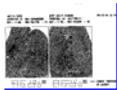


Virginia State Police



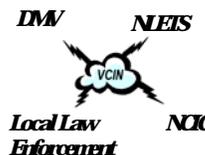
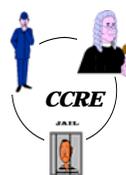
AFIS



Firearms



UCR



Criminal Justice Information Services (CJIS) Division Newsletter

Volume 15, Issue 1

January 2009

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AFIS ACTIVITIES



AFIS

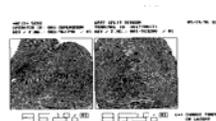
AFIS Palm Print Database Is a "Hit" in Virginia

It has been 1 year since the Palm Print database system went into production in Virginia. Currently, there are 33,500 sets of palm prints stored in the Virginia database.

Originally, there were 2,500 sets of palm prints electronically stored that were used to populate the system. Since then, palm prints have been taken and submitted electronically from live scan devices in 14 criminal justice arresting agencies around the state of Virginia. Palm prints have been taken and submitted electronically from several correctional facilities and SOR palm prints are being stored manually by VSP AFIS technicians.

Over the last year, VSP AFIS technicians have registered over 10,000 SOR palms manually to the AFIS database. Additionally, several ten print sites around the state have made it a priority to enter and store palm prints that are being stored in hardcopy form at their sites.

As a result of this effort, there have been several latent palm print hits. Even though these successes are not being advertised, VSP has been notified of at least four (4) positive identifications in the first year of production.



AFIS

Firearms Transaction Center



The Virginia State Police Firearms Transaction Center joined the nation in processing a record setting volume of gun transactions in 2008. The highest volume was reported in the month of November, with almost 40,000 transactions. A total of 268,136 transactions were processed in 2008. This has been the highest volume of transactions processed in a calendar year, since the beginning of the program in 1989. The following is an example of the some of the significant activity performed by the Firearms Transaction Center staff, the cooperation and efforts of our law enforcement partners, and the importance of law enforcement agencies making detailed documentation on incident reports.

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A Job Well Done Written by Jim Shank Program Support Technician, State Police Firearms Transaction Center

On Saturday, November 15, 2008, a male subject attempted a firearms purchase at a regional gun show. Due to the continuing unusual high sales volumes, his delayed transaction carried over past closing and he left the show and headed home to await approval. The subject was stopped by Poquoson Police Department Patrol Officer Disanto. The conscientious officer arrested the subject for DUI and Possession of a Controlled Substance shortly after midnight. Officer Disanto did everything right. He performed a field test on the drugs and noted the field test results in the report. In addition, he completed his report and turned it in prior to end of tour rather than waiting for his next shift. The Poquoson PD Records Section also played a key role by entering the report immediately, rather than leaving it for another shift.

Program Support Tech Jim Shank picked up the document the next morning ran the FBI number and noted a drug arrest for November 16, 2008. During his discussion with Supervisor Maria Diaz-Alfred, she suggested that he contact Poquoson PD for further information. Duty Officer Corporal Johnson pulled the associated report, which revealed that the officer had tested the drugs on scene. The subject was denied for *Inferred Drug Usage* based on the positive field test and will be ineligible to purchase for one year. When the arresting officer came back on duty that evening, he called to share an interesting bit of information with the Firearms Transaction Center. The subject in question had threatened to come back and shoot the officer. Maybe in this case we did much more than deny a firearm to an ineligible

Firearms Transaction Center—Continued



attempted purchaser.

So many things had to fall into place for this arrest to result in this denial less than twenty four hours after the initial arrest. The officer did the report immediately and turned it in. The officer tested the evidence and included the results in the report. Poquoson PD staff entered the report immediately so that the early morning November 16th arrest was available on the afternoon of November 16th. In addition, the Poquoson Duty Officer was more than willing to work with VSP FTC to search the record and find the one line that allowed us to deny the subject. The pieces all fit together so that a good job could be done by all. This provides great illustration to the value of the Firearms Transaction Center and their dedicated staff, conscientious law enforcement employees and the value to complete, accurate and timely crime reporting.

VCIN NOTES



ATTENTION: AGENCY HEADS AND TERMINAL AGENCY COORDINATORS

Please disseminate the information contained in this newsletter to all users of the Virginia Criminal Information Network (VCIN) within your agency.

The following agencies were added to VCIN during the first and second quarters of 2008:

AGENCY NAME	TERMINAL ADDRESS	ORI
CBN/Regent Campus Police	RCPD	VA128049E
*DMV Law Enforcement Svc. Lynchburg	DMVL	VADMVLB00
*Rappahannock Juvenile Center	RPJC	VA089043C

*DENOTES LIMITED SERVICE TERMINAL

VCIN NOTES—Continued



CONCEALED WEAPONS PERMIT INFORMATION EXCHANGE SYSTEM - CWQ

Nlets in conjunction with participating states have made this information available on an automated basis to all state, local and federal law enforcement agencies as well as criminal justice agencies. The message key to perform this transaction is CWQ. Inquiries may be conducted on a subject's name and date of birth and/or social security number and/or permit number. CWQ transactions can only be addressed to a single two-character state code.

If a particular state maintains a concealed weapon "help" file, then send the administrative message to that particular state, i.e. TNGUNHELP. A "help" file is also maintained by NLETS on states with automated systems. Your agency may access the NLETS "help" file by sending an administrative message to the destination ORI of "NLGUNHELP".

