



KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL

# KCJIS Newsletter

Volume 9: Issue 3; August 2007



## Attorney General Creates Domestic Violence Unit

Attorney General Paul Morrison recently announced the creation of a Domestic Violence Unit and the addition of a lead Domestic Violence Prosecutor.

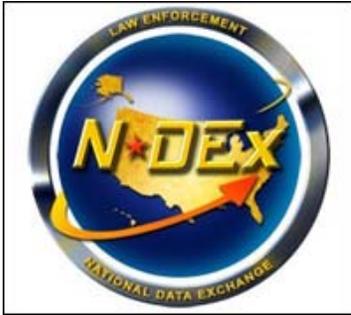
Morrison introduced Assistant Attorney General Jacqie Spradling as the new leader of the Domestic Violence Unit and the lead prosecutor on domestic violence cases in the Attorney General’s Office. Local prosecutors can now request assistance from the Domestic Violence Unit on these types of cases.

“Jacqie is an expert in this field and a highly respected prosecutor who has spent over a decade putting domestic abusers behind bars,” Morrison said. “She has also trained law enforcement and prosecutors for years on investigating and building strong cases to achieve a guilty verdict.”

The Attorney General’s Office has also developed an extensive domestic violence training program for prosecutors across the state. Starting this fall, Spradling will train prosecutors how best to handle these unique cases from beginning to end. She will also work hand-in-hand with law enforcement officers, sharing expertise on how best to investigate domestic violence crimes.

The Attorney General’s Office will also develop BEST practices for law enforcement officers and prosecutors on how to handle domestic abuse calls, arrests and criminal cases. They will send the new Domestic Violence Manual to every law enforcement office in the state this fall.

Attorney General Creates Domestic Violence Unit .....	Page 1	National Items of Interest .....	Page 5
N-DEx Project-Status Report .....	Page 2	IAQ .....	Page 6
IBR Needs Assessment .....	Page 2	CMS .....	Page 6
Testing Article .....	Page 3	TRCC Newsletter Updates .....	Page 7
Illegal Immigrants and Offender Registry .....	Page 3	KIBRS Reporting Issues .....	Page 8
IBR Training Schedule .....	Page 4	NDIR .....	Page 8
IBR Certification .....	Page 4	Domestic Violence and KIBRS .....	Page 9
Livescan Purchase Contract .....	Page 4	“Type of Arrest” on the KSAR .....	Page 9



## **The Law Enforcement National Data Exchange (N-DEX) Project-Status Report**

By Kirk Thompson, Deputy Director  
Kansas Bureau of Investigation

The KBI is pleased to report that the State of Kansas is continuing to actively pursue full participation in the FBI N-DEX system.

The N-DEX system is the result of years of planning and collaboration among local, state, tribal and federal law enforcement communities to establish a secure, national, criminal justice information sharing capability to detect, deter, investigate and prosecute crime. The N-DEX vision is to provide law enforcement agencies with a powerful new investigative tool to search, link, analyze and share criminal justice information (incident and case reports) on a national basis to a degree never before possible.

N-DEX will allow participating Law Enforcement Agencies (LEAs) to detect relationships between people, places, things and crime characteristics, link information across jurisdictions and allow them to “connect the dots” between data that are not apparently related without information overload. N-DEX will provide contact information and collaboration tools for LEAs that are working on cases of mutual interest.

Kansas has been actively involved with the N-DEX process since late 2004, when the KBI signed a Memorandum of Understanding with the FBI to test and prototype the N-DEX system.

As currently envisioned, incident and offense data from the Kansas Incident Based Reporting System (KIBRS) will be shared electronically with the FBI through a connection at the KBI. Incident data will be sent to the FBI National Incident Based Reporting System (NIBRS) for statistical purposes and to N-DEX for operational purposes. Local agencies will continue to submit incident based reports to the KBI KIBRS system as is the current requirement and may continue to access Kansas data for investigative purposes through the KIBRS Views application. When N-DEX is fully operational in our state, the analytical and collaboration tools available through the system will also be available with regard to in-state data.

Data from N-DEX will be shared back to local agencies either through KIBRS system or through an FBI Law Enforcement On Line (LEO) connection.

