



KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL

KCJIS *NEWSLETTER*

Volume 6: Issue 3; September, 2004

**2004 KCJIS CONFERENCE
CAPITOL PLAZA HOTEL - TOPEKA
NOVEMBER 22-23, 2004**

Mark your calendars for November 22nd and 23rd, 2004. The KCJIS Conference will provide general sessions to update you on NEW changes and additions to KCJIS. Breakout sessions will provide TRAINING and detailed information on specific KCJIS capabilities. Come see how KCJIS can help you!

There will be sessions for everyone! Whether you are in law enforcement, courts, parole, community corrections, juvenile justice, probation, corrections, or prosecution, you will learn something valuable at this conference! More details on the agenda will follow soon! The NEW Portal 100 software will be demonstrated and training will be available. This will be your first opportunity to see the NEW “Kansas Prosecutor System”, which will be available to all prosecutors in the summer of 2005.

The conference is FREE but registration will be required. Details on the registration process will follow shortly. The conference will be held at the Capitol Plaza Hotel and Conference Center in Topeka. So take out your calendar and **reserve Nov. 22-23, 2004** to join us for learning, fun, and a “view into the future” of “integrated justice” in Kansas!

KBI Submits Proposal to Replace Automated Fingerprint Identification System (AFIS)

By Ely Meza, KBI

The Kansas Bureau of Investigation is requesting \$3.9 million in FY 2006 to replace the state’s Automated Fingerprint Identification System (AFIS). The KBI completed a Pre-Feasibility Study Report (FSR) for the Kansas Information Technology Office (KITO) on May 26, 2004, and on June 28, 2004 was given approval by the Chief Information Technology Officer (CITO) to proceed with the project. While the project has received preliminary approval to move forward, a full feasibility report and project plan must be approved by the CITO prior to the contract award. On August 6, 2004 the KBI briefed the legislature’s Joint Committee on Information Technology (JCIT) and asked for their support. The next step is to secure funding. The funding process started with submission of the agency’s FY 2006 budget in September, and concludes with legislative approval of the state budget in April 2005. The target date for completing the project is December 31, 2006.

Why replace the current AFIS? Printrak/Motorola, the current AFIS vendor, recently announced that guaranteed support for the existing AFIS (AFIS 2000) expires in December 2006. Effective January 1, 2007, hardware will only be supported based on available parts. Software enhancement has not been available since October 1, 2003.

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Additionally, the pre-feasibility study concluded that technology obsolescence and the need to implement new AFIS capabilities is needed to better support local law enforcement efforts and respond to increased demands for identification services related to the U.S.A. PATRIOT Act and the National Child Protection Act.

What will a new AFIS provide?

- ⇒ Functionality to support participation in the National Fingerprint File (NFF).
- ⇒ The addition of ten-print flat impression capabilities.
- ⇒ Enhanced system security to protect the database and ensure compatibility with KCJIS.
- ⇒ The addition of two-fingerprint identification processing and mobile data terminal transmission capabilities.
- ⇒ Fully functional 24x7 lights-out processing requiring minimal human intervention.
- ⇒ Improved accuracy of fingerprint search results by upgrading the processing algorithm.
- ⇒ Improved efficiency and system speed by upgrading automation features and reducing the need for time consuming manual intervention.
- ⇒ The addition of palm prints to enhance latent capabilities for criminal investigations.

The new AFIS technology is expected to be fully compatible with existing livescan and latent workstations. However, to take full advantage of the new features and functionality, and as workstations need to be replaced, agencies will likely want to upgrade accordingly. At the point that the project is funded and ready to move forward, local agencies with livescan and latent workstations connected to AFIS will be asked to participate in the project plan. The KBI will continue to update the users as the project moves through the budget and legislative process.



Community Corrections Update

by Mary Chambers
KDOT - IT

A new tool to help law enforcement identify Parole absconders and Intensive Supervised Probation absconders is now available on the Department of Corrections public website at www.dc.state.ks.us/ The website, updated each working day, provides a list of offenders supervised by the KDOC and a list of offenders supervised by Community Corrections, all of whom have absconded from supervision.