Some states are not automated for this transaction and Nlets will return a standard "NOT AVAILABLE" response if the state is not automated. States not having automated files must be contacted with an "AM" message requesting assistance in obtaining status on a concealed weapon permit.

More detailed information concerning this system will be incorporated into the Nlets section of the VCIN Operating Manual in the next VCIN Manual revision.

CONCEALED WEAPONS PERMIT COMPACT FILE

The message key code QCWP allows an agency to query on a particular state's two-letter code to determine if a state is or is not a participant in the Concealed Weapon Permit Compact. This transaction will also reveal if Virginia recognizes the out-of-state concealed weapons permit when the state is not a member of the compact. The format for this transaction is listed in the File Transactions Section of the VCIN Operating Manual.

BATCH VALIDATION OF GUN FILE RECORDS

Users are reminded that you cannot batch validate recovered, lost or felony gun records. You will have to validate them **individually**. (i.e., MRG (Modify Recover Gun), MLG (Modify Lost Gun), and MFG (Modify Felony Gun))

\$ F-FAILURE TO VALIDATE

Upon receipt of a \$F Message, users are reminded to review the entry and confirm that your current VLN (Name of person that validated the record) and VLD (Validation Date) was accepted by NCIC. If you need further assistance, please contact a VCIN Analyst.

VCIN NOTES — CONTINUED



ERROR MESSAGE RESPONSE FROM VCIN HOTFILES “IN PROCESS RECORD”

Whenever entry agencies are performing any NCIC/VCIN HotFiles Entry, Modify, Clear or Cancel transaction and the user receives an “In Process Record” Error Message; please contact the VCIN Control Center for assistance. When this Error Message is displayed the transaction will not be completed and will have to be performed again.

After the user has attempted to complete one of the transactions and this response is received, the user will only notice a VCIN Number (VIC) on the record and no response from NCIC. In almost all circumstances the user will need to contact the VCIN Control Center to “reset” the record if it has not cleared itself within a few minutes.

To resolve the issue, the user will need to provide the VIC Number for the record and your ORI so the problem can be resolved. After the VCIN Control Center staff “reset” the record, the user will have to re-submit the transaction for acceptance in both VCIN and NCIC. In some circumstances the entire entry may be removed and a user may have to complete an entirely new entry.

INTERPOL DATABASE ACCESSIBLE THROUGH NLETS

VCIN agencies will soon have inquiry capability into the Interpol databases. Interpol provides wanted information on international criminals, including their criminal history and related notices from 187 member countries.

This database also contains information on missing persons, including children; as well as vehicles that have been reported stolen around the world as well as access to stolen travel document information.

All transactions to Interpol are to be addressed with the two letter code “IP”. Complete information on these transactions, including the message keys and required fields will be incorporated into the NLETS Section of the VCIN Operating Manual in the next revision.

E-Magistrate

The Supreme Court of Virginia now has an new system with an automated interface to VCIN HotFiles. The system, know as E-Magistrate, has been used in several pilot test site locations throughout the state for several months with the cooperation of several magistrates and local law enforcement agencies. The E-Magistrate/VCIN Interface will proceed with a statewide roll-out as soon as all agencies have been trained and notice given of the implementation date. We anticipate that this will occur some time in late February.

VCIN NOTES — CONTINUED



This interface permits felonies and misdemeanor warrants issued by magistrates to be electronically submitted to VCIN terminals for acknowledgement and entry into VCIN and NCIC. Emergency Protective Orders will also be electronically submitted to VCIN and NCIC without acknowledgement. This is a similar interface from the Courts Management Information System currently being used by the courts entering Preliminary Protective Orders and Final Orders of Protection.

The E- Magistrate interface works as follows:

- Within 30 minutes of issuance of the warrant or protective order, a VCIN message will be generated by the VCIN hot files interface to the terminal for the law enforcement agency's officer who requested the warrant.
- A "WL" message will be sent through the interface via VCIN to the ORI of record, based upon information provided to the magistrate by the law enforcement agency's officer.
- Upon receiving a "WL" Message from the E-magistrate/VCIN interface, all records will be available but deemed "unacknowledged" and in VCIN only until modified by the record agency.
 - ◇ "Unacknowledged" records will not be available for immediate HIT confirmation because the hard copy of the document may still be en-route to the primary record agency. Therefore, the record will provide a hit in Virginia only, and agencies must be aware the legal document may still be at the magistrate's office and the law enforcement agencies need to verify and obtain the documents before taking police action.
 - ◇ After the entry is acknowledged the record will automatically be entered into VCIN and NCIC. Hits will then received by any inquiring agency and hit notifications will be provided to the entering agency.
- Upon receipt of the hardcopy of the document, Communications Center staff need to run a QW inquiry to ensure that the document has been entered into VCIN. You will also be able to query by warrant number WNO, which is the Offense Tracking Number (OTN).
- Warrants are then acknowledged by performing a modify transaction (MW). Acknowledgement of the VCIN entry automatically forwards the entry to NCIC providing it passes all NCIC edits.
- Documents can also be immediately cleared (CW) or (CPO) or canceled (XW) or (XPO) upon receipt, if required.
- Law enforcement officers will need to contact their Communications Center immediately after receiving the warrant. The person obtaining the legal document shall verify the entry, ensure any additional information is provided or added to the entry and confirm that they have the warrant in their possession or when it will be delivered.