To take full advantage of the capabilities of N-DEX, and to improve the collection and sharing of crime data within our state, the Kansas Incident Based Reporting System will be enhanced. A private firm, MTG management Consultants, L.L.C. has been hired to assist the KBI in the development of a more functional incident based reporting system. As a part of that contract, MTG will be contacting a wide variety of law enforcement agencies seeking input and ideas. If your agency is contacted by MTG, we encourage you to participate in the system development process or if you know you are interested in participation in the project, please feel free to contact Ms. Janell Zeiler at KBI Headquarters (785-296-8200).

We are anxious to improve the incident based reporting system in Kansas and actively share relevant law enforcement information at the national level. We appreciate your input and involvement in that process and we will keep you informed of our progress. Should you have any specific questions regarding N-DEX, please feel free to contact Janell Zeiler, Dave Sim or Kirk Thompson.



### **IBR Needs Assessment**

By Janell Zeiler, PSA II  
Kansas Bureau of Investigation

On June 26, 2007 the Incident Based Reporting Section at the Kansas Bureau of Investigation released a Task Proposal Request (TPR) for a consulting firm to conduct a needs assessment in Kansas. The needs assessment will involve several agencies throughout the Kansas Criminal Justice Information System (KCJIS) community. The goal of this TPR is to review the current IBR system and provide a needs analysis, design document and strategic plan for improving the Kansas Incident Based Reporting System. It will also provide a plan for constructing data exchange between KCJIS databases and related systems.

On July 27, 2007 the Incident Based Reporting System awarded the TPR to MTG. MTG has an extensive history with KCJIS and the state of Kansas. The IBR staff is excited about this project and looks forward to working with the consulting firm.



## Testing Article

By Tariq Azmi, NCT III  
Kansas Bureau of Investigation

If an agency is looking to add a CAD System or Mobile Data Terminal Interface, the agency must test all of the message keys to be used on their system prior to go into production.

The steps needed to be taken to prepare for the testing are:

1. Contact KCJIS Security Officer at Kansas Highway Patrol (KHP) to get the Interface approved. The security officer is Bob Eckhardt at KHP he can be reached at 785-296-5953 E-mail: Beckhard@leo.gov
2. Bob will notify the requesting agency and copy KBI when he approves the agency for testing which includes, the level of access, the type of connection ( VPN Secure Remote, Firewall to Firewall encryption, Etc)
3. The agency will need to follow up with the KBI helpdesk after the approval so that a ticket may be opened for the agency.
4. The agency will read and agree to the terms stated on the KCJIS web portal <https://www.kcjis.state.ks.us/Information/OpMans/mkb/mkb.asp>
5. The agency will fax on the agency letter head, the IP address the connection is being made from, the message keys, the terminals and the users that will be used for testing. Attn to Tariq or Javier
6. The testing agency will then set a date and time with Javier Barajas or Tariq Azmi at KBI to connect to the test switch to begin testing process.
7. After the connection has been made to test the message keys, the agency will contact Tariq or Javier to review the logs.
8. The logs will be reviewed for the heartbeat, 2 way acking, all of the message keys, log in & log out, disconnect and to verify PIN is not being displayed
9. If the requirements are met then the agency is approved to be moved to production.



## Illegal Immigrants and the Offender Registry

By Kelly McPherron, Assistant Attorney General  
Kansas Bureau of Investigation

The Kansas Offender Registration Act (ORA) requires sex offenders, violent offenders, and some drug offenders to comply with certain obligations. One such obligation is the annual renewal of a driver's license or identification card. *K.S.A. 22-4904(a)(5)(J)*. A driver's license issued to a registered offender is assigned a distinguishing number by the division of vehicles which indicates to law enforcement officers that the individual is a registered offender. *K.S.A. 2006 Supp. 8-243(d)*. Likewise, identification cards are "readily distinguishable" to show an individual is a registered offender. *K.S.A. 8-1325a(b)*.

An offender holding a valid driver's license may continue to operate motor vehicles until the offender's next birthday, at which point, the driver's license will expire. *K.S.A. 2006 Supp. 8-247(h)*. Likewise, a registered offender who possesses an identification card must renew the card "on the first birthday of the applicant following the date of original issue." *K.S.A. 8-1325a(a)*.