The website also provides a brief description of the process for absconder status by Community Corrections and KDOC. Made available to the public in April, this initiative was a collaborative effort between the Department of Corrections, the Kansas Attorney General and the Kansas Criminal Justice Information System.

During the month of June, the Department of Corrections expanded the Kansas Adult Supervised Population Electronic Repository (KASPER) website to include Community Corrections offender information. The website, found at www.dc.state.ks.us/kasper2/, displays demographic information along with conviction information on offenders currently under Intensive Supervised Probation by Community Corrections programs across the State of Kansas.

The web site is designed to allow the public to easily enter an offender's name and then read the resulting information about the offender regardless of which agency supervises the offender.

The third and final stage in the development of KASPER is the inclusion of Court Services probation information. Towards that end, during the month of September, Johnson County Court Services became the first Court Services agency to successfully transmit data to the Department of Corrections. Once the testing of Johnson County information is completed, the KDOC will be working with the Office of Judicial Administration on the display of Court Services probation information from the Full Court system via KASPER.

Kansas Court System is on a Roll!

by Gordon Lansford
KCJIS Director

For the last four years the Kansas District Courts have been implementing a new automated case management system. It has been a major undertaking for the district courts and the staff at the Office of Judicial Administration (OJA). The system is called **KICS** (Kansas Integrated Court System) and is viewed as a model for other courts in the United States.

Kansas's counties began installing their new court systems over three years ago. The rate of counties converted increased rapidly as the skill and expertise of doing conversions and training increased. With the addition of Wyandotte County District Court in July 2004 under the leadership of Court Administrator Bill Burns, and Douglas County District Court under the leadership of Linda Koester-Vogelsang, which was scheduled to go live on October 1, 2004, we are completely implemented across the state.

Gordon Lansford, KCJIS Director, said this has been the most efficiently managed and implemented project he has seen in his 35 years of working with technology projects. The leadership provided by the KICS Committee and the staff at OJA has been outstanding, according to Lansford.

The next step in the project will be to create an interface from the courts to KCJIS to report case dispositions electronically to KCJIS, which will provide additional data for inclusion in the Kansas Computerized Criminal History (CCH) file. CCH is used statewide as well as nationally to produce "rapsheets", provide data used in pre-sentence investigations, and support law enforcement in their daily operations. Work has just begun on that phase of the project, which is expected to be operational after the first of the year.

Thanks to everyone who has participated in making **KICS** the standard by which projects in Kansas are measured.



New Case Management System Soon To Be Available for Kansas Prosecutors!

by Gordon Lansford
KCJIS Director

About a year ago the KCJIS team gathered a group of Kansas County and District Attorney's together to discuss the need for a case management system that could be used by all Kansas prosecutors and that would tie in electronically to KCJIS. Out of those discussions came a team of prosecutors and their office administrators who banded together under the leadership of Douglas County District Attorney Christine Kenney.

Douglas County applied for, and was awarded, a Byrne Grant to develop and implement the new system in four pilot counties. The development team is being led by Brenda Jordan, Assistant County Attorney from Riley County who is also the representative for all Kansas Prosecutors on the KCJIS Committee, which governs KCJIS. The four participating counties, which will also be the pilot counties, are Riley, Leavenworth, Pottawatomie, and Douglas.

The Kansas Prosecutor Case Management System (KPCMS) is being developed using the same sub-system as the Kansas Integrated Court System (KICS), which allows a wide range of opportunities for sharing electronic information among the courts and prosecutors. The development team is in the process of working out various options, which will allow each county to choose what works best for them. Using KICS as a starting point for the prosecutor system will also be substantially less expensive than other alternatives, while allowing each prosecutor to use their own documents and processes.

By the summer of 2005 the pilot counties should be using the system and sometime after the pilots are successful the system will be made available to other prosecutors who may choose to participate. If you have any questions please call Brenda Jordan at the Riley County Attorney's office or Gordon Lansford, KCJIS Director, at 785-633-7700.

