Hard Work Pays Off – An Update from the DNA Databank

John Gauntt—KBI Biology Section

The Databank staff proudly announces that the backlog of DNA samples has been eliminated. We are now able to process and upload a DNA databank sample into CODIS within weeks of its receipt at the Databank. This has long been our goal, as well as your expectation, of this modern crime fighting tool. In 2010 the DNA samples collected from arrestees or from convicted offenders were linked to 500 unsolved cases throughout Kansas and 16 states. So far in 2011, we are closing in on 100 of these CODIS hits to unsolved criminal cases.

For this process to be used to its potential, it is vitally dependent upon the timely collection of a DNA sample during the booking process and by sending that sample to the DNA Databank. Kansas statute 21-2511 states that a DNA sample shall be collected from both adults and juveniles booked for the commission or attempted commission of any felony or one of eight qualifying misdemeanors. Since more than two of three offenders have already been collected for the Databank (Note: DNA collection is a one-time event for Kansas offenders), booking agencies should first check KCJIS to determine if a DNA sample is on file with the Databank.

Forensic labs from all over the country continue to process evidence collected from crime scenes. If a DNA profile is developed from an unknown suspect and uploaded into CODIS, it can be compared to all of the DNA samples collected from the Kansas DNA Databank and from other states. If cases were only solved by the CODIS search process, the unsolved cases in CODIS would remain unsolved until a DNA sample is collected from the matching offender is collected and processed. For this reason, the importance of collecting DNA at the time of booking is emphasized. Of course, we know that crimes are solved by a variety of methods and the CODIS search is a relatively new tool for law enforcement to compliment the crime scene search.

To illustrate this connection to unsolved cases, a 2010 arrestee collected in western Kansas was submitted to the DNA Databank. The sample was processed, profiled, and then loaded into the CODIS Database. This sample produced an interesting result! The sample collected from this arrestee matched to a series of unsolved rape cases from another state spanning over thirteen years! The victims of those crimes will now be able to seek closure and close that terrible chapter of their lives, not to mention getting a potentially dangerous predator off the streets of Kansas.

For the past couple years, the booking agencies that use the DNA Databank software program have been handicapped with an outdated list of qualifying statutes to pick from for their documentation. Within the next several weeks, the list of qualifying statutes will be updated and it will be made available to all of the booking agencies. However, there will be a change in the documentation process.
Domestic Violence Designation

Leslie Moore—KBI—ISD Manager

House Bill 2517 was passed in 2010 which requires courts to place a domestic violence designation on criminal cases involving domestic violence (DV) offenses. The bill goes into effect on July 1, 2011. Several systems at the central repository have been updated to accept the domestic violence designation to include criminal history, disposition reports and rapsheets.

Livescans have always had the capability to report a domestic violence flag with each offense; however, it was not displayed in the criminal record or on the rapsheet. Both the criminal history record and the rapsheet have been updated to display this information. If submitting a manual fingerprint card simply write DV next to each domestic violence related offense.

The Kansas Bureau of Investigation (KBI) ordered updated barcoded (numbered) Kansas Adult Disposition Reports (KADR) in April to comply with the bill. The updated forms have two new features. The new features are a domestic violence column next to the offense description to mark as yes (Y) or no (N) and a new check box in the programs section for domestic violence assessment. Justice Systems, Inc is also updating the Full-Case system for future electronic submissions of the KADR.

The unbarcoded (unnumbered) KADR forms were also updated; however, will no longer be mailed. An unbarcoded form will be available as a download on the KCJIS web portal. The download will be available in June.

The juvenile forms will not be updated at this time. The domestic violence law only pertains to adult offenders.

The KBI will mail out the updated disposition forms to agencies between late May and early June. New instructions will be posted on the KCJIS web portal in May.

The KBI rapsheet will also have a new designation to inform the reader of domestic violence cases. The designation will appear directly under the arrest agency case number and/or the court case number. It will state, “Domestic Violence Case”. The designation will appear for the case if at least one offense is domestic violence related. The designation will not rely on the case being domestic related from start to finish. The case can begin as a domestic violence case then in court be determined as not domestic. In that instance the arrest will have the designation, but the court will not. The reverse is also possible.