However, the division of vehicles will not issue a driver's license to anyone whose presence in the U.S. violates federal immigration laws. *K.S.A. 2006 Supp. 8-237(i)*. In addition, individuals must submit "proof of lawful presence" to obtain an identification card. *K.S.A. 2006 Supp. 8-1324(b)*.

As a result, it appears that an offender who is illegally in the U.S. will be in violation of the Kansas ORA because the offender cannot renew a valid driver's license or identification card. However, although the Kansas ORA requires offenders to annually renew a driver's license or identification card, the act itself does not require offenders to possess either of these items. Thus, an offender will not be considered in violation of the Kansas ORA for having neither a driver's license nor an identification card. However, if an offender obtains either form of identification, the offender is subject to the Kansas ORA, and must renew the driver's license or identification card annually, as set forth in *K.S.A. 22-4904(a)(5)(J)*. Although not required by Kansas law currently, a sex offender will be required to possess a valid driver's license or identification card upon implementation of the federal Sex Offender Registration and Notification Act.

If you have questions or concerns regarding this issue, or any other matters related to the Kansas Offender Registration Act, please contact Kelly McPherron at (785) 296-3150.



## **IBR Training Schedule**

By Janell Zeiler, PSA II  
Kansas Bureau of Investigation

The Incident Based Reporting Section of the KBI is continuing to accept registrations for the 2007 regional training sessions on completing Kansas Standard Offense and Arrest Reports. The objective of these regional training sessions is to review:

- the duties and responsibilities of the Kansas Incident Based Reporting System
- the reporting guidelines of IBR
- how to complete forms that are required to be submitted to the IBR Section

Who should attend?

-Any individual (records employees, Sergeants, Lieutenants, Captains, etc) who reviews Kansas Standard Offense Reports, Kansas Standard Arrest Reports, Law Enforcement Officers Killed and Assaulted Reports, Homicide Reports or Zero Reports prior to them being submitted to the Incident Based Reporting Section at KBI.

If you would like to register for one of the remaining sessions, please contact Janell Zeiler (785) 296-8279 at least two weeks prior to the class date (seating is limited in some locations.)

September 11, 2007  
Sherman County Sheriffs Office  
8:30 a.m. - 3:30 p.m.

September 12, 2007  
Garden City Community College  
9:00 a.m. – 4:00 p.m.

September 13, 2007  
Hays KHP Troop  
9:00 a.m. – 4:00 p.m.

September 26, 2007  
Jackson County  
9:00 a.m. - 4:00 p.m.

October 17, 2007  
Lindsborg Police Department  
9:00 a.m. - 4:00 p.m.

October 19, 2007  
Basehor Police Department  
9:00 a.m.-4:00 p.m.



## **IBR Certification**

By Janell Zeiler, PSA II  
Kansas Bureau of Investigation

Congratulations to Fairway Police Department on achieving certification to submit offense and arrest reports electronically to the Incident Based Reporting Section at the KBI. Fairway is one of nineteen agencies using a third party vendor that has demonstrated the ability to submit Kansas Incident Based Reporting System (KIBRS) data in accordance with the criteria established by the state program. They should be proud of the dedication and efforts put forth by Vonnie Fisher to achieve this milestone.



## **Livescan Purchase Contract**

By David Sim, Assistant Director  
Kansas Bureau of Investigation

The KBI is working with the Division of Purchasing to award an open state contract for the purchase of livescan goods and services. An invitation for bid (IFB) has been published, soliciting all interested vendors to submit a list of devices, peripheral equipment, connectivity services and maintenance options.

For a vendor's products to be included in this open state contract, the devices must be compliant with the current Kansas automated fingerprint identification system (AFIS) standards as defined in NIST Type 2 Message Map (Version 5.1) and Appendix B of the Kansas Fingerprint Transmission Standard. These standards permit capture and submission of palm prints and digital photographs as well as "ten-flat" civil fingerprint records.

The contract will be compiled with responses from all vendors which provide compliant responses. We expect the contract to be released and published on or before mid-September, 2007. Any governmental agency in Kansas will then be permitted (but will not be required) to purchase livescan equipment and services under this contract.