Missing Persons Locator Software Available

by Judy Ashbaugh
KBI Administrative Specialist

LOCATER, Lost Child Alert Technology Resource, is a cutting-edge web-based program that enables law-enforcement agencies to rapidly distribute critical images and information about missing-child cases. Other posters titles are also available such as missing adults, wanted persons, crime alerts and reward posters. The LOCATER program is provided by the National Center for Missing and Exploited Children (NCMEC) to law-enforcement agencies free-of-charge. This includes a security certificate to access a protected web site and help desk technical support.

We consider the LOCATER program to be a great step forward in providing law enforcement agencies with the means to better respond to missing child cases through the use of current technology. Please feel free to share this information with other agencies that may be interested in this program. Additional information and forms are available at <http://www.locaterposters.org>. You can install this program on multiple existing PCs.

If you have any questions about this program, please contact Judy Ashbaugh at 785-296-8244 or judy.ashbaugh@kbi.state.ks.us, or the LOCATER staff at 1-877-446-2632, ext. 6389.

Releasing Criminal Histories for National Security Backgrounding

by SAC Dave Sim
KBI Criminal History Records Section

There is an increasing need for backgrounding persons in sensitive positions at the national level. Pre-employment screening and approval to access secure information often require local, state and federal criminal history checks. The type and extent of criminal history data that is released for such checks is dependent on the law that requires the backgrounding.

The primary law governing access to criminal history data for national security backgrounding is the US Security Clearance Information Act (SCIA). The provisions of SCIA are found in Title 5 United States Code, § 9101; *“Access to criminal history records for national security and other purposes.”*

SCIA permits specified federal governmental agencies access to criminal history records for the purpose of backgrounding persons being considered for positions of public trust or sensitive employment involving national security. Agencies that are permitted to obtain criminal history information under the provisions of SCIA are:

- The Department of Defense, to include military recruiters
- The Department of State
- The Department of Transportation
- The Office of Personnel Management
- The Central Intelligence Agency
- The Federal Bureau of Investigation

When one of these agencies requests criminal history record information and cites SCIA as the authority, the request should be honored as would be a request from another Kansas criminal justice agency. That means all criminal history information should be released, to include arrest and expungement data and juvenile offender records. Everything you would give to another criminal justice agency is to be given to the agency conducting a SCIA background.

SCIA requests may be based on name check or they may be accompanied by fingerprint identification, at the discretion of the federal agency requesting the information.

Criminal justice agencies in Kansas most frequently receive SCIA requests from military recruiters to support enlistment backgrounds and from the Office of Personnel Management to support federal security clearances. The person requesting the criminal history should be able to verify their entitlement by showing:

- Credentials establishing their employment in one of the above agencies.
- Paperwork that references the purpose of that particular check as a SCIA check. The citation is either “Security Clearance Information Act” or “Title 5, USC, § 9101.”
- Written consent of the subject of the record check for the release of such information.



National Fingerprint File (NFF)

by SAC Dave Sim

KBI Criminal History Record Section

The National Fingerprint File (NFF) is a federal initiative that builds on the national Integrated Automated Fingerprint Identification System (IAFIS). It is the next step in increasing the automation of moving fingerprint records from the submitting agency through the state Central Repository and on to the FBI.

Under IAFIS, the participating state sends arrest fingerprint records through electronic connection to the FBI rather than by mailing the printed card. This electronic submission can also be used for civil fingerprint submissions (applicant and personal identification records). Kansas began full participation in IAFIS in November 2003, and now electronically submits all arrest and civil fingerprint records to the FBI. Today there are 30 states that match that level of participation.

NFF is the next level of IAFIS participation. NFF provides participating states with additional control over their records by decentralizing criminal history data from the federal to the state repositories. This is accomplished by permitting the NFF state to only send arrest fingerprint records to IAFIS for the first instance of an arrest. The FBI uses that submission to create an indexed record in the federal database. However, fingerprint records generated by subsequent arrests of that individual within that state are not sent to the FBI. This is the difference between participating in IAFIS and participating as an NFF state. There is increased operational efficiency and much greater state control over their records. Currently there are seven NFF states (Oregon, Florida, New Jersey, North Carolina, Montana, Colorado and Oklahoma.) Several other states are actively working to join the program.