The Kansas Incident Based Reporting System already supports submission of domestic violence on arrest reports and offense reports so no changes were needed.
As most of you know Kansas statutes have been undergoing a facelift to make the statutes more uniform. Last year House Bill 2668 was passed to recodify the majority of the criminal codes. The bill goes into effect on July 1, 2011.

Due to the volume of changes this year the statute file will be released in two increments. This will give local agencies time to update their local systems before July 1st. Hopefully this process will cut down with the confusion that has occurred in prior years.

The first release to law enforcement and criminal justice agencies was on April 8, 2011. The statute file was made available on the KCJIS web portal in two versions. The KIBRS version is for law enforcement RMS systems. The CCH version is for livescans, prosecutors and courts. The current release includes the recodified statutes from HB 2668. The second release will be early summer to include the recodified statutes and the statute updates from bills in the current session.

The recodification made some statutes longer than the current format. To prevent anyone from having to spend more money to update their systems with additional fields the subsections were combined for those statutes. For example criminal discharge of a firearm should have 6 subsections; however, the characters were doubled up in the subsections to utilize the current 3 subsection format. Also, there were a few statutes with roman numerals in the subsection and they were translated into a number.

Criminal discharge of a firearm recklessly at an occupied dwelling was entered as:

  Chapter - 21
  Section - 6308
  Subsection 1 - 1a
  Subsection 2 - Ab
  Subsection 3 - 1A

Since the release on April 8th a few corrections have been reported and corrected. It’s amazing how a few extra eyes can make such a difference. The corrections will appear on the early summer release; however, if you are updating your systems now please make the changes at this time.

Corrections:

- Law Keys 8217-8277 Battery statutes were entered as 21-5313 should be 21-5413.
- Law Keys 9957-9959 Official Misconduct statutes were entered as felony in the description should be misdemeanors.
- Law Keys 9993-10007 Denial of Civil Rights statutes were entered as 21-6103 should be 21-6102.
- Law Key 10322 was entered at felony grid level G6 should be G06.
- Law Keys 9771-9790 Dealing in False ID Documents were entered as 21-5818 should be 21-5918.

A new requirement for law enforcement applying for selected grants this year is to verify whether or not the applicant meets statutory requirements (K.S.A. 22-4701 et seq) for the submission of criminal history records to the KBI central repository. Several agencies have requested the KBI to write letters stating that their agency is in compliance; however, grant requirements do not specify letters from the KBI.

The application should include a statement from the agency verifying that they meet or don’t meet the statutory requirement. If the applicant agency does not meet the statutory requirement then the applicant must explain the barriers preventing the submissions and actions taken toward meeting the requirements.

The Governor’s Grants Office will review all grant applications then contact the KBI with a list of agencies to verify at one time.

For further questions please contact the Governor’s Grants Office at (785) 291-3205.
Over the course of the past several months, the KHP CJIS unit has seen a couple of long time staff members retire and has since added new faces and promoted existing employees to fill those positions.

Long time Audit/Training supervisor Larry Warders retired this past December. Replacing Larry at the helm as the data quality/training audit supervisor is Holly Harwood. Holly comes to the KHP by way of the Wamego Police Department. During her tenure at Wamego, Holly served in several capacities including officer, detective, dispatch supervisor, and agency TAC.

Also new to the KHP and the CJIS unit is Melanie Fox. Melanie’s duties include performing NCIC ORI validations of local agencies. She previously worked for the Kansas Juvenile Justice Authority. Prior to that, she was employed by the Excelsior Springs, Mo police department and Ray County, Mo Sheriff’s Office as a dispatcher.

In March 2010, Don Cathey replaced Bob Eckhardt as the FBI Information Security Officer for Kansas. Don has worked for the KHP since 2002. Don started out in the KHP IT sections and then transferred to the CJIS unit in 2008 as a technical security auditor. In 2010 he was promoted to his current position as ISO. In addition to his role as ISO, Don supervises the technical security audit unit.

