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Fingerprint training to be held in Lansing at the General Office Building, the first Wednesday of each month, from 1:00 p.m. to 4:00 p.m. Contact Diane Crandell at 1(888) 322-1956 for reservations

PROGRAM CONTACTS / SERVICES

AFIS and Live Scan
(Automated Fingerprint Identification System, AFIS21, AIRBS, Live Scan information)
(517) 322-5173 (517) 322-6326 FAX

Applicant Identification

(Personal record checks, employer/licensee background checks, law

enforcement clearances)
(517) 322-1956 (517) 322-0635 FAX

AICS

(Automated Incident Capture System, a record management system, training, help desk)
(517) 322-5042 (517) 322-5232 FAX

AIRBS

(Automated Identification and Record Building Services for live scan and criminal history records electronic submission, fingerprint training)
(888) 322-1956 (517) 322-0635 FAX

CHR Improvement Project

(Rewrite of the Criminal History Record database)
(517) 322-5517 (517) 322-6326

CJIC Internet Home Page

www.state.mi.us/msp/crd/index.htm

CJIS Policy Unit

(CJIS Policy Council responsibilities, criminal justice integration, interpretation of legislation, policy rules for LEIN/AFIS)
(517) 322-5259 (517) 322-6326 FAX

Crime Analysis and Statistics

(517) 322-6025 (517) 322-5929 FAX

Criminal Identification

(PACC codes, criminal tracking number (CTN) information, arrest codes)
(517) 322-1165 (517) 322-6288 FAX
(Expungements, return prints, set aside convictions, dispositions)
(517) 322-1959 (517) 322-6288 FAX

(Copies of manuals The Bench Guide, Criminal Record Reporting.)
(888)322-1956 (517) 322-0635 FAX

Document Processing

(Keying and processing of UD-10, UCR and MICR forms)
(517) 322-5507 (517) 322-5232 FAX

Firearms Records

(APRS system, License to Purchase, Safety Inspection Certificate, Concealed Pistol License, forfeiture of firearms and weapons)
(517) 322-5518 (517) 322-5929 FAX

Freedom of Information

(MSP incident reports and other information)
(517) 322-5509 (517) 322-5350 FAX

LEIN

(Administration of the Law Enforcement Information Network, training, auditing)
(517) 336-6166 (517) 336-6421 FAX

LEAMS

(Law Enforcement Agency Management System Project)
(517) 322-5018 (517) 322-6326 FAX

Traffic Crash Data

(UD-10 submission and FARS)
(517) 322-6910 (517) 322-5385 FAX
(CRASH statistics)
(517) 322-6025 (517) 322-5929 FAX

UCR

(Uniform Crime Reporting, MICR training, crime data submission questions)
(517) 322-1150 (517) 322-5385 FAX

NEWS AND UPDATES

Technology Commentary

**Point of Presence Line (POP) – TCP/IP
(repeated from last issue)**

POP is a State of Michigan term for the Transmission Control Protocol/Internet Protocol (TCP/IP) connectivity plan of Michigan. A county, area or multiple counties may network together to share a POP line back to the state. A single POP has the capability to handle many times more devices and types of devices than a single traditional line.

A single POP can be used for multiple LEIN interface systems, LEIN workstations, Live Scans, AFIS terminals, Automated Pistol Registration Terminals, STATIS, AICS, access to the Secretary of State driver images, and other systems the State will be developing.

Agencies are encouraged to work with other agencies within a county, area or multi county network to develop a formal plan and take advantage of this technology. Many issues need resolution when considering this technology. Questions concerning how state and local gov-

ernment conduct business (currently and in the future), and what local agency is best-equipped to house the POP (based on issues such as best technology support, most central location, cost recovery/billing, and whether or not there is 24 hour access) must be resolved.

The Department of State Police have been aggressively working toward this goal. LEIN interface systems were the first priority due to Y2K and the amount of lead-time agencies and vendors need to upgrade their systems. Currently all MSP systems are in the process of being moved over to this technology as well.

Today there are approximately 60 interface systems with access to POP lines, with hundreds of agencies taking advantage of those lines. The goal is to have everyone converted to TCP/IP by January 1, 2002. This will require that local agencies develop formal plans.

Further information will be available in the future.