## National Items of Interest

By David Sim, Assistant Director  
Kansas Bureau of Investigation

**Noncriminal Justice Record Check Fees.** The FBI will reduce the fees charged for national fingerprint-based record checks for noncriminal justice purposes. The new pay structure is effective on October 1<sup>st</sup>, 2007. A letter advising customers of the changes will soon be mailed by the KBI Information Services Division.

**Adam Walsh Implementation.** The national Sex Offender Registration and Notification Act (SORNA), also known as the “Adam Walsh Act,” requires implementation by all states within the next two years. At the national level:

- The U.S. Department of Justice recently created the Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office to implement The SMART Office is just beginning operations and will assist states in achieving the provisions of SORNA, to include the possibility of grant funding for implementation projects.
- The Proposed Guidelines for implementing the provisions of the act are found at:  
<http://www.ojp.usdoj.gov/smart/guidelines.htm>.
- Grant funding is anticipated for activities supporting SORNA. While appropriations have not yet been made and rules for application haven't been published, the SMART Office is hopeful that money will soon be made available.

**SEARCH Issue Briefs.** The SEARCH organization is a national affiliation of state representatives dealing with issues of justice information and statistics. Kansas is a member of this organization and is represented by the KBI. One of the benefits of SEARCH membership is access to publications that assist in criminal justice management. In cooperation with the U.S. Department of Justice Office of Community Oriented Policing (COPS), SEARCH has prepared the following issue briefs that are available for view and download at: [www.search.org/programs/safety/issue-briefs.asp](http://www.search.org/programs/safety/issue-briefs.asp).

- **Disaster Planning and Recovery; 9-1-1 Center Survivability.** Lessons learned from Hurricane Katrina and insights for responses to and recovery from catastrophic events.
- **Communications in the Incident Command System.** Multi-agency response, communications within the National Incident Management System and operational best practices.
- **Building a Regional Communications Plan.** Improving interoperability and joint responses to emergencies.
- **Interoperable Communications Training and Exercises: Creating Processes, Tools and Techniques.** Explains that integrated exercises support training in context and evaluated for improvements.
- **Performance Measurement and Interoperability.** Defining interoperable communications, with predictive modeling and an overview of using these concepts to develop a solution for performance measurement and interoperability.
- **Project 25: The Quest for Interoperable Radios.** Explores Project 25 and standards arising from that work.

## **Critical Information Available Through Nlets' Immigration Alien Query (IAQ)**

By Steve Montgomery, Chief Information Officer  
Kansas Bureau of Investigation

With the increasing awareness of the impact and potential dangers of illegal aliens comes a heightened sense of expectation from the public. Americans expect law enforcement to be able to identify and handle illegal aliens.

A simple query (IAQ - Illegal Alien Query) over the Nlets network connects directly to the Law Enforcement Support Center (LESC). 24/7/365 you get manned support services that provide timely immigration status and identity information to local, state and federal law enforcement agencies on aliens suspected, arrested or convicted of criminal activity.

Because LESOC is a manned operation, you receive more than a computerized reply. LESOC technicians have ready access to a wide range of databases and intelligence resources, including information gathered from 8 DHS databases, the National Crime Information Center (NCIC) hot files and the Interstate Identification Index (III), and other state criminal history indices.

Here are just a couple of examples of how valuable the information from LESOC is:

- An IAQ from an Arlington, TX police officer regarding a Mexican national led to a federal conviction for re-entering the United States after deportation.
- An IAQ helped Columbus, OH police and federal officers identify a man arrested after a minor traffic accident as a violent, previously deported felon. The individual is a MS-13 gang leader who had been convicted of participating in a drive-by shooting in Nevada.
- Police in Las Vegas made an IAQ on an individual in their custody for an alleged murder and attempted kidnapping. Research at the LESOC showed that the individual was a previously convicted criminal alien with an outstanding warrant of deportation.

Take advantage of the IAQ to make this critical information available to your officers. You'll find the Nlets IAQ form under Nlets Misc Queries in the Linxx product, or under Nlets Misc Transactions in Portal 100. For more information, contact the KBI Help Desk by emailing [HelpDesk@kbi.state.ks.us](mailto:HelpDesk@kbi.state.ks.us).