Tammie Hendrix has worked for the KHP since 1991. She began her career with the IT section and performed various duties including working on the original AFRS/KLER project. In November 2010 Tammie was promoted to her current position as a technical security auditor and transferred into the CJIS unit.

Joining Tammie on the technical security audit team is long time CJIS employee, Rod Strole. Rod has worked for the KHP since 2001. He began his career as an Administrative Specialist and worked primarily with NCIC ORI validations. He was promoted to his position as a technical security auditor in August 2010.

Congratulations to Holly, Melanie, Don, Tammie, and Rod on their new roles in the CJIS unit!
Arrest Cards Changes or Deletes

Sheri Sharp—KBI—Records Program Consultant

There have been several requests from agencies to delete an arrest transmission or “un-arrest” on an individual. The bad news is that we cannot delete an arrest. Once you push that transmission button, it’s permanent. The information needs to be accurate when it is submitted the first time.

Once a livescan is sent electronically it is not just sent to the Kansas computerized criminal history (CCH) records database. The information also instantly populates the Kansas Automated Fingerprint Identification System (AFIS) database, the MorphoTrak Archive Retrieval System (MARS) database, the FBI Automated Fingerprint Identification Technology system (AFIT), and the FBI Interstate Identification Index (III) database. Correcting all the different databases is very time consuming and impossible in some instances.

Corrections:

The process of changing or correcting items such as a name spelling, DOB, charges or any other information using the livescan resubmission, does not update all the databases. The resubmission only updates CCH and MARS. The incorrect information remains on III, AFIT and AFIS.

When a correction request is submitted manually via a correction form, the CCH and AFIS information are manually updated; however, not all databases may be able to be updated. If it is a subsequent arrest reported to III then the record can be corrected. If it is the first arrest reported to III then it cannot be corrected because the information is the master record. Also, if another state has a record on the same individual in III then the information cannot be corrected because the FBI cannot guarantee that Kansas is the only state that reported the information. The MARS database cannot be manually updated; however, a notation is placed with the images to reflect the update. The AFIT database is not updated.

Due to the current volume of corrections received at the central repository it can take up to 3 months for corrections to be processed.

Deletes:

Arrests can be changed or modified to reflect the correct actions as listed below; however they cannot be deleted. The original fingerprint submission will remain in AFIS, MARS & AFIT databases

If the individual was arrested and then later released without sending the information to the prosecutor’s office, for whatever reasons, then the arresting agency can send in a correction form to update the arrest as “Released, no further action.” This will make the arrest unavailable to the public if a record check is done.

If the individual was arrested and the prosecutor’s office decides that the arrest was not valid or in error, the prosecutor can send the central repository a Kansas Disposition Report (KDR) to decline to prosecute the charges. This will also make the arrest unavailable to the public if a record check is done.
2011 KIBRS Quality Assurance Review

The Federal Bureau of Investigation will be sending three teams from the CJIS Audit Unit to conduct a quality assurance review (QAR) on the Kansas Incident Based Reporting System. The QAR teams visit each state every three years and will be visiting Kansas the week of August 15-19, 2011.

The objective of the QAR audit is to confirm the accuracy of the statistics, assess discrepancies in crime reporting practices, increase agency reporting integrity, and provide feedback on training needs.

The FBI released the following list:

Team 1
Abilene Police Department
Riley County Police Department
Jackson County Sheriff’s Department

Team 2
Haysville Police Department
Sedgwick County Sheriff’s Office
Wichita Police Department

Team 3
Fort Scott Police Department
Pittsburg Police Department
Pittsburg State University Police Department

The teams will verify the validity of the crime data that is submitted to the state program and the National Incident Based Reporting System (NIBRS). Although the teams visit the local agencies to review the original source documents (KSOR, KSAR, and narratives), it is the state program that is actually being audited to ensure the standard procedures and crime classifications are being enforced and followed within the state.

A release of the overall findings will be published in a future newsletter.