Kansas has joined the list of states intending to become an NFF participant. The FBI conducted a site survey and inspection in August and has since provided the KBI with a formal list of actions necessary to be compliant with NFF standards. From this site survey the KBI is developing an implementation plan. Initial expectations are that Kansas' transition to NFF status should occur in CY 2005.

Central Repository Operations Bulletin

The Ops Bulletin is a technical bulletin published by the Records Section of the KBI Central Repository and distributed by e-mail. The bulletin provides information about Central Repository functions, rules and procedures.

Subscriptions to the Operations Bulletin are available by contacting PSA II Barbie Berggren, Supervisor, KBI Document Processing Unit, at: Barbie.berggren@kbi.state.ks.us.

Include "Central Repository Operations Bulletin" in the subject line.

The bulletin is also available on-line in the secure KCJIS web site at:

<https://www.kcjis.state.ks.us/Information/Services/services.asp>

PsPortals and Datamaxx Updates

by Troy Kinney

KBI Network Control Technician II

Portal 100 Version 100.3.114 – An update to the Portal 100 WebClient is expected to be released in the month of October. PsPortals will attempt to implement guaranteed message delivery with this update. The update will also include minor fixes to message screens, such as KEW, KMW, MTO, and MPO.

Datamaxx Version 3.5.0.31 – Datamaxx Applied Technologies has been working with the KBI on an upgrade to the current version of Linxx-2010. The upgrade will apply to the stand-alone as well as LAN versions of the Datamaxx software. A number of previously reported issues are being addressed. All message screens will be brought up to NCIC TOU version 2004-1. Expect an October release date. Teletypes and E-mails to the Agency TACs will precede the release.

AFIS Update

by SAC Dave Sim

KBI Criminal History Record Section

Item 1: The Juvenile Justice Administration (JJA) has successfully tested submission of juvenile custody fingerprint records from their new livescan device at the Topeka Correctional Facility. When the testing is completed they will begin submitting juvenile custody records to the AFIS host site at the KBI. Confinement entry and release data will then be available in the juvenile rapsheet.

Item 2: The Pottawatomie Indian Gaming Commission has successfully connected a livescan device to the AFIS host site at the KBI. The tribe is now submitting livescan applicant records for both state and federal record checks. The Pottawatomie join the Shawnee Mission School District as the noncriminal justice agencies connected to our AFIS network.

Hazardous Materials (HAZMAT) Endorsement Update

by SAC Dave Sim

KBI Criminal History Record Section

As you may recall from previous articles in the KCJIS Newsletter, the Transportation Security Administration (TSA) is required to conduct background checks commercial truck drivers applying for hazardous materials endorsements. This requirement is mandated by the USA PATRIOT Act and must be implemented by the end of January, 2005.

In Kansas, the Department of Revenue's Division of Vehicles (DMV) has oversight responsibility for the HAZMAT endorsement process. The TSA requires our DMV to initiate these background checks by creating the application records and forwarding them through . The Kansas Bureau of Investigation (KBI) will provide technical assistance in receiving the record checks and passing them to the FBI and on to the TSA.

The status of the program is as follows:

- All HAZMAT applications must be accompanied by an electronic ten-print fingerprint record obtained by DMV and processed through the KBI to the FBI.
- The 2004 Legislature passed House Bill 2404 that requires DMV to process HAZMAT endorsement applications to satisfy the USA

PATRIOT Act. This bill also permits DMV to collect a processing fee from applicants. The bill will be K.S.A. 8-2,151 when published in the statute books later this year.

- DMV has begun the purchase process for fingerprint livescan devices. The drivers' license offices that are projected to receive livescan are Chanute, Colby, Garden City, Hays, Mission, Salina, Topeka and Wichita.
- DMV is designing internal database applications to support HAZMAT records-keeping at the drivers' license offices.
- The DMV and KBI are working on the connection of the livescan devices to the host AFIS at the Central Repository in Topeka.
- TSA is building their internal systems to receive, process and disseminate HAZMAT applications and adjudications at the national level.
- Kansas anticipates beginning fingerprint submissions prior to the end of January, 2005.



FAQ

Q – Our Sheriff's Office is hiring a new Deputy. Can we run a "Triple I" record check to see if he has any disqualifying criminal history?