## **Central Message Switch (CMS) Client Software Project**

By Denise Wheeler, Network Control Supervisor  
Kansas Bureau of Investigation

Computer Project of Illinois (CPI) and their OpenFox Desktop/Messenger product will be the next generation of CMS Client Software to be utilized in Kansas. They are in the process of finishing up the development of their OpenFox Desktop/Messenger product and will begin quality assurance testing by early August.

### **Schedule**

After initial quality assurance testing by CPI the KBI staff will then begin testing all of the message keys to our test message switch August 13-24, 2007 for edit checks and form format. During this testing phase the KBI test message switch WILL NOT be available to outside agencies for testing. Agencies currently developing interfaces to the message switch should take this into consideration when scheduling and working with their vendors. KBI will publish an article regarding procedures for scheduling testing to the test message switch in the next OPS bulletin.

A train-the-trainer session will be held in Salina at the Kansas Highway Patrol training center on August 27<sup>th</sup> for KHP Auditors, Beta testers and KBI staff.

The Beta testing agencies will begin testing the new software to the production message switch from August 27- September 6, 2007. KBI will review comments from Beta testers and prioritize getting them implemented. Any requests from Beta testers that will affect a change to our current Message Switch will not be implemented at this time.

KHP will begin regional training of the new OpenFox Desktop/Messenger software September 17-21, 2007 and each agency is encouraged to send at least one or two employees to this training. You will receive more information from Kansas Highway Patrol and all questions regarding regional training should be directed to your Auditor.

KBI is planning to have the software available for deployment around September 24, 2007. The initial deployment will not include those agencies that currently have LAN software. Implementation for LAN agencies is currently scheduled to begin sometime after October 24, 2007, the date when CPI is scheduled to deliver the Archive and Retrieval (central logging) subsystem to the KBI for initial testing.

If you have questions or concerns please email the Help Desk at [HelpDesk@kbi.state.ks.us](mailto:HelpDesk@kbi.state.ks.us) or call 785-368-6382.



## TRCC Newsletter Updates

By David Marshall, Director  
TRCC

The Kansas Traffic Records Coordinating Committee (TRCC), an inter-agency committee, provides a periodic forum to discuss projects, initiatives, and issues pertaining to the statewide management of traffic records. The TRCC approved the Kansas Traffic Records Strategic Plan in May 2006 and has been working since June 2005 to develop a statewide Traffic Records System (TRS).

Over the past three months, agencies and organizations associated with the TRCC have made significant progress on a number of items of interest, including:

- Submission of a grant application for successive year NHTSA Section 408 funding, which included a progress report on items in the Traffic Records Strategic Plan
- Formation of a working group to discuss standards for statewide information exchanges, data dictionaries, and enterprise architecture development
- Plans for the Kansas Highway Patrol to develop a field-based reporting (FBR) system for use by law enforcement agencies throughout the state; the FBR system will include over 15 forms used during traffic and accident stops, such as crash forms, incident forms, and insurance forms
- Plans for a law enforcement information technology needs assessment, initiated by the Kansas Bureau of Investigation, which will include a review of the Kansas Incident-Based Reporting System (KIBRS) and data exchanges with Kansas Criminal Justice Information System (KCJIS)
- Distribution of a survey to determine local law enforcement technology capabilities and needs
- Creation and implementation of a robust performance measurement program to measure progress on TRCC projects and initiatives
- Development of communication plans and outreach efforts to encourage additional participation from local organizations

- Planned activities for the next few months include:
- Conducting focus groups with local law enforcement agencies to discuss their information technology needs and to solicit feedback on the FBR system
  - Continued development of statewide standards for the exchange for traffic records information
  - Design and modeling of a virtual TRS, including enterprise architecture planning
  - Identification of additional performance metrics to measure progress on TRCC projects and initiatives
  - Determination of funding priorities for monies from NHTSA Section 408 grants and the Traffic Records Enhancement Fund (TREF)

Broad participation is key to the success of TRCC projects and initiatives. For additional information on any of these projects or to get more involved with the TRCC, please contact any of the following individuals:

DAVID MARSHALL, TRCC DIRECTOR, 785-296-0845 OR [DAVIDM@KSDOT.ORG](mailto:DAVIDM@KSDOT.ORG)

MARK THURMAN, KHP LIAISON, 785-296-6800

ED KLUMPP, KACP LIAISON, 785-235-5619

CAPTAIN LANCE ROYER, KSA/KPOA LIAISON, 785-368-2200

## New KCJIS Newsletter Editor

By Bill Reid, Research Analyst II  
Kansas Bureau of Investigation

After several years of editing and distributing the KCJIS newsletter, I am turning over these responsibilities to Shannon Rodecap. I have worked closely with Shannon on this issue and I am confident the newsletter is in good hands. Your continued submission of articles and topics of discussion are what makes this possible.





