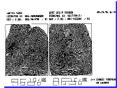


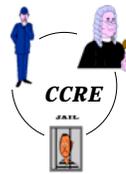
# Virginia State Police



AFIS



UCR



CCRE

DMV

NLETS



Local Law Enforcement

NCIC



Firearms

## Criminal Justice Information Services (CJIS) Division Newsletter

Volume 18, Issue 1

July 2010

	Page
Criminal History—Purpose Code “F” Responses	2
Availability of Department of Motor Vehicle (DMV) Images Through DMV	2-3
Protective Order Issues	3
Dissemination of Criminal History Record Information	3
DMV—Electronic Transcript Requests	3
Crime in Virginia	4-6
IBR Training	6
IBR Quality Assurance Reviews	7-8
Tip of the Month	8-10
Anomaly Detection	10

## AFIS ACTIVITIES



AFIS

The new Archive component of the Integra ID system will be installed in August 2010, as a component of VSP's AFIS system. Criminal data from the current electronic archive system is in the process of being converted to the new system to be accessible after implementation is completed. The remote sites that currently access the archive system for criminal justice purposes will be informed of the switch over schedule, and the procedures to access the new system.

VSP hosted a two-day training class on submitting latent prints through VSP's AFIS system to the FBI's IAFIS. The FBI provided the trainer and the associated materials for the class. The training was well received by the eighteen latent examiners from across the state who attended the training.

## VCIN NOTES



Local Law Enforcement

### Law Enforcement Online (LEO) Access for VCIN Agencies

VCIN agencies are required to have someone at their agency be a member of the FBI's Law Enforcement Online (LEO) website. VCIN maintains a Special Interest Group (SIG) site on LEO. The SIG is named VCIN-VSP and is located in the OPEN SIG area of LEO. You must be a member of LEO and then request access from the VCIN Section through the public area of the SIG to join the VCIN-VSP SIG. Only VCIN Agency Administrators, VCIN Instructors, and certified VCIN operators will be permitted access. The purpose behind creating the VCIN SIG on LEO is to provide a cost effective method for our user community to have a common access point to important VCIN related materials and information. The current VCIN Operating Manual, NCIC 2000 Operating Manual, NCIC 2000 Code Manual and CJIS Newsletter are on the LEO website. In addition, a sub-SIG of the VCIN-VSP site, restricted to VCIN instructors only, will contain VCIN lesson plans, power-points, tests, answer sheets and other instructor related information. A copy of the LEO application can be obtained from the LEO site <http://www.leo.gov>. More detailed information concerning the access of the VCIN-VSP SIG site on LEO is covered in the VCIN Operating Manual, System Section, beginning on page I-13.

# VCIN NOTES — Continued



## Criminal History - Purpose Code "F" Responses

As with all VCIN transactions, it is important that all responses received be read. This is especially true with the responses received from a Criminal History request where purpose code "F" was used.

In a recent incident, a firearm was improperly returned to an individual with a mental health prohibitor that was reported in the Virginia CCRE response.

An agency will receive multiple responses related to the possession of a firearm. The NCIC III response returns information regarding the criminal history and any firearm-related prohibitors, i.e., felonies or domestic assaults in the criminal history files. In the incident above, the III response stated "No Disqualifications for Firearms". It is important to understand that this response only relates to the

criminal history. The Virginia CCRE response includes the mental health record information, which is not a part of the criminal history. In the incident above, the Virginia response stated "Disqualified – Mental Health". That response was not read before the firearm was returned to the subject. The NCIC III response does not include protective order or wanted person information, which are also prohibitors for the possession of a firearm. However, you will automatically receive a wanted check from NCIC/VCIN on each criminal history name inquiry. Agencies that conduct concealed weapon permit checks and other firearms related investigations must be aware that only Virginia mental health record information will be returned when a purpose code "F" criminal history inquiry is made.