IBR certification

Congratulations to the University of Kansas Police Department (3/10/11), Hays Police Department (3/21/11), Westwood Police Department (4/5/11), and Basehor Police Department (4/7/11) on achieving certification to submit offense and arrest reports electronically to the Incident Based Reporting Section at the KBI. As a certified KIBRS participant, these agencies will play a key role in collecting crime data that is timely, and accurate.
ACS -What does it mean on your Kansas Disposition Report (KDR’s)?

Sheri Sharp—KBI—Records Program Consultant

A/C/S: To modify the charge, enter A for attempt, C for conspiracy or S for solicitation. If not applicable, leave this block blank.

In this example: Theft was amended to conspiracy to commit theft.

There has recently been an increasingly large number of livescans coming in with the C for conspiracy next to the charge when the charges are not really conspiracy. (Ex: DUI) If the arrest charges are sent via livescan they will automatically be filled in as conspiracy and the KDR’s that are generated by the livescan will also read as conspiracy.

There are also a large number of paper KDR’s arriving with the C filled out on the arrest line and/or the prosecution line. If you are using the C in the A/C/S field it will be recorded at the KBI as conspiracy “not” as completed.

Some of the confusion has arisen with the differences between the KDR and the Arrest Reports.

Arrest reports (AR’s) ask for agencies to report if the offense was attempted or completed. This is not the case with KDR’s.

Please be aware that even a small detail like a single conspiracy code can and does affect the accuracy of an individual’s rapsheet. The same information also is automatically passed on to the FBI.

If you have any additional questions about the KDR’s, you can call me at 785-296-0816.
Kansas Central Message Switch Replacement

Joe Mandala—KBI Project Manager

Replacement of the Kansas Central Message Switch is well underway, and we have begun testing the implementation as designed. I would like to take this opportunity to thank those agencies and users currently engaged in testing, and to thank those who will soon become engaged in the process. Without your efforts, we would not be working toward an end product as successful as I know we are going to have.

During the APCO-KCJIS conference we held a User Group meeting for the testers, and I’d like to also thank those who attended. Wendy Dedeke from Leavenworth County, Doug Brammer from Brown County, Dennis Rooney from Sedgwick County, and Bob Sawyer from Hutchinson/Reno County all made the trip and offered some valuable feedback. I’d like to ask everyone in the test group to stay plugged in, as things will start getting hot and heavy rather soon with testing. Please refer to the new testing schedule which was distributed recently. If you have questions, please contact the project email below.

One thing that did come out of the User Group meeting was a clear understanding that some issues with the current switch were longstanding and had not been resolved. I strongly encourage all users of the Central Message Switch to report issues with message keys, responses, interfaces, communication, or forms (for those who are OpenFox users) as soon as possible, and to please follow up on your issues so that we can resolve them in a timely fashion. I would very much like to not carry any existing issue forward into the new switch implementation, and our end user community is key to identifying changes which may need to be made. Please report any known issues to the KBI Help Desk at helpdesk@kbi.state.ks.us.

Changes in the KDOR Modernization Project have required some modifications to the testing schedule, which are reflected in the latest schedule distributed after the APCO-KCJIS conference. I am happy to report, however, that our CMS Replacement project continues to be in good standing with the State Project Management Office, and that we are still on target to go live in a November/December timeframe.

The last item that I would like to report on involves the management of users and agencies for the switch, and indeed for all of KCJIS. A new application, called KACIS, is being developed. While not technically part of the CMS Replacement project, it is very closely related, and a word or two about it is warranted here. The new management system, KACIS, will take the place of KSMART for the functions of managing users and agencies, and their authorizations to specific applications (including the Central Message Switch, the KCJIS Portal, etc). Management of terminals will move completely into the realm of the Switch itself. We are developing what will be a much smoother user experience for TACs to enter and maintain users and agency information, and are excited about the opportunities that KACIS will provide in the future for application authorization and ease of use.

Please keep an eye out for communication about project progress and status on the pages of this Newsletter, via the TAC email lists, and periodically via administrative messages on the current CMS.

All agencies are encouraged to send ideas, concerns, or questions to CMSReplacement@kbi.state.ks.us for the duration of the project.