A. Yes. You will be conducting a national record check to determine the suitability of a candidate for law enforcement employment. That is a permitted use of the Interstate Identification Index (Triple I) database. The name-based check is run as a **PUR/J**.

Q – After running a Ill name check as a PUR/J, must we then send in a fingerprint card as a follow-up?

A - Yes. The name check is permitted as a convenience to support timely processing of the application, but the FBI expects that the name check will be followed by a fingerprint card or livescan record. By submitting prints, you are absolutely verifying the applicant's identity at the state and national level.

Q – I work for a Municipal Court and am responsible for sending fingerprint cards to the Central Repository at the KBI. In accordance with KSA 12-4517 our court only sends fingerprints when the subject has been convicted of violating municipal ordinances that are equivalent to a class A or B misdemeanor or assault under a state statute. But what do we do when the subject is diverted?

A – Since a diversion is not a conviction, there is no reportable event. Fingerprints do not need to be taken or sent to the Central Repository.

Q – But what if the subject is charged with a violation of a Kansas statute defining a class B misdemeanor rather than a municipal ordinance? Is the Municipal Court still not required to submit fingerprints?

A – In that case, the subject must be fingerprinted and the record sent to the KBI, regardless of how the case is disposed. Because the offense is a violation of a K.S.A. (Kansas Statutes Annotated), it is reportable to the Central Repository even if there is no conviction in municipal court.

Q – If the diversion of the violation of municipal ordinance fails, then is that reportable to the Central Repository?

A – Yes, if the original charges are heard by the court and the subject is convicted.

Q – Our County Detention Center occasionally books a prisoner being held on an out-of-county warrant. Frequently the charge is “Failure to Appear.” Should we fingerprint the subject and send the card to the KBI, or should we send the card to the agency that filed the warrant? And is the charge the FTA or the original offense?

A – Your detention center should fingerprint the subject for the Failure to Appear (or Aggravated Failure to Appear). If you know the original offense, you may include that as well. Since you are the arresting agency, it is your obligation to send the arrest/booking fingerprint card (or livescan) to the KBI. You must also initiate the Kansas Disposition Report (KDR) and provide that with the paperwork that accompanies the subject to the county that issued the warrant. That county prosecutor will use the KDR you initiated to eventually report the case disposition to the KBI.

Q – We have a municipal college in town. The college administration wants our Police

Department to conduct nationwide criminal history background checks on prospective employees. How can this be done?

A – A noncriminal justice agency (your municipal college) can only obtain national criminal history records when there is a federal law or state statute specifically providing such entitlement. When such a law/statute exists and has been recognized and approved by the US Department of Justice, record checks can be sent for federal identification. These must be fingerprint-based and the national results can only be disseminated to government agencies.

Q – Operations Bulletin 1-04 gave instructions for submitting names to the Central Repository. According to that article, spaces and hyphens are permitted in the last name field. So how are we to report compound last names such as “Smith-Jones”?

A – Report the last name as the subject represents it. If the subject’s identification shows a hyphen (Smith-Jones), then that’s what you are to send in. If the subject’s identification shows a space (Garcia Perez), then that’s acceptable as well.

Q – How do we report last names that include apostrophes? For example, O’Brien.

A – Report the name without the apostrophe (OBrien). That rule is consistent with the NCIC standard.

Q – But how will these hyphens and lost apostrophes affect our ability to search the state database and find the correct criminal history records?

A – The name search routine is not affected by apostrophes, hyphens or the lack thereof. Searching “O’Brien” will return “OBrien” and searching “Smith Jones” will return “Smith-Jones.”

Q – Speaking of searching the state criminal history database, the Web Portal search is not easy to use. Can’t this be improved?

A – Yes, and it IS being improved. The search page is being rewritten for better functionality and should be replaced by early-December, 2004.

Q – Is there any foodstuff that doesn’t spoil?

A – Yes. Honey. While it will sometimes crystallize, honey doesn’t rot or spoil. Samples found in the tombs of Egyptian pharaohs have been determined to be edible after all those millennia.



NEWSLETTER

The KCJIS NEWSLETTER is published by the
Kansas Criminal Justice Coordinating Council

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