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Technology Commentary *(continued)*

AFIS21

On March 12 AFIS21 became operational. The original AFIS served us well but the 12 year old system was beyond industry standards for replacement. With any complex system there are always operational items and functions to test. AFIS21 is no different. It is being tested for functionality, throughput and accuracy prior to acceptance of the system. It should have minimal affect on the field.

All the MSP latent laboratories have had the new terminals installed and are operational. Local law enforcement agency terminals will be installed when the communications protocols are worked out.

With the new AFIS21 an electronic archive system is available. All new criminal fingerprint cards are being electronically stored. The archive system will allow for easy storage and access to fingerprint cards.

For example, it will be easier for latent examiners to obtain fingerprint cards that are on file. In the past the examiner might find a candidate that matched, but the quality of the file print may have been poor. Getting any previous arrest cards would have involved a phone call to the Criminal Justice Information Center (the division formerly known as Central Records Division). The cards would then have been copied and sent through the mail.

In addition to being much faster, the quality of the archive system prints is much better than a copy. The new system adds other automated features such as, faster terminals, increased matching speeds and higher accuracy, while the equipment is much smaller in size.

LEIN Web Access

The LEIN pilot testing has been completed. The department is evaluating the results prior to submitting to the CJIS Policy Council for action.

ICRASH Project

The ICRASH project has been withdrawn due to vendor costs, limited grant funding, and a Department spending freeze. This project will be revisited, as funds become available.

Michigan Digitized Information Retrieval System

Ms. Patricia Mort has joined the LEIN Field Services Section and will be responsible for the deployment, oversight and evaluation of the Michigan Digitized Information Retrieval System (MIDIRS). The vendor has just delivered the MIDIRS server and software. During the next six weeks the system will be tested at five MSP sites and procedures for field deployment and use will be developed. Delivery to other MSP sites and local agencies is expected to begin in July.

CHR Improvement Project (April-June 2001)

The Criminal Justice Information Center (CJIC) hosted a two-day vendor demonstration at the Michigan Department of State Police training academy. Several vendors attended and provided product demonstrations. Members of both the Criminal History Record (CHR)

Improvement Project Steering Committee and Internal MSP workgroup were in attendance.

Project staff conducted site visits to the Ohio Bureau of Criminal Identification and Investigation and the Illinois State Police Bureau of Identification. Both agencies recently completed a rewrite of their computerized criminal history application. The purpose of the site visits was to discuss the acquisition process and to view a demonstration of both agencies systems.

As part of the CHR Improvement Project the development of a prosecutor interface has been incorporated into the scope of the project. MTG Management Consultants have been contracted to assist project staff with the development of an interface that will allow prosecutors to electronically submit charge information to CJIC. The interface requirements will be incorporated into the CHR Improvement Project Request for Proposal (RFP). Project staff conducted site visits to a number of prosecutor offices and the Prosecuting Attorney Coordinating Council (PACC) to collect information on existing computer systems. It is anticipated that the requirements will be completed in June.

The Steering Committee and internal MSP work group has developed and validated the RFP, which is scheduled to be released the beginning of July and a vendor will be contracted by fall of 2001.

If you would like additional information, please contact Tracy Varano, CHR Project Manager by phone at 517-322-5517 or by email at varanot@state.mi.us

Automated Identification and Record Building Service (AIRBS)

There are currently over 40 live scan devices connected to the AFIS. In April, the CJIS Policy Council approved the installation of nine more live scan devices. One agency is adding a third machine.

Eight of the nine live scan devices, scheduled to be connected beginning May 10, 2001, are from Macomb County. Macomb County is utilizing Oakland County's communication backbone and store and forward system. Expectations are that over 40 live scan connections from multiple counties coming through Oakland County to be completed before end of the year.

Wayne County is currently testing live scan using File Transfer Protocol (FTP) as the transfer protocol [instead of Network File System (NFS)]. They are sending in ID only records currently. When testing is completed they will add nine more live scan machines.

Mason County is in the final stage of setting up their live scan box to send data to the state. They should be submitting ID only transactions soon.

Integration - CJIS Policy Council

Under the Integration Committee efforts the CJIS Policy Council has done the following:

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Technology Commentary (*continued*)

- Passed the following resolution on technical infrastructure on October 19, 2000.