Criminal History Records Working Group

Leslie Moore - KBI—ISD Manager

The central repository is putting together a group that will represent all areas of the criminal justice community for a Criminal History Records Working Group. The first meeting will be in May 2011. The main topic to be discussed is concerns with reporting of criminal history records to the central repository. Highlights from the meeting will be in the next KCJIS Newsletter.
Open Fox Messenger:

Subject Name with space in between.

The “Name” field was not accepting a last name with a space in it, for example Mc Donald. The fix for this issue has been tested and implemented into production on Friday 1/7/2011. If you have any questions, please contact the Help Desk at 785-368-6383.

Periodic Disconnects:

There was a problem reported regarding users being disconnected from OpenFox Messenger even though the server is never disconnected from the switch. After troubleshooting the issue it was discovered the NIC card on the PC has an option “Allow the computer to turn off this device to save power” and it was selected. Having this option selected turns the network card off on the PC once the NIC card is shut off a message is sent to the switch indicating the mnemonic is no longer actively connected and should be disconnected.

We encourage the agencies having problems with periodic disconnects to check their PC’s network card settings. To verify the settings on your network card Click on Start à Control panel à Systemà Select Hardware à Device Manager à Click on Network Adaptersà Right Click on your Network card and Select Properties à Click on “Power Management” Tabà Verify none of the options are checked.

Detailed instructions with screen shots are posted on the KCJIS web portal under the Help Desk link and then look under the CPI heading.

Special Message Keys:

The Motel check and Multi-VIN message keys are located in OpenFox Messenger under the State & National Person folder and/or the Vehicle Query folder.

Motel check allows users to query up to 30 vehicle tags through NCIC with just one click. Multi-VIN is similar to “Motel Check”. It provides users a form to check 30 VIN numbers through NCIC with just one click.

Java Updates:

The KBI Help Desk has found that recent updates to Java, Java 6 Update 24 and Update 25, break OpenFox Messenger. This is because of an Ice Browser that the software is based upon. CPI has been in contact with Java but there is no resolution and no ETA to fix the issues. To prevent receiving these updates and breaking OpenFox Messenger, please disable Java updates by going into the Java Control Panel, clicking the updates tab, and un-checking the checkbox for check for updates automatically.

The KBI Help Desk wants to remind users that we officially only support Java 5 Update 10 as provided on the OpenFox Web Portal. If you have any questions or need assistance please contact the KBI Help Desk by phone at 785-368-6382 or e-mail at HELPDESK@KBI.STATE.KS.US
Severe Weather Notifications:

Currently, OpenFox Messenger sends weather related messages into the Weather folder. CPI has just developed an enhancement to OpenFox Messenger that will notify users when severe weather announcements are delivered to their terminals. This enhancement supports messages from the National Weather Service delivered to the message switch via Nlets. Messenger will classify the message as a severe weather message if the following conditions are all true:

1. The message’s source is NLET0S—Kansas does not currently receive weather messages via Nlets.
2. The message’s MKE is AM
3. The message’s text contains the line ‘National Weather Service’

If these conditions are met, Messenger will color the message in purple, use a special icon for the message, and will play a ‘tornado siren’ style sound.

Once the new Central Message Switch goes live, late this year, Kansas will have the ability to take advantage of this functionality. **The KBI Help Desk is requesting your input on implementing the new weather enhancement.** Please direct all comments, questions and suggestions to HELPDESK@KBI.STATE.KS.US

NCIC:

Please visit [https://www.kcjis.state.ks.us/Information/ncic/PeakPerformanceManuals/index.html](https://www.kcjis.state.ks.us/Information/ncic/PeakPerformanceManuals/index.html) to review the TOU changes. The Help Desk has implemented TOU 10-4 into production; this TOU has a new missing person’s message key. We have placed the two new message keys In OpenFox Messenger under *Missing persons - NCIC and Person with Information.*

**KCJIS Web Portal**

There is now an OpenFox Messenger user guide/manual in a .pdf format for users to print. It has been posted on the KCJIS Web Portal on the Help Desk menu under the CPI section.