## KIBRS Reporting Issues

By Bill Reid, Research Analyst II  
Kansas Bureau of Investigation

In our continuing efforts to improve the data collected from KSOR/KSAR forms, the focus of this article will be on 5 key quality check issues.

**1. Offender Suspected of Using.** In a recent audit of KSORs submitted to the KBI, we noted almost half had errors regarding this section. If the victim states the offender was using drugs or alcohol prior to the commission of the offense, please mark the appropriate box. If you smell alcohol on the breath of the offender, the "alcohol" box should be marked. Any incident report where the offender used a computer to assist in the criminal activity should reflect this by marking the "computer" box.

**2. Notice to Appear is an Arrest.** For KIBRS purposes, an arrest report must be submitted on all persons processed by arrest, citation, or summons for committing an offense within the reporting agency's jurisdiction. Include:

- a. Those persons arrested and released without formal charges being placed against them. (An arrest has occurred when a law enforcement officer detains an individual with the intention of seeking charges.
- b. Juveniles taken into custody or arrested but merely warned and released to parents.

Data on persons taken into custody for other jurisdictions should not be reported by the arresting agency to KIBRS. The agency for which the arrest was made (jurisdiction where offense occurred) will submit the arrest report. This should avoid any duplication in reporting.

**3. Explanation of Harassment by Facsimile.** K.S.A. 21-3839 has been used for reporting all harassing facsimile transmissions. A reading of the statute indicates it is very specific in its application to the courts only. When a victim receives a harassing fax it should be reported to KIBRS using K.S.A. 21-4113 (harassment by telephone).

**4. Unknown Gender for Person Crimes.** The number of reports received with this error is growing. Please take the time to make sure all pertinent information is included. For example, if the

suspect is unknown, but the offense is Rape, the gender should be known.

**5. Domestic Violence Reporting.** Please make certain when an arrest is made for a domestic violence incident, the corresponding KSAR is also marked as domestic violence. It is also necessary to mark the DV box even when the domestic violence battery statute is used.



## More on the National Dental Image Repository (NDIR)

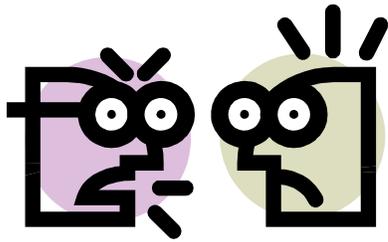
By Judy Ashbaugh, Administrative Specialist  
Kansas Bureau of Investigation

Law Enforcement Online announced the creation of the National Dental Image Repository (NDIR) site on LEO in February 2007. The NDIR serves as an image repository for supplemental dental images related to Missing, Unidentified, and Wanted person records housed in the National Crime Information Center (NCIC). The FBI CJIS Division is actively seeking agencies that are willing to post their supplemental dental images for NCIC Missing, Unidentified, and Wanted person records in the NDIR. All LEO members are encouraged to visit the CJIS Special Interest Group (SIG) to view the NDIR site.

The primary function of the NDIR is to provide a place for agencies to voluntarily house supplemental dental images in a Web environment. A second function of the NDIR is to allow agencies who have an interest in having their dental coding reviewed for accurate and consistent NCIC coding by an experienced forensic odontologist to do so.

For additional information on this program, contact Stacey Davis, Management Analyst, FBI/CJIS Division, 1000 Custer Hollow Road, Clarksburg, WV 26306, Phone: (304) 625-2618, Fax: (304) 625-5090, E-mail: stdavis@leo.gov, or the KBI Missing / Unidentified Person Clearinghouse at 785-296-8200.

This program is available at no charge and if utilized fully will assist in matching unidentified persons with missing or wanted persons. The KBI highly recommends participation in this program.