Be it resolved, that the CJIS Policy Council recommends that the State of Michigan provide at least one Point Of Presence telecommunication line in every county in Michigan, at state cost, to support state criminal justice integration efforts.

- Sent a letter to the Department of Management and Budget requesting assistance to complete an assessment and design of a statewide, wired, encrypted, telecommunication network that would establish a Point of Presence in each of our 83 counties. This would facilitate integration and information sharing with state and local criminal justice agencies.
- Adopted an Integration Mission on October 19, 2000.

Create and maintain an accessible and appropriately secured, information system on individuals and events for criminal justice and public safety users that supports effective administration of the justice system, public and officer safety, and public policy decisions in a cost effective manner within the state of Michigan.

The CJIS Integration Committee is conducting a survey of all Michigan criminal justice agencies to determine what records agencies have automated, what they are willing to share, and what data they would like to access.

The Council approved the following Integration Operational Requirements on April 19, 2001:

1. Every Michigan public safety agency shall be able to determine the Michigan correctional status (i.e., incarceration in a state correctional facility, local jail or holding facility, on probation or parole, and the terms and conditions of parole and probation, under community supervision, or some other form of correctional supervision and/or release) within 2 minutes with status currency of 24 hours.
2. Every Michigan public safety agency shall be able to obtain a record through an inquiry by name and date of birth, of a person who has one, within 1 minute and to the officer within 2 minutes, with history currency of 24 hours. The records received should include all those records available in the current LEIN, Criminal History, SOS, NLETS, NCIC and III files.
3. Every public safety agency with a live scan terminal connected to the state shall receive positive fingerprint identification within 2 hours of the submission.
4. Every Law enforcement agency shall be able to forward to the appropriate criminal justice agency a warrant request for electronic review, approval and entry into the LEIN system.
5. Every public safety agency should be able to determine pre-adjudication information including pending charges, bail and bond release, and conditions within 24 hours accuracy.
6. Every public safety agency should be able to determine non-criminal case information within a 24 hour currency (i.e., PPO status, civil warrants, divorce case information, division status).
 - This should be accomplished through a web browser front-end which would identify a broad range of records and their availability.
 - The records returned should have hotlinks to other available datasets both in centrally held databases and in other contributing databases. These databases may be other public safety agencies or others.
7. Every public safety agency should have the capability to download records from all centrally held databases with security established according to legal capabilities. Reporting and analysis capability down to the ORI level with security to provide the potential for ad-hoc reporting.
8. Every public safety agency shall have access to a newly created, centrally held image repository. This repository shall maintain mugshots, palm prints and images of scars, marks and tattoos. This information shall be returned to a search request as a supplement to the CHRIS.
9. Each public safety agency shall have the general ability as an authorized subscriber to information regarding a broad range of actions taken associated with specific people, cases and addresses.
 - The ability to subscribe to activity on registered records,
 - Or to additional activity on investigation systems (STATIS) and inquiries.
 - Electronic notification of justice agency actions.
 - Notification of court actions, prosecutor actions, etc.
10. Each public safety agency shall have a minimum capability to capture and submit electronic records to the state repository.
11. The CJIS policy council or designee will agree upon standards, which must be followed while using the integrated data system. Those standards will include:
 - Data standards
 - Operational standards
 - Security standards
12. Every public safety agency will have available to them all centrally held databases a minimum of 99% of the time.

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Technology Commentary (*continued*)

Law Enforcement Agency Management System (LEAMS)

The LEAMS project is progressing on schedule. A draft Request for Proposal (RFP) has been completed and will be submitted to the Department and Management and Budget in June for dissemination to potential bidders.

The objectives of the LEAMS project are:

- To create and implement a new fully automated records management system.
- To function in both a wired and wireless environment.
- To make it available to the Michigan State Police and local law enforcement agencies.

The LEAMS system will have the following components:

- Basic (replace basic functionality of AICS)
- Crash
- Citations
- Activity

MTG Management Consults has been instrumental in assisting the Department of State Police to develop the specifications for the new system. In conjunction with the Criminal Justice Information Center they have held focus groups around the state for MSP and local law enforcement whereby 300 persons provided input. In addition, they have surveyed other agencies around the United States for their ideas and experience in developing new records management systems. Vendors were surveyed and those potentially meeting our specifications were invited to demonstrate their products during a two-day session at the MSP Training Academy.