**Securemote Download**

This is just a reminder the Securemote download is available on the KCJIS web portal. The download is no longer available on the Fishnet security website.

**KCJIS Systems:**

The KBI Help Desk would like remind users we currently support the following:

**Operating systems** – Windows XP, Windows Vista 32 bit and Windows 7 32 bit

**Internet Browser** – Internet Explorer 6.0, 7.0, 8.0

**Reset Tokens:**

Periodically tokens get out of sync and need to be reset. Common causes to make token resets necessary are:

- The user enters incorrect token code multiple times
- The user enters the token code correctly but the token code changes prior to being submitted
- Trying to use the same token code to log into multiple KCJIS applications.
- If a user has had 3 unsuccessful log-in attempts then the token might need to be reset.

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To reset your token go to the KCJIS web portal at https://www.kcjis.state.ks.us.

1. Enter your user ID
2. Enter your Passcode: (Your passcode is your PIN + the number displayed on your token)
3. If the token is out of synch and needs to be reset the user will see the following screen requesting the user to enter the Next Token code. Make sure to allow the token number to change before attempting to reset your token.

4. After a successful token reset the following screen will appear

Note: The token code can only be used one time. When logging into multiple KCJIS applications you must wait for a new token code.
NLETS:

LPR Captures and Stolen Vehicles:

NLETS is pleased to announce in conjunction with the approval of the FBI ABP process, the National Vehicle Service (NVS) will begin sending stolen vehicle lead information over NLETS to law enforcement agencies (LEAs) across the country. Starting January 3, 2011 NVS will use the AM message key to notify LEAs of License Plate Recognition (LPR) reads that match against active NCIC stolen vehicle records. It is believed that knowing the location of a stolen vehicle prior to or shortly after its theft will greatly enhance LEA’s capabilities to recover the vehicle.

The following messages indicate whether the vehicle’s plate was read after the date of theft or prior to the date of theft for a state other than the reporting state:

**STOLEN THEN READ** (possible recovery location) (reported stolen then read)
VIN 12345678901234567 as reported Stolen to NCIC by you on 02/12/2009, OCA 09-22411-B was Captured on a Digital Mobile Image on 02/06/2009 in Arizona, bearing License Plate Number KQY9685 near the intersection of Harlem and 183rd st. Phoenix, AZ

"This is lead information that the stolen Vehicle may be located in Arizona." Please independently verify this information before you take any action.

DRY, NVS, VANVS006V, 1220 DST

**READ THEN REPORTED STOLEN** (possible recovery fraud) (reported stolen after read date)
VIN 12345678901234567 as reported Stolen to NCIC by you on 02/12/2009, OCA 09-22411-B in Arizona was Captured on a Digital Mobile Image on 02/06/2009 in Illinois bearing License Plate Number KQY9685 near the intersection of Harlem and 183rd st. Tinley Park, IL.

"This is lead information that the Vehicle may have been located in Illinois prior to it being stolen, which could indicate possible fraudulent activity." Please independently verify this information before you take any action.

DRY, NVS, VANVS005V, 1200 DST

If you have any specific questions regarding the lead data and nature of the LPR reads, please call the KBI Help Desk at 789-368-6383.

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**Kansas Incident Based Reporting System: Data Submission Deadlines for 2011**

Janell Zeiler
Public Service Administrator II

The Incident Based Reporting Section at the Kansas Bureau of Investigation has released the 2011 deadline schedule for submitting Kansas Standard Offense and Arrest data to the KBI. These dates also represent the deadline for submitting the Law Enforcement Officers Killed and Assault (LEOKA) report, Supplemental Homicide Reports and the Zero Report.

- **July 15, 2011:** Mid-Year deadline. All January- June 2011 data submitted to the KBI headquarters. This is the deadline to be included in semi-annual statistic reports.
- **October 14, 2011:** Third Quarter deadline. All July- September 2011 data submitted to the KBI headquarters.
- **January 13, 2012:** Fourth Quarter deadline. All October- December 2011 data submitted to the KBI headquarters. This is the deadline to be included in the FBI Crime in the United States publication and other annual statistic reports.