VCIN NOTES — CONTINUED



This new interface is going to provide a great benefit to all Virginia law enforcement agencies and speed the entry of warrants (felony and/or misdemeanor) and protective orders into VCIN/ NCIC issued by magistrates.

Important Note: Law enforcement officers obtaining warrants for subjects of ongoing investigations will need to contact their Communications Center staff immediately and advise them to cancel the warrant(s) entries upon receipt; if there is a concern that the automatic entry into VCIN may jeopardize the investigation. Operators receiving a request to cancel any entry need to document the record to be cancelled and requesting officer's name. When the officer needs to make the entry into VCIN/NCIC, they must contact their Communications Center and provide the documentation for entry. Code of Virginia §19.2-390.B requires entry of all felony warrants within 72 hours of receipt.

This is just a brief description of the E-magistrate system. Please contact your VCIN field representatives if you have additional questions concerning the E-magistrate system.

LiveScan/VCIN Interface

The CJIS Division and IT Division have created an interface between the LiveScan Arrest and Booking System (LiveScan) and the VCIN HotFiles System (HFS). The interface causes a notification to be generated to the wanted entry record holder agency responsible for the warrant entered into the HFS; if there is a matching Offense Tracking Number (OTN) in the two systems. The OTN will appear as the Warrant Number Field (WNO).

The purpose of the interface is three fold.

Primarily the interface was created to notify the record holder that the subject of the warrant has been arrested. Secondly, the purpose is reduce the number of wanted entries that are not removed because an agency may not be made aware of the arrest of a person or as a result of an oversight. Finally, the interface prompts the record holder agency and provides an easy method to retrieve and cancel the wanted entry with less steps than normally required. The following information is a more detailed description for VCIN Entry agencies:

1. When a wanted person is arrested and taken to a jail that uses a LiveScan fingerprinting station, the arrest is automatically entered into the LiveScan Arrest and Booking System. When an OTN is successfully entered during the LiveScan entry, LiveScan will search HFS for a matching OTN.
2. If a matching OTN has also been entered into the HFS Wanted Record, WNO Field and LiveScan makes a match; LiveScan should send a notification message to the Originating Agency (ORI) for the record holder with information as follows:

VCIN NOTES — CONTINUED



**** WB – LIVESCAN BOOKING RECEIVED – CONFIRM BOOKING AND CLEAR OR MODIFY WANTED PERSON

NAM/SAMPLE,JOHN MILTON III
SEX/M RAC/W DOB/19650505
MFI/F OFF/5015 FAILURE TO APPEAR - SEE MIS
WNO/123456789012345 RRI/VA5550000 RCA/ARREST0022994856
VIC/201633951 OCA/12345678901234567890 NIC/ W123456789

3. After the LiveScan booking has been received, the QW response for this wanted person will include the following information:
 1. The “NOTICE/ POSSIBLE BOOKING RECEIVED – ORI HAS NOT CLEARED WANTED PERSON YET “ will appear on the line above the message key (MKE) line.
 - a. This message is notifying anyone receiving a QW “hit” that the person with a matching OTN has been booked and the record associated with the entry has not been cleared out of NCIC and VCIN HFS. Before an agency receiving a QW “hit” takes any arrest action for the subject named when this message appears; the agency needs to contact the record holder agency to inquire and verify that the entry is still valid, notify the agency that the subject is still showing in the NCIC and VCIN and advise them if the record entry is no longer valid, to cancel the entry.
 - b. There may be civil liability issues if an arrest action occurs because the subject of the record may have already been arrested and bonded or released on the charges.
 2. The date of booking (DBK) will appear in the response on the same line as the date of warrant (DOW).

NOTICE/ POSSIBLE BOOKING RECEIVED – ORI HAS NOT CLEARED WANTED PERSON YET
MKE/WANTED PERSON
MFI/FELONY
EXL/WILL PICK UP ANYWHERE IN VIRGINIA
OFF/5015 FAILURE TO APPEAR - SEE MIS
OOC/2801 SALE OF STOLEN PROP
NAM/SAMPLE, JOHN MILTON III
SEX/M RAC/W DOB/19650505
HGT/600 WGT/200 EYE/BLU HAI/BRO SMT/TAT L ARM
POB/VA
SOC/222334444
OLN/T223242555 OLS/VA OLY/2010
CTI/VA103015J DOW/20080220 DBK/20080618
VIC/201633951 WNO/123456789012345 OCA/12345678901234567890 NIC/W123456789
DTE/20080220
**** END OF RECORD – CONFIRM WITH ORI/VA9990000 POLICE DEPARTMENT, SAMPLE COUNTY

VCIN NOTES — CONTINUED



3. In most cases, the Originating Agency will clear the Wanted Person after confirming the arrest.
4. If the booking was in error, the Originating Agency can remove the booking information using a Modify Wanted (MW) transaction.
 - a. A new message field code, Remove Booking Indicator (RBK) has been added for the MW message key.
 - b. If RBK/Y (Remove Booking - Yes) is included in the MW, the Date Booked will be removed and the NOTICE will no longer appear in the QW Response for the wanted person.

Any questions about this new process will should be directed to your VCIN Field Representative, the VCIN Office or the VCIN Control Center.