The CJIS Newsletter is published by:  
Commonwealth of Virginia  
Department of State Police



Criminal Justice Information Services Division  
Post Office Box 27472  
Richmond, Virginia 23261-7472

### Written and Edited by:

Captain Thomas W. Turner	804-674-4605
Lt. Ronald C. Maxey, Jr.	804-674-2023
Lt. William J. Reed, Jr.	804-674-6719
First Sergeant David J. Crawford, III	804-674-2630
First Sergeant Gregory Jackson	804-674-6759
Ms. Mary Crawford	804-674-2150
Ms. Shannon K. Pounders	804-674-6746
Ms. Virginia H. Gunn	804-674-6724
Ms. Debbie S. Mann	804-674-6750
Ms. Donna K. Tate	804-674-2210
Dr. Norm R. Westerberg	804-674-2143
Mr. J. Larry Howell	804-674-2200
Ms. Robbie G. Prevette	804-674-6703
Donna Walko-Frankovic	804-674-4654

## Availability of Department of Motor Vehicle (DMV) Images Through DMV

On October 1, 2008, CJIS announced that Virginia DMV images became available to our Virginia agencies through VCIN using the **OpenFox Messenger** application. The announcement stipulated the limitation on public dissemination and uses of the images.

The VCIN Manual Section II-8-1 has recently been revised to reflect the language contained in the original agreement with DMV regarding the use of their images.

# VCIN NOTES - Continued



## Availability of Department of Motor Vehicle Images Through DMV — Continued

*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 their 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 mug shot files is prohibited.*

## Protective Order Issues

It is incumbent upon agencies to ensure that protective orders get entered into VCIN/NCIC the same date they are issued. Determine if the General District and/or Juvenile and Domestic Relations Courts will be submitting protective orders electronically to the VCIN system through the Courts Interface. Please note that Circuit Courts do not have the ability to submit electronically, at the present time. An “LPO” message will be transmitted electronically to the law enforcement agency of record. Attach the “LPO” message to the hard copy of the protective order when received from the court or magistrate. If an agency receives a hard copy of the protective order from the court or magistrate but did not receive an “LPO” message, the agency should immediately query NCIC/VCIN to determine if the record is on file. If the record is not on file, the agency must enter it immediately. If the record is on file, the agency must ensure the accuracy and completeness of all information and update accordingly. Also, ensure the hard copy of the protective order is complete to include the service page and addendum. Agencies should establish contacts with all courts and magistrates in case any problems arise with any protective orders, and also establish how the courts/magistrates will be forwarding the hard copy of the protective order, i.e., FAX, hand delivery or pickup method. The courts/magistrates and law enforcement agencies cooperatively working together will improve the response to domestic violence incidents, and help to identify individuals who are prohibited from purchasing a firearm.

## Dissemination of Criminal History Record Information

Section 19.2-389 A. 7., Code of Virginia, allows agencies of any political subdivision of the Commonwealth which have a duly enacted ordinance to investigate applicants for public employment, permit, or license, whenever it is in the interest of public safety, through VCIN. These permit or license investigations are limited to Virginia Criminal History Information, and a query of the Interstate Identification Index (III) is not permissible under these conditions.

## DMV – Electronic Transcript Requests

House Bill 2233, enacted during the 2009 General Assembly Session, allows DMV to require business partners to conduct business with the agency electronically. In accordance with the legislation, DMV announced plans to utilize this authority to require all law enforcement officers to request driver transcripts electronically in July, 2009. **Effective July 1, 2010, all law enforcement entities will need to utilize the VCIN application to obtain transcripts through DMV.**

# VCIN NOTES - Continued



## **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 2010:

AGENCY NAME	TERMINAL ADDRESS	ORI
Accomack County Magistrate Northampton County Magistrate	AMAG NMAG	VA001025J VA065025J

## UCR HIGHLIGHTS



### **Crime in Virginia**

The 2009 Crime in Virginia annual report is complete, and may be viewed on the State Police website [www.vsp.virginia.gov](http://www.vsp.virginia.gov) under Forms & Publications, Publications, Crime in Virginia. As always, we appreciate the continued dedication of all contributing agencies for ensuring their data meets the highest standards possible. This is extremely important; these data are used as the official figures for both state and national crime statistics.