## Domestic Violence and KIBRS

By Bill Reid, Research Analyst II  
Kansas Bureau of Investigation

For the past three years KIBRS has made a strong push to improve the reporting of domestic violence crimes. Overall, we have seen modest improvements, but on an individual agency level, many agencies have increased their error rating in this category.

The importance of this data is increasing due to the widespread publication of the *Domestic Violence & Rape Statistics in Kansas* book, as well as, the creation of a Governor's Task Force on Domestic Violence and a recently created Domestic Violence Unit within the Attorney General's office.

Occurrences of domestic violence are tracked through KIBRS. K.S.A. 22-2307 and 22-2308 require all law enforcement agencies to have written policies regarding domestic violence that includes a statement of policy which requires law enforcement officers to make an arrest when they have probable cause. KIBRS defines Domestic violence as; any harmful physical contact or threat thereof, or destruction of property between associated individuals or formally associated individuals, used as a method of coercion, control, revenge or punishment. Associated individuals are defined as spouses and former spouses, whether residing together or not, persons involved in a dating relationship, persons who formerly were involved in a dating relationship and persons who are blood or step related to one another.

"Dating relationship" is defined as a social relationship of a romantic nature. A dating relationship shall be presumed if a plaintiff verifies, pursuant to K.S.A. 53-601, and amendments thereto, that such relationship exists. In addition to any other factors the court deems relevant, the court shall consider the following factors in making a determination of whether a relationship exists or existed include:

- (1) Nature of the relationship;
- (2) Length of time the relationship existed;
- (3) Frequency of interaction between the parties;

and

(4) Time since termination of the relationship, if applicable.

If we encounter an incident that meets this definition, your agency may be asked to clarify your policy regarding DV reporting in order to make certain we are capturing data as accurate as possible. Please be patient with our staff as they are dealing with over 400 agencies and almost as many different definitions.



## "Type of Arrest" on the KSAR

By Janell Zeiler, PSA II  
Kansas Bureau of Investigation

The success and utility of incident based reporting data is dependent on accurate and timely submissions by the law enforcement agencies within Kansas. The staff members at KBI headquarters can not fully process offense and arrest reports until they meet the reporting requirements of the state and national incident based reporting programs. After reviewing several arrest reports that have been submitted by agencies in 2007, it appears as though there is still some confusion when reporting the "type of arrest" on the Kansas Standard Arrest Report. The "type of arrest" describes the type of apprehension at the time of the initial contact with the arrestee. Each arrest report that is submitted must have this field completed in order to process the report.

The arrest must be flagged using one of the following types of arrest:

- On-View- taken into custody without a warrant or a previous incident report  
Example: An officer witnesses a gas drive off and stops the individual a few blocks away from the gas stations. The type of arrest would be "on-view."
- Taken Into Custody- based on a warrant and/or previously submitted incident report  
Example: A suspect was taken into custody as the result of a complaint being filed, an investigation being conducted and a warrant being issued. The type of arrest would be "taken into custody."
- Summoned/Cited- not taken into custody (issued a notice to appear or summons to appear)  
Example: An individual is given a notice to appear for disorderly conduct. The type of arrest would be "summoned/cited."
- Runaway- taken into custody based on an NCIC Missing Person Hit  
Example: A juvenile has been reported as a runaway and is handled by law enforcement. The



## *NEWSLETTER*

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

Roger Werholtz, Chair  
Secretary of Corrections

Director JaLynn Copp, Vice Chair  
Kansas Bureau of Investigation

### Council Members

Asst. Legal Counsel  
Office of the Governor

Colonel Bill Seck  
Superintendent  
Kansas Highway Patrol

Justice  
Marla Luckert  
Kansas Supreme Court

Paul Morrison  
Attorney General

J Russell Jennings  
Commissioner  
Juvenile Justice Authority

PRESORTED  
STANDARD  
US POSTAGE PAID  
TOPEKA, KS  
PERMIT NO. 157

OFFICE OF THE ATTORNEY GENERAL  
KANSAS BUREAU OF INVESTIGATION  
INFORMATION SERVICES DIVISION  
1620 SW TYLER  
TOPEKA KS 66612-1837