CJIS Security Policy – Security Addendum **Contract Employees/Vendors**

Policies and laws that govern the operation of the VCIN/NCIC Interstate Identification Index (III) and Wanted Files enable the use of contractors from non-criminal justice agencies to perform work on equipment, software, and systems that transmit and receive CJIS Criminal History Record Information and Wanted Files data from the FBI.

Those contractors and personnel are required to conform to certain regulations, receive and or conduct training, and adhere to certain security procedures that are equivalent to the requirements of criminal justice personnel that operate VCIN/NCIC terminals and request and receive CJIS Data.

Conformance with the FBI Security Policy requires completion of a Security Addendum between your agency and each contractor or vendor and their employees that works on any system that has access to CJIS Data by way of installation or maintenance of hardware, software, and/or telecommunications facilities or components thereof.

Additionally, each VCIN Agency that is required to execute the Security Addendum is required to have an Agency Coordinator. The coordinator's role is to have responsibility for contractor compliance with the requirements of the CJIS Security Policy to include training and logging access for each non-criminal justice contractor that may perform work on those systems and maintaining the log for 12 months. The Agency Coordinator may be a criminal justice employee, terminal agency coordinator, or existing VCIN security officer that has passed the background screening requirements suitable for accessing CJIS Systems.

Other areas of responsibility for the Agency Coordinator are related to physical and personnel security constraints. The requirements have been historically required by NCIC security practices and other programmatic requirements, together with personal integrity and electronic security provisions comparable to those in VCIN/NCIC User Agreements between the VSP/FBI and criminal justice agencies and in existing Management Control Agreements between criminal justice agencies and non-criminal justice governmental entities.

VCIN NOTES — CONTINUED



The Agency Coordinator shall also ensure that the private contractor/vendor has a security officer to maintain a security program that complies with the CJIS Security Policy and that their (private contractor/vendor) security program is documented. The Agency Coordinator and Vendor/Contractor's security officer can coordinate this effort.

The Security Addendum makes clear that access to CHRI and related information will be limited to those officers and employees of the private contractor or its subcontractor who requires the information. Access is only permissible to properly perform services for the sponsoring governmental agency. A service provider may not access, modify, use, or disseminate such information for inconsistent or unauthorized purposes.

As is currently the practice, each criminal justice agency on the VCIN/NCIC system must have a Security Officer to maintain a list of all personnel who manage, operate, develop, access, and maintain criminal justice systems and facilities. Thorough background screening is required including a complete applicant fingerprint card to the FBI through the Virginia State Police.

Fingerprint based background checks must be completed prior to employment to include wanted and national arrest files.

This document needs to be reviewed by your Agency Coordinator and Security Officer with any non-criminal justice personnel in your agency who manage, operate, develop access, and maintain criminal justice systems and facilities. Once the Security Addendum Certification(s) has/have been signed for each vendor employee or contractor, please forward a copy to the VCIN Administrative Office with a cover letter for inclusion in your agency's file.

Furthermore, as the CJIS System Officer, I must ensure that security awareness training is provided at least once every three years to all personnel who manage or have access to FBI CJIS systems, to include contractors or vendor employees. All new employees who have access to FBI CJIS systems and all appropriate IT personnel shall receive security awareness training within six (6) months of their appointment or assignment. Those employees are required to be retrained every three years. Note: If this training is conducted outside of normal certification/recertification process, it is to be documented and retained by your security officer or terminal agency coordinator.

Please remind your VCIN instructors that during every certification or recertification class that training on the FBI CJIS Security Policy Security Awareness must be provided to students. This information can be found as part of all VCIN lessons plans. A copy of a Microsoft PowerPoint presentation for Security Awareness is also available upon request and can be found on Law Enforcement On-line (LEO) VCIN Special Interest Group. If needed, a copy of the FBI Security Policy can be obtained by agencies that have access to LEO.

In the future, when agencies request to install new interfaces or make changes to present interfaces with VCIN, they will be required to demonstrate that a Security Addendum is in place and all Security Awareness Training has taken place with vendors or contractors working on the interface. This will be required before approval is granted by the CJIS Division for the installation of the interface.

VCIN NOTES — CONTINUED



The current interpretation of what individuals this policy governs is under review by the FBI and may change in the next 12 months. Your cooperation in this joint effort to achieve compliance with VCIN and FBI CJIS Security Policy is greatly appreciated.

If you have any questions, you may e-mail VCIN@vsp.virginia.gov.

Availability of Department of Motor Vehicle Images via VCIN

Virginia DMV images became available to our Virginia agencies through the Virginia State Police, Virginia Criminal Information Network (VCIN) using the OpenFox Messenger application in October 2008. Alternatively, they will be available to interface agencies that have completed the programming to your VCIN interface as previously advised. Currently, approximately 3,500 DMV photos are being requested monthly from Virginia and other participating states.

The laws and policies governing the use and dissemination of all DMV information remain the same. The images are to be used exclusively for criminal justice purposes unless specified otherwise herein. The DMV information, including images, will not be retained or used for any purpose other than the intended purpose for which it was obtained. It will not be used for public dissemination unless the subject of the image is known and verified to be the subject in question and the use is related to the purpose for which the image was obtained.