For 2009, statewide violent crimes (murder, rape, robbery, and aggravated assault) declined 9.7 percent compared to the previous year. Property crimes such as larceny, fraud and stolen property were relatively unchanged or showed a slight decrease for the same period of time (-1.4 percent, 0.29 percent, -3.7 percent, respectively). The exception was motor vehicle theft which decreased 13.0 percent. Drug and narcotics violations also decreased, but more moderately (-2.5 percent).

### **Group A Arrests**

As revealed in the following table, there was an overall increase in arrests between 2008 and 2009 (2.8 percent). Adult arrests increased during this period of time (3.9 percent), while juvenile arrests decreased (-4.1 percent). Similarly, comparing 2007-2008 data, adult arrests increased (2.0%), while juvenile arrests decreased (-2.3). For 2006-2007, however, arrests increased for both adults and juveniles (7.9% and 3.7%, respectively).

# UCR HIGHLIGHTS—Continued



## Group B Arrests

Between 2008 and 2009 adult arrests increased 5.0%. This was a greater increase than for previous reporting periods (2007-2008, 1.1%), (2006-2007, 3.9%). Juvenile arrests decreased (-13.9%) between 2008 and 2009. This reduction does not follow the trend of previous comparisons for juveniles. Between 2007 and 2008 there was an increase of 0.04%, and between 2006 and 2007 there was an increase of 9.0% juvenile arrests.

## Group A Arrests and Group B Arrests

There were a total of 345,884 arrests in 2009, compared to 336,189 arrests in 2008, representing an increase of 2.9%. This overall increase in arrests is higher than for the 2007-2008 reporting period (1.2%), but less than the 2006-2007 reporting period (5.6%).

ARRESTS	2009		2008		2007		2006	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
<b>Group A</b>	120,158	17,528	115,608	18,281	113,358	18,703	105,073	18,039
<b>Group B</b>	188,897	19,301	179,885	22,415	177,864	22,405	171,171	20,560
<b>TOTAL Adult &amp; Juvenile</b>	345,884		336,189		332,330		314,843	

The table below compares reporting years 2003 through 2009 for each Group A offense. These figures are rates per 100,000 population.

	Rate Per 100,000							
	Number of Offenses 2009	2009	2008	2007	2006	2005	2004	2003
Murder/Nonnegligent*	<b>349</b>	4.43	4.75	5.33	5.21	6.16	5.26	5.52
Kidnapping/Abduction*	<b>1,848</b>	23.44	27.33	29.28	28.31	28.78	25.34	21.49
Forcible Sex Offenses*	<b>4,779</b>	60.63	67.69	68.94	71.64	70.12	69.55	70.47
Robbery	<b>6,321</b>	80.19	96.36	100.37	101.55	98.92	92.62	89.03
Aggravated Assault*	<b>9,916</b>	125.80	134.33	144.25	152.61	154.44	151.67	150.86
Simple Assault/ Intimidation*	<b>98,335</b>	1,247.50	1,270.37	1,278.19	1,243.86	1,247.80	1,236.76	1,175.22
Arson	<b>1,311</b>	16.63	18.86	21.54	22.73	21.84	21.95	21.21
Extortion/Blackmail	<b>117</b>	1.48	1.80	1.40	1.37	0.95	1.02	1.18

\* Crime count is the number of victims for offenses against a person. For all other offenses, count is the number of offenses.

