer in this column. If you have questions on whether a juvenile is required to register under the Offender Registration Act, call Jesica Guth at 785-296-6656.

Q – Can a Law Enforcement Agency conduct a purpose code “E” (PUR/E) record check through the KBI? Our City Council has directed the Personnel Office to obtain criminal history record checks through our Police Department for all applicants for city employment.

A – Yes, if there is a Kansas statute, municipal ordinance or county resolution that requires such checks and specifically requires the Police Department to conduct them. If there isn’t such a statute, ordinance or resolution, non-criminal justice record checks cannot be conducted by a criminal justice agency. For example, if there is a municipal ordinance that requires the Police Department to conduct criminal history record checks to determine qualifications for taxi cab licenses, then the PD would be entitled to either conduct a name check using “PUR/E” or submit applicant fingerprint cards to the Central Repository.

Q – We don’t have such an ordinance or resolution. And there is no KSA that requires these checks. So if the Police Department can’t run the record check, how does the city’s Personnel Office obtain criminal history record checks?

A – The city Personnel Office may establish an account with the Central Repository and directly submit the record check requests. The Central Repository will then disseminate the records directly to the Personnel Office. The Police Department need not, and should not, be involved.

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Q – If the city passes a municipal ordinance requiring the Police Department to conduct criminal history record checks for all city employees, will the Central Repository bill the Police Department?

A – First of all, billing **does not apply** to applicants for employment with criminal justice agencies (e.g. the Police Department, Prosecutor's Office, Court, Sheriff's Office). These applicants should be fingerprinted (not just checked by name) and the fingerprints processed at the state and national level. There are no fees for these checks. However, billing **does apply** to applicants for employment with non-criminal justice agencies (e.g. Fire and Rescue, Recreation Department, Appraiser's Office, Library). These applicants are processed as non-criminal justice record checks and the Police Department will be charged the appropriate fees by the Central Repository.

Q – Will the Kansas Central Repository forward non-criminal justice applicant fingerprint cards to the FBI for a national search?

A – Not unless there is a Kansas Statute that requires a national check. The FBI won't honor a municipal ordinance or county resolution that requires a national search for non-criminal justice record checks.

Q – Our city does have a municipal ordinance requiring the Police Department to conduct background checks on applicants for taxi licenses. If the Kansas Central Repository can't send non-criminal justice applicant fingerprint cards to the FBI, can the Police Department run a III to get the national check so the taxi driver can be licensed?

A – No. That would be a violation of NCIC rules and federal law. The only way to obtain a national check for non-criminal justice purposes is to have a specific state law that requires such. As mentioned above, municipal ordinances are not considered by the FBI to satisfy that requirement. The fact that the check is conducted by a criminal justice agency is not a consideration. **A criminal justice agency is not allowed to conduct a criminal justice record check for non-criminal justice purposes.**

Q – Our County Government's Personnel Office sent in a set of applicant fingerprint cards for a non-criminal justice record check they were conducting for an employment applicant. The Central Repository sent the cards back because the prints were unsatisfactory. The Personnel Office resubmitted new cards. Later they were billed twice; once for each submission. Why?

A – Because the Central Repository's "rejection letter" that returned the first set of fingerprints was not included with the resubmission. That meant the Central Repository couldn't discriminate between the resubmission and first-time submissions. The requirement for resubmissions is to send back the "rejection letter" and the first set of fingerprint cards with the new set. That will cue the Central Repository and prevent duplicate billing.

Q – Can our Sheriff's Office conduct a criminal justice record check on a civilian clerk working in our Dispatch Center?

A – Absolutely. The Dispatch Center clerk is an employee of the Sheriff's Office. All employees of a criminal justice agency are subject to a criminal justice background using purpose code "J" (PUR/J).

Q – If the Dispatch Center clerk has a criminal record, what criminal offenses disqualify access to Kansas criminal justice information?

A – The disqualifiers are the same as those for NCIC access. Use the same standards for both federal and state access. You may also review the standards at the KBI web site. Go to www.kbi.state.ks.us, click on *CJIS Project*, then click on *CJIS Network Security*. There is a portion of the security document entitled *Personnel Security* that explains what type of backgrounds and minimum standards an employee must have before being granted access to the KCJIS network.

Q – Our Sheriff's Office received a fax'd request for release of record information from a private detective firm in Clearwater Florida. The fax said "Please advise if the following individual(s) has/have been booked into your facility in the past." Then there were two names with social security numbers and dates of birth. Do we need to respond to this request?

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A - There are two issues here. The first issue is whether or not the information is releasable to the general public (a private detective agency has no special entitlement to the information, so it would be treated as a request from a member of the public). Inmate rosters are probably always releasable to the public, as are police desk blotters, court records and traffic violations. Your County Attorney should be consulted for specific guidance on this point. The second issue is releasing information by phone, fax or mail (USPS or e-mail). Whether your office requires in-person requests or accommodates remote contacts is a matter of local policy. The essential requirement is to be consistent in how your office handles requests. Once again, your County Attorney should participate in reviewing the process you use.

Q - *The previous answer referred to inmate rosters and police blotters. Aren't they considered "open records" under the Kansas Open Records Act?*

A - Yes, they are, as determined by Kansas Attorney General opinions 87-25 and 98-38. Furthermore, if a law enforcement agency does not maintain a blotter, the agency is under a common law duty to disclose basic information about arrests during the period that is reasonably contemporaneous with the arrest.

Q - *Our Sheriff's Office is running low on both the KBI Juvenile and Adult fingerprint cards. How do we order more?*

A - The KBI no longer prints fingerprint cards. For all fingerprint submissions (arrest, applicant, confinement, autopsy...) we use the national cards printed by the FBI. Law enforcement agencies order directly from the FBI, so that the agency's ORI and address are pre-printed on the cards. If you need an order form you may call Ross at the KBI Central Repository Mail and Distribution; 785-296-8268. He can either fax or mail you a copy.

Q - *If we use the FBI arrest fingerprint cards, how do we distinguish between an adult and a juvenile booking?*

A - On the back of the fingerprint card in the upper left-hand corner there is a box labeled "Juvenile Fingerprint... Submission ... Yes" You must mark that box if the subject is a juvenile being processed as a juvenile. If the subject is a juvenile who has either been waived to adult status or is being handled as an adult, you would mark the box labeled "Juvenile Fingerprint... Treat as Adult... Yes." If the subject is an adult, neither box is marked.

Q - *What's the best way to equate a dog's age to a human's age?*

A - The old formula (1 dog year equals 7 human years) has been updated. A better calculation counts the first year of a dog's life as 15 "human years." The second year of a dog's life equals 10 years, and every year thereafter is equal to 3. For example: A ten year old dog would be: $15 + 10 + (3 \times 8) = 49$ "human years" old.

**FYI
Information Security Web Site
for the Quarter**

The Security Officer at the KBI has found the following web site to be a very useful resource for security information.

SANS Institute
www.sans.org