If the subject of the images meets the verification standard above, permissible public dissemination will include use in a wanted poster, a lineup targeted to the subject and his specific description, publicizing a missing person incident, or an incident where the location of an offender would enhance public and officer safety. Random use of DMV images for line-ups or use of DMV images combined with local agency mugshot files is prohibited. Additionally, images are available through Nlets from DMVs in the approximately 13 states. Due to concerns regarding the impact to available bandwidth, as a result of excessive image requests, interface agencies are not to request the image unless it is needed. Automating or bundling queries to automatically run the two transactions required by the system to return images with each driver's license query is prohibited.

Current capabilities will only enable the image to be requested and returned from VA DMV or via Nlets using an Operator's License Number (OLN) or Social Security Number (SSN). If this number is not available, VCIN Users will need to first perform a query to obtain the OLN or SSN and then request the DMV image. Users should refer to the VCIN Manual, Driver Files Section, or the Nlets Driver File Tab for guidance on performing these individual queries. For your information, advanced copies of the guidance documents are attached.

If your agency did not have the opportunity to receive a single copy of Open Fox Messenger Application to enable obtaining DMV photos, during the initial offering through this grant project, please contact the VCIN Office to receive a copy

Additionally, to meet the objectives of the grant funding this project, we ask that you provide information for any instance where the new and immediate availability of any DMV images proved to be beneficial to more successfully resolving a criminal justice encounter. We request that your agency report occurrences between now and April 15, 2009 using the attached form and returning by fax to the VCIN office at 804-674-6704 or 804-674-2918.

VCIN NOTES — CONTINUED



Should you have any questions you may contact Lieutenant Pete Fagan via email at pete.fagan@vsp.virginia.gov or the VCIN office at VCIN@vsp.virginia.gov

VCIN Image Project Survey Report of Encounter and Use of DMV Image

Please complete this form to report information about the use of DMV images. The information should be in relation to the resolution of the matter while using the image and how the encounter would have resulted without the image. Also report any negative effects that may help us improve the initiative.

Agency: _____

Officer Name: _____

Follow-up contact information: _____
e.g., telephone or e-mail

Date and time: _____

Location: _____

Type of encounter: _____
e.g., traffic stop, court, pedestrian stop, and criminal investigation

Nature of Offense: _____
e.g., speeding, identity theft, no identification, sexually assault, missing person, and wanted person

Purpose of image use: _____
e.g., poster, media, one to one identification, and line-up

Method of image access: _____
e.g., mobile data terminal, fixed VCIN terminal, PDA, and cell phone

Please describe the use of the image during the encounter:

Fax the completed form to 804-674-6704 or 804-674-2918

Grant # 2006-CK-WX-0387

VCIN NOTES — CONTINUED



Entry into VCIN and NCIC Wanted Files

In December 2003, the FBI-CJIS Advisory Policy Board (APB) approved expanding the entry criteria for the National Crime Information Center (NCIC) Wanted Person File to allow for non-serious misdemeanor offenses, regardless of the extradition and the seriousness of the offense. The following information is a break down of records that are currently entered into VCIN only and those records entered in VCIN and NCIC:

As of January 28, 2009

VA and NCIC wanted 25553
VA-only wanted misdemeanors 21709
VA-only wanted felonies 120
VA-only wanted unknown 501

Total wanted persons 47883
(46% of total wanted persons in VCIN only)

VA and NCIC vehicles 11898
VA-only vehicles 84

Total vehicles 11982

VA and NCIC plates 24311
VA-only plates 39

Total plates 24350

VA and NCIC parts 814
VA-only parts 10

Total parts 824

We encourage agencies to make entries into both VCIN and NCIC. The entry of wanted persons into both systems could be essential in the safety of our citizens and law enforcement who may encounter wanted persons during violator stops. Additionally, in the case of felonies, these wanted records, if entered into NCIC, may prevent a prohibited person from purchasing a gun in other states. Those warrants entered via the E-Magistrate interface will be entered into VCIN and NCIC automatically after acknowledgement.

The CJIS Division recently conducted a survey of all law enforcement agencies with VCIN entry capability to explore any concerns with forcing VCIN entries to NCIC. The results of the survey were positive toward making this a VCIN policy. We will make the necessary changes to our VCIN manual requiring that all wanted entries be entered into VCIN and NCIC wanted files and attempt to move all entries that are in VCIN only into NCIC as well. We will start auditing this change in April 2009, and will be sending additional information prior to start date to agency heads and TACs.

If you should have any questions, please contact your VCIN field representative.

VSP PERSONNEL WILL BE CONDUCTING PROTECTIVE ORDER TRAINING DURING 2009:

Due to the numerous changes in legislation, VCIN formatting, Brady indicator and the upcoming E-Magistrate system training will be offered throughout the state to improve data quality and increase the understanding of the complexities the new systems and issues related to Protective Orders. This training is essential for all agencies across the Commonwealth.

In an effort to effectively use VCIN personnel and to accommodate training at locations statewide, we have limited the number of dates we can offer this training. Agencies that enter or modify Protective Orders are encouraged to attend one of trainings being offered statewide. Space is limited therefore agencies will be limited to two (2) personnel per session. If you have any questions or wish to register you may submit an email to Jill Humphreys at jill.humphreys@vsp.virginia.gov.