# UCR HIGHLIGHTS....CONTINUED



	Rate Per 100,000							
	Number of Offenses 2009	2009	2008	2007	2006	2005	2004	2003
Burglary	<b>31,241</b>	396.33	408.66	408.85	412.53	385.13	373.85	379.04
Larceny	<b>151,398</b>	1,920.66	1,976.38	1,921.63	1,908.36	2,061.95	2,105.84	2,236.26
Motor Vehicle Theft	<b>11,451</b>	145.27	169.40	182.66	193.19	209.62	232.08	237.82
Counterfeiting/ Forgery	<b>7,471</b>	94.78	93.27	96.90	111.15	114.50	116.89	112.83
Fraud	<b>24,511</b>	310.95	314.58	303.70	273.29	240.13	217.42	195.13
Embezzlement	<b>2,906</b>	36.87	46.90	50.31	46.06	42.63	41.20	39.65
Stolen Property	<b>1,765</b>	22.39	23.59	23.29	21.85	19.23	18.06	17.45
Damage/ Vandalism	<b>83,164</b>	1,055.03	1,189.99	1,223.79	1,264.16	1,205.40	1,202.08	1,235.86
Drug/Narcotic Offenses	<b>44,952</b>	570.27	593.57	619.66	587.93	558.12	528.81	495.82
Nonforcible Sex Offenses*	<b>214</b>	2.71	2.96	2.83	3.34	3.53	4.04	3.44
Pornography	<b>554</b>	7.03	5.95	4.75	3.90	3.03	2.45	2.21
Gambling	<b>115</b>	1.46	0.76	0.92	2.11	0.74	0.52	1.12
Prostitution	<b>1,144</b>	14.51	9.22	10.70	13.48	13.12	13.39	12.21
Bribery	<b>23</b>	0.29	0.37	0.22	0.29	0.17	0.23	0.22
Weapon Law Violations	<b>9,247</b>	117.31	133.01	137.02	141.53	141.21	130.24	127.84

\*Crime count is the number of victims for offenses against a person. For all other offenses, count is the number of offenses.

## IBR Training

This past January, the state program along with the FBI conducted training sessions in Newport News, Richmond City, and Prince William County. These three sessions provided "Level II" IBR training to approximately half of the reporting agencies in Virginia. Additional training sessions, currently in the planning stages, are scheduled for Bristol, Roanoke, and Lynchburg areas, for the remaining agencies, in the fall of 2010. These sessions will be most beneficial to those who enter IBR data, or are knowledgeable of the data entry process. We will notify agencies in these areas; as soon as we have been able to establish dates and facilities that can accommodate this training.

# UCR HIGHLIGHTS....CONTINUED

---



## IBR Quality Assurance Reviews

The FBI undertook Quality Assurance Reviews this past December. Conducted every three years, these audits are designed to assess the accuracy and consistency of data being submitted by contributors. Nine agencies from different areas of the state were selected through a cooperative process between federal and state programs. To the agencies that underwent this process – congratulations on a job well done! All agencies were found to have met the basic requirements of the national program. To the extent that these agencies reflect all law enforcement agencies in Virginia, we can be more confident that the goal of collecting complete and accurate IBR data is being achieved. There were, however, some general issues that appeared to impact several agencies. Four of the more important of these are noted below.

### 1) Hate Crime/Bias Motivation [Data Element 8A]:

While not noted as a concern for every agency that was under review, for many there was more over-reporting of these types of offenses than what should occur. Because of this, the state Program has begun “tracking” all offenses that are submitted as hate/bias motivated crimes. When an agency indicates an offense was incorrectly submitted as bias motivated or the type of bias was incorrectly submitted, the state Program verifies with the individual agency that the incident has been modified and correctly resubmitted. This procedure has significantly reduced the number of bias motivated crimes being reported.

### 2) Type of Arrest [Data Element 43]:

Discrepancies (inaccuracies) were noted for reporting the type of arrest for both Group A and Group B arrests. Closer investigation by state IBR personnel revealed there were two primary issues contributing to this error.