Rappahannock Regional Criminal Justice Training Academy-Fredericksburg

February 25, 2009
10am-12pm

Virginia Beach Public Library-4100 VA Beach Blvd

March 12, 2009
9am-12pm

Central Virginia Criminal Justice Academy-Lynchburg

March 24, 2009
10am-12pm

Southwest VA Criminal Justice Academy-Bristol

April 10, 2009
10am-12pm

Northern Virginia Criminal Justice Academy-Ashburn

April 15, 2009
10am- 12pm

Central Shenandoah Criminal Justice Academy-Weyers Cave

April 29, 2009
10am-12pm

Piedmont Criminal Justice Academy-Martinsville

May 12, 2009
10am-12pm

Cardinal Criminal Justice Academy-Salem

May 19, 2009
10am-12pm; 1:30pm-3:30pm



Incident Based Reporting Highlights

2008 Training Sessions

IBR training sessions were held in September in several different locations in Virginia. Sponsored by the state IBR Program, we were fortunate to acquire the services of an FBI trainer. These sessions were well received and participants indicated that they were very helpful to better understand IBR submission requirements. Approval for additional training sessions, which will be made available to law enforcement agencies in the western portion of Virginia, are underway. When the next sessions become available, it is strongly recommended that your agency participate in this unique training opportunity in your area.

IBR Website

Modifications and additions have been added to the IBR Website. New versions of the Data Dictionary as well as the Procedure Guide Manual are available. New features include, "IBR Overview Presentation" and "Error Solutions" which are currently posted for agency personnel to review. Take a look at these and other Website features. Please let us know what you think about them. The IBR office can be reached through telephone (804) 674-2143 or by email. An easy way to contact the state IBR office by email is to:

- logon to the State Police Website (www.vsp.virginia.gov).
- look on the left side and click "Law Enforcement Services,"
- under "Law Enforcement Services Requiring Secure Logon," click "IBR (Incident Based Reporting)," click "Contact Us," and you will be able to email the Website administrator regarding . You don't need a logon to take advantage of this feature.

The (ongoing) Question of Unfounded Cases

Often agencies inquire about unfounded cases. They think that by marking the status as unfounded, the incident would not be reported to IBR. The status of the report is not an IBR data field; therefore, IBR does not know whether a case is unfounded or not. If you do not know how to "unfound" a case, please check with your vendor to find out how their software handles unfounded cases. If the report becomes unfounded, then your software should send to IBR a "delete" command for that incident. You can check to see if that incident is residing in the IBR database by doing a simple query (see Menu, Reports, Search IBR).

New Features from the Administrative Level - Anomaly Detection

To be more responsive to agency needs and to improve data quality, we have developed a number of programs that identify common anomalies (i.e. data out of the ordinary that may or may not be correct) that are submitted to the State IBR Program Office. Other features include the ability to detect "low" data submissions for a particular month. When any of these types of possible errors are noted, agencies are contacted to request that the appropriate modifications are completed and re-submitted during the next months submission.

UCR HIGHLIGHTS....CONTINUED



U C R

Addressing these concerns is extremely important for a number of reasons. Without complete and accurate data, the FBI will not publish an agency's crime statistics. Perhaps more importantly, inaccurate or incomplete data will lead to incorrect policy decisions and may affect agency or jurisdictional funding in several forms. Finally, the data you send to the state IBR database becomes the official crime statistics for your agency as well as contributing to the official crime statistics for the state and national crime statistics.

Anomaly Detection – Data of Interest

Hate Crimes

The Hate Crimes offenses are a good example where possible anomalies occur. At the time of this writing, 275 hate crime related offenses have been reported for the first nine months of 2008.

The most prominent anomaly for Hate Crimes are reported as "Unknown" (code 99)?

A quick query using the Ad-Hoc procedure indicates that there are a total of 3,653 such offenses submitted as "Unknown". According to the definition of a Hate Crime, that means agencies determined there was some reason to believe the offense reported was a hate crime, but there were not enough facts present to be conclusive. Based on these numbers for the code "Unknown", the question is raised regarding what agencies intended to submit to IBR.

Most often the answer discovered is that the agencies did not intend for these offenses to have been designated as "Unknown." In most instances, what agencies intended to submit or should have submitted, was "None", (code 88). The "Unknown" code should be used when there is information present during the investigation to indicate some hate crime bias motivation on the part of the offender or some ambiguous facts; but not enough information has been verified as contributing to the incident reported. If there is no indication of hate crime bias motivation on the part of the offender, you should code the offense as "None" and/or change it from "Unknown" to "None" at the conclusion of the investigation.

As an illustration, if all "Unknown" coded offenses were included with the actual number of hate crimes there would be a total of 3,928 instead of 275 hate crimes. This figure would represent an incorrect increase of 1,228 percent.

Anomalies Continued.....

..... Your agency may soon receive correspondence from the IBR Program Office asking you to review some cases for additional anomalies. The following are additional examples that may require modification from your agency.

- **Type of drug measurement was submitted as 'XX Not reported' and to date has not been updated.**

A drug/narcotics incident requires a Suspected Drug Type and Estimated Quantity of seized drug. The value of XX=Not Reported is acceptable for the Type of Measurement ONLY as a temporary value while a drug is being sent to a lab and awaiting results. The FBI requires that this field be updated and conducts periodic computer checks to ensure that the XX codes appearing on incident reports are replaced by specific units of measurement and quantities.