- a. Clarification is needed for the type of arrest options. For IBR purposes, an “on-view arrest” [Code “O”], takes place when an offender is taken into custody without an existing warrant or when a previous incident report has not been made. The arrest type “taken into custody” [Code “T”] should be used when an offender is taken into custody based on an existing warrant or when an incident report has been previously submitted. The distinction between “on-view arrest” and “taken into custody” often leads to confusion because the standard procedure in Virginia is that a warrant is obtained after an “on-view” arrest has taken place. This type of arrest, however, should be classified as an “on-view arrest,” NOT “taken into custody” based on a warrant, because the warrant was obtained **after** the subject was arrested. The correct usage of “summons/cited” [Code “S”] as a choice for type of arrest does not appear to be a concern for agencies.
- b. Another part of the issue of “on-view arrest” and “taken into custody” may be that some vendor software does not display enough text to allow agency personnel to differentiate between these two types of arrest. That is, presented with the letter code choices of “O,” “T” and “S”, with no additional explanation, some agencies may have routinely selected the incorrect response. It is also possible that this may be a software issue in terms of how this data element has been programmed (i.e., through the use of a default code).

# UCR HIGHLIGHTS....CONTINUED

---



## IBR Quality Assurance Reviews—Continued

Agencies should be aware of these differences and make sure that type of arrest, “O,” “T” or “S” is entered correctly.

### 3) Multiple Arrest Segments Indicator [Data Element 44]:

While the cases reviewed did not indicate a large discrepancy for this data element, this may have been because there were too few actual incidents reviewed within each agency. Special attention should be given to this data element by all agencies.

The state program has found that this item continues to be problematic for agency personnel to enter properly. Because IBR arrest figures report one physical arrest of one individual (regardless of the number of charges), agencies should be aware that the incorrect use of this element will have the effect of either showing an artificial increase or decrease of arrests. The “C” [count arrestee] code should be used if the physical arrest of one offender is associated with (and thereby clears) more than one Group A incident. When this occurs, a “C” should be used to count the arrest for which the offender was apprehended. For any other Group A incident that is cleared by this arrest, this field should be coded “M” (Multiple). For IBR purposes, this will provide a correct count of arrestees as well as cleared cases. For an offense in which the offender has not been linked with any other Group A incident, the code “N” (Not Applicable) should be used.

### 4) Property Description [Data Element 15]:

Identifying the best property description category often presents difficulty for many agencies. Continuing effort needs to be placed on reporting the most specific category to help ensure that property is being recorded correctly. This will become even more critical with the expansion of twenty-six (26) additional property codes in the near future.

## Tip of the Month

This past April, we began posting a “Tip of the Month” on the IBR website (located under Bulletin when you logon to the IBR secured website). Posted at the beginning of each month, situations that frequently come to the attention of the IBR staff are discussed along with ideas or “tips” to help agency personnel resolve these issues. We encourage all IBR personnel to review these postings on a regular basis, and determine how they may impact your agency.

### **July – Unfounded cases**

This has been addressed in previous correspondence, but it needs to be emphasized to all IBR reporting agencies. Agencies often inquire about cases that they have “unfounded,” were entered for “information only” or other circumstances where data have been captured by the agency, but incorrectly sent to the state IBR database as a reportable incident. When agencies become aware that this has occurred, they need to remove that particular incident by sending a command that “deletes” the case from the state IBR database. Many agencies are aware of the need for this type of procedure, but what we have found is that while agencies believe that they have initiated a procedure to remove a particular incident, their vendor software does not always send a “delete” to remove the record from the state’s database.

# UCR HIGHLIGHTS....CONTINUED

---



## Tip of the Month—Continued

### **July – Unfounded Cases—Continued**

One way to make sure that any intended modification to the state IBR database has been successfully made is to logon to the IBR website and perform a query. You can easily do this by going to “Menu” and clicking “Reports” and then selecting “Search IBR.” At this point, all you have to do is insert the incident number (for Group A offenses) or the arrest number (for Group B arrests) and then click the “Submit” button. The result will indicate what the state program currently has on file for this incident/arrest number. You can then determine what steps are needed to modify the case. Be careful that you type/key the incident number/arrest number in the format that is submitted in your IBR file (i.e., spaces, dashes, leading zeros, etc). You can verify the numbering format by viewing one of your IBR submission files on the IBR website. If you do not enter the number in the particular format as submitted by your IBR software, your query will not be able to find the incident, and you may think that it is not in the database, when in fact, it is.