UCR HIGHLIGHTS....CONTINUED



- **Victim's age, sex and race are 'unknown'.**
While these values can legitimately be used, usually when two or more of these fields are 'unknown,' the IBR Program office will bring these incidents to your attention for review.
- **Both burglary (220) offense and a larceny offense (23A – 23H) are coded for the same incident.**
The FBI considers larceny-theft as an element of Burglary and, therefore, should not be reported as a separate offense if associated with the unlawful entry of a structure. Property stolen in connection with a Burglary/Breaking and Entering is to be reported as part of the Burglary and not as a separate offense of Larceny. For most burglaries, therefore, only a 220 offense should be submitted. However, there are scenarios during which both a burglary and a theft occur. For example, if an offender breaks into a home and then also steals a bicycle from the front lawn, a Burglary and an All Other Larceny should be reported.
- **Bias motivation = '99 unknown.'**
The code of "99" (Unknown) should be used only if there is some indication of a bias motivation or the incident involves ambiguous facts that the offense could have been bias motivated. Incidents which do not involve any facts indicating biased motivation on the part of the offender should be coded 88 None (No bias). The FBI routinely reviews this field in audits and often determines that the correct code should have been 88 None.
- **Aggravated assault may actually be a simple assault.**
These are incidents with 13A aggravated assaults with none or personal weapons and none or minor injury to victims. Most aggravated assaults involve a weapon (other than personal weapons) and usually result in some sort of major injury.
- **Destruction/Damage/Vandalism of property offense (290) was submitted with a property description of 38 - Vehicle Parts/Accessories.**
The FBI has updated its instructions for coding the property description when a motor vehicle is vandalized/damaged. "When officers report vandalism of a motor vehicle, such as breaking the windshield or keying a car, they should use the code [associated with the type] of the vehicle involved, i.e., 03 Automobiles, 05 Buses, 24 Other Motor Vehicles, 28 Recreational Vehicles, or 37 Trucks because it is a better property description than 38 = Vehicle Parts/Accessories. When the property description is 38 Vehicle Parts/Accessories, one cannot determine whether the vandalized parts and accessories were specifically from an automobile, truck, bus, recreational vehicle, or other motor vehicle. Reporting agencies should use the most specific vehicle type description instead of the description 38 = Vehicle Parts/Accessories."
- **A Credit Card/Automatic Teller Machine Fraud offense (26B) was submitted with a property description of 09 – Credit/Debit Cards.**
The type of property description required for this offense should list what was fraudulently obtained with the credit card. The card itself is not to be listed under this type of offense.
- **Property valued at \$1 million and over was reported.**

UCR HIGHLIGHTS



- **More than one motor vehicle listed in field 18 (# MV stolen with 240) and/or in field 19 (#of MV recovered with 240).**

Agencies are asked to verify that other types of property are not counted in these fields, as well as not counting motor vehicles stolen in other types of offenses, such as robbery, embezzlement, or fraud.

- **Victims/Offenders/Arrestees Age NN, BB, 98**
These incidents contain victims, offenders, arrestees aged NN, BB, and 98.
- **Victims/Offenders/Arrestees Age 01, Age 02, Age 99**
The agencies may have a reporting problem or are confused when utilizing Data Elements "26" (Age of Victim), "37" (Age of Offender), and "47" (Age of Arrestee). They may be misusing the age code of "99" (Unknown) when the age is unknown or they are confusing the age code of "01" and "02" as the victim/offender sequence number.
- **Victim to Offender Relationship**
 - ◇ **"Child"**
Relationship of the victim to offender was "child;" however, the age difference between the victim and the offender was 10 years or less.
 - ◇ **"Parent, Child of boyfriend/girlfriend, stepchild, stepparent"**
Based on the age differences, the agency may be reporting the relationship of the offender to victim.
- **Incest**
An anomaly in this crime often involves sex offenses and is related to reporting an incorrect relationship of victim to offender. Our review of the agency data indicates the reports are sometimes noted with a non-family relationship, (unknown, acquaintance, friend, neighbor or stranger). In the circumstance of a non-family relationship, the offense cannot be classified as incest.

Incest is defined as the non-forcible sexual intercourse between persons who **are related to each other within the degrees wherein marriage is prohibited by law and the victim is over the age of consent.** In Virginia, this would include those children over 13 years of age).

A victim is considered **incapable**, by reason of youthful age (12 years of age and under), or if a mental impairment exists; whether temporary or permanent. Under any of these circumstances; the incident is to be reported as a forcible sex offense and therefore also can not be classified as incest.

UCR HIGHLIGHTS



- **Statutory rape – Victim – Offender Relationship**

Review of agency data for this sex offense indicates numerous incidents have been submitted improperly showing the relationship of victim to offender as a family member (child, grandchild, sibling).

The correct classification for the offense of statutory rape is when non-forcible sexual intercourse occurs between persons **not related to each other within the degrees wherein marriage is prohibited by law, the victim** has given consent to sexual intercourse and, is under the statutory age of consent. Where there is a family relationship and is non-forcible, the offense most likely should be classified for IBR purposes as incest. In Virginia, statutory rape applies to 13-14 year olds (18.2-63B).

If there was sexual intercourse between individuals who were related and the victim was between 13-14 years of age, applying Virginia state code violations, both offenses of incest and statutory rape are to be reported. It should also be noted that if force or the threat of force occurs, then the offense should be classified as a forcible sex offense.

- **Forcible Sex Offenses**

Type Weapon/Force involved - reported as “40” personal weapons. Submitting personal weapons as being used in every forcible sex offense should not routinely be applied if only minor injuries occur. Personal weapons are defined as hands, feet or fists.

The FBI states that any forcible sexual acts as those directed against another person, forcibly and/or against that person’s will; or not forcibly or against that person’s will where the victim is incapable of giving consent.” For Forcible Rape, the FBI also states [incapable of giving consent] “... because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).”

“Forcible” and “against that person’s will” are fundamentally the same as “threats to injure.”

The definition of a forcible sex offense infers that some physical force was used to subdue, to injure or threaten to injure the victim during the commission of the offense. In addition to the types of injuries that may have occurred during the sex offense, physical force is implied by threats to injure using lethal weapons or threats to use some type of lethal weapon and thus providing the proper justification for classifying a sex offense as “Forcible”.

Lethal or dangerous weapons such as; a gun, knife, bat, pipe or other implement should be present or threatened as being present to be considered as a lethal or dangerous weapon used to facilitate the sex offense. Personal weapons may be identified in a “Forcible” sex offense when used to subdue, injure or threaten or injure the victim, to facilitate the sex offense and if serious injuries occur.

In summary, significant injuries, such as those associated with aggravated assault; and having those injuries inflicted with the use of Personal Weapons, (hands, feet or fists), need to occur before using the “40” personal weapons code.

UCR HIGHLIGHTS



- **Unusual property descriptions - reported as stolen/recovered with larceny offenses.**
An example of an anomaly in this data element is an aircraft stolen in a “23E” theft from coin-operated machine or device. Theft from a coin operated machine or device would be a larceny offense.
- **Arson – “Other” Property**
 - ◇ While it is not uncommon to have “other” property as the only property burned, agencies are asked to review those incidents that report high dollar values of burned “other” property.
 - ◇ Often when a vehicle is burned and classified as an arson incident, reports often indicate 38 parts/accessories. The correct property description should identify the type of vehicle burned instead of parts/accessories.

The best way to address these areas of concern determined through our new anomaly detection screening is for each agency to check all their submissions carefully, have reports or data entry double checked and make the appropriate changes. This also involves resubmitting the incident(s) with the next monthly submission file. We strongly encourage all agencies to review their IBR submissions, making any adjustments necessary. The mission of the State IBR Program is to reflect the most accurate, timely and complete statistics as quickly as possible and have those figures reflected in the national program.

How Important Are These Numbers?

Data quality and other IBR data issues are particularly important as we prepare to run reports for the year-end crime figures for Crime in Virginia. These numbers will be used to generate the official crime statistics for Virginia and will also be sent to the FBI for their annual report, Crime in the United States. As always, the goal is to have as accurate and as complete data as possible. Please remember, if data are not complete and accurate, the FBI will not include those agencies for publication. A review of your data would be advisable before the year-end reports are run. One way to do this is to run queries that are available on the IBR Web site – these will provide figures that have been sent in to the state IBR Program.

As a reminder, the year end submission date to enable all crime data to be included in the 2008 Crime in Virginia Report and the year end data to the FBI is March 15, 2009.

UCR HIGHLIGHTS



Statewide, the Group A offense nine month data figures for 2007 and 2008 are as follows:

Group A Offenses—Nine Months	2007	2008	Percent Change
Murder/Non-negligent	300	293	-2.3
Kidnapping/Abduction	1,678	1,556	-7.3
Forcible Rape	1,330	1,336	0.5
Other Forcible Sex Offenses	2,520	2,588	2.7
Robbery	5,529	5,335	-3.5
Aggravated Assault	8,329	8,004	-3.9
Simple Assault & Intimidation	73,055	73,741	0.9
Arson	1,216	1,113	-8.5
Extortion/Blackmail	78	118	51.3
Burglary	22,800	23,132	1.5
Larceny Theft	108,306	113,901	5.2
Motor Vehicle Theft	10,423	10,103	-3.1
Counterfeiting/Forgery	5,252	5,012	-4.6
Fraud Offenses	16,824	17,368	3.2
Embezzlement	2,581	2,495	-3.3
Stolen Property Offenses	1,283	1,311	2.2
Damage/Vandalism of Property	70,005	69,885	-0.2
Drug/Narcotic Offenses	35,405	35,376	-0.1
Non-Forcible Sex Offenses	142	156	9.9
Pornography/Obscene Material	224	305	36.2
Gambling Offenses	58	42	-27.6
Prostitution Offenses	657	508	-22.7
Bribery	13	16	23.1
Weapon Law Violations	7,777	7,773	-0.1
TOTAL	375,785	381,467	1.5

UCR HIGHLIGHTS



Arrests - Nine Months' Arrests 2007-2008						
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
	2007		2008		Differences	
Group A Arrests	82,614	13,442	105,073	18,039	3.7	-0.7
Group B Arrests	130,830	16,439	171,171	20,560	4.3	2.4
Total	213,444	29,881	222,549	30,184	4.1	1.0

Comparing preliminary nine months' data for 2007 and 2008, the number of Group A and Group B arrests increased for adults (3.7% and 4.3 % respectively). Juvenile Group A arrests remained essentially unchanged (-0.7) while Group B arrests increased 2.4%. Reported Group A offenses increases only slightly (1.5%).

The cooperation of all agencies in preparing the reports is an ongoing and collaborative effort to make it a meaningful report.