### **June – Forcible Sex Offenses**

In the IBR system, agencies may report a male as the victim of forcible rape. However, if an agency reports that a victim of a forcible rape is a male, at least one offender in the incident **MUST** be female. If a rape incident is submitted with the victim and all offenders being the same gender, the agency will receive the error message that 'one or more of the offenders must have a different sex than the rape victim.' When an agency reports a male rape victim and each offender is also male, the incident would most likely, but not necessarily, be reported as Forcible Sodomy (11B).

Forcible fondling (11D), as well as the assault offenses (13A, 13B and 13C), are considered inherent/lesser included offenses in the other three forcible sex offenses (11A, 11B and 11C). Therefore, you cannot report an 11D or an assault offense as secondary offenses to the victim of a rape (11A), forcible sodomy (11B), or sexual assault with an object (11C). However, if the criteria for multiple forcible sex offenses are met, one victim can be related to an 11A, an 11B and/or an 11C in one incident.

For other lesser included/mutually exclusive offenses that cannot be reported together to the same victim in one incident, please see the IBR Data Dictionary, page 45.

### **May – Drugs/Narcotics/Paraphernalia**

To be compliant with IBR guidelines, an incident should include both a 35A and a 35B offense when drugs/narcotics AND drug paraphernalia/equipment are seized. Relate the seized drugs to the 35A offense and the seized paraphernalia (such as a smoking device, scale being used to weight drugs, etc.) to the 35B offense. In addition, you should report any other seized property (such as money, a computer, a seized auto). Please be aware that seized property should show a 'seized' type of property loss in order to be reported in your monthly IBR submission file. Any property that is entered as 'evidence' in your RMS will not be sent to the state with your incident.

### **April - Location**

When an IBR data element/field has multiple response categories, any of which may be correct, agencies are asked to choose the response that provides the most specific description. For example, when reporting 'location' of incident, choose the most specific location. Because a motor vehicle is most often parked on a street or in a parking lot, more information about a case can be understood if the

# UCR HIGHLIGHTS....CONTINUED

---



## Tip of the Month—Continued

### **April - Location—Continued**

location of 'residence' is used for a motor vehicle theft that occurs when the car is stolen from the street in front of a home. When a truck is stolen while parked in a lot outside of a restaurant, report the location as 'restaurant.' Report a 'parking lot' location when a car is stolen from an area such as a paid parking lot or a parking lot at a Metro station.

## **ANOMALY DETECTION**

We continue to expand our list of anomalies. Currently, we have developed over twenty different anomalies that we send to reporting agencies, as needed, on a quarterly basis. For IBR purposes, an anomaly can be thought of as any data field or combination of data fields that initially appears to be “out of the ordinary” or “unusual.” It is important to keep in mind that an anomaly may indicate a data error or there may be no data error. If, for example, an incident of Murder (09A) with the Type Weapon [Field 13A] Motor Vehicle (35) were submitted to the state program, we would ask the agency to verify that the incident meets the correct IBR offense classification for murder with the motor vehicle as a weapon and the incident was not a traffic accident with an unfortunate outcome resulting in a death (which would not be reported through IBR).

Another example of an anomaly could be a reported aggravated assault where there is either “None” or an “Apparent Minor Injury” to the victim. In this type of situation, we often find that the offense should have been categorized as a simple assault. If so, the agency should make the needed changes to the incident and resubmit. There could also be situations where an aggravated assault could have occurred with minor injuries or no injuries at all. Of course, if that is what occurred, then the incident would not need to be changed.

It is these and similar types of apparent data contradictions within incidents that we are asking agencies to review and, if necessary, correct and resubmit. One important result of this process is greater precision in reporting crime and the circumstances surrounding criminal activities. Because the state program relies upon data from each reporting agency, obtaining complete and accurate data is only possible with your continued dedication and support.