The LEAMS Steering Committee has been guiding the process of developing a new system. They have taken the information gathered and refined the specifications. 2 Sheriff Departments, 2 Police Departments, and 2 members of the MSP sit on the steering committee. In addition, an MSP Advisory Committee has been instrumental in informing the 2 MSP representatives on the steering committee of functionality important to MSP. ■

Crime Analysis and Statistics

Property Crime Trends, 1996-1999

The Crime Analysis Unit will soon be releasing a Michigan Property Crime Trends report using data from 1996-1999. This report provides a breakdown of data by county, MSP District, and state totals. The report shows that all state total property crime rate categories have decreased between 1996-1999. The estimated state total rate for 1999 was one property crime per every 25 Michigan residents.

Estimated state totals show that from 1996-1999:

Property Crime Rate Decreased	-16%
Burglary Rate Decreased	-14%
Larceny Rate Decreased	-16%
Motor Vehicle Theft Rate Decreased	-17%
Arson Rate Decreased	-3%

MICR Reports Available through LEIN

Agencies reporting data through MICR can obtain statistical reports through LEIN, which provide valuable tools for Crime Analysis. To run the MICR reports, simply follow these steps:

Step 1: Type REPT on the first line of a blank screen in LEIN and transmit page (shift, +)

Step 2: Type I (for inquiry) in Action to display the available reports, enter your ORI Number, tab past ORI and transmit page (shift, +)

Available Reports:

1. Summary Report of Incidents and Clearances
2. Comparison Summary Report of Incidents
3. Summary Report of Offenses
4. Comparison Summary Report of Year-to-Date Offenses
5. Summary Report of Adult/Juvenile Arrests by Type and Class
6. Summary Report of Year-to-Date Arrests
7. Summary Report of Adult/Juvenile Arrests
8. Comparison Summary Report of Year-to-Date Arrests
9. Summary Report of Property or Seized Drugs

Step 3: Type S (for select) in Action to select the desired report, ORI Number remains the same, skip Next Report Number, enter the number of the desired report in Selected Report No: (select 1-9 from list), enter 1 in Report Type (for individual jurisdiction), transmit page (shift, +)

Step 4: Type R (for run) in Action to generate the report, ORI Number remains the same, skip Next Report Number, Selected Report Number and Report Type remain the same, fill in the appropriate parameters (see below), transmit page (shift, +) from the transmit field at the bottom of the screen (>@<), the report will be sent to the agency's LEIN printer

Parameters (you will not see all parameters on all report types, only the choices available for that report will be shown):

- Month & Year: enter desired date in MMY format
- DTFGL[M/Y]: enter M if you want only the month specified, enter Y if you want the entire year up to the month specified (if this parameter choice is not given, the report is not available by specific month, only year to date)
- ORI-1: enter your agency's ORI
- ORI-2: enter the ORI of a second agency being compared to your agency
- STFLG[Y/N]: enter Y to obtain subtotals, N for no subtotals
- FDFLG[F/S]: enter F to define juveniles as under 18, enter S to define juveniles as under 17
- AOFLG[A/O]: enter A to generate the report by arrest charge, enter O to generate the report by offense charge
- FLG[J/A/T]: enter J for juvenile arrests only, enter A for adult arrests only, enter T for total juvenile and adult arrests

Additional MICR reports and specific queries of MICR data can be obtained by request through the Criminal Justice Information Center by calling (517)322-6025 or aldermana@state.mi.us. ■

Criminal Justice Information Systems Policy Unit

CJIS Policy Council Officers:

- Chair: Sheriff Stephen DeBoer, Barry County Sheriff Department
- Vice-Chair: Chief James Valentine, Lowell Police Department
- Executive Secretary: Ms. Katherine Rector, Michigan State Police

CJIS Policy Council Meeting January 18, 2001

The CJIS Policy Council took the following actions:

- Welcome four new members to the CJIS Policy Council
 - Lt. Michelle Young, Kent County Sheriff Department
 - Prosecutor James Gregart, Kalamazoo County
 - Capt. Thomas Miller, MSP Communication Division
 - Mr. John Cappel, Guardsmark, Inc.
- The Council supported the submission of a grant application under the National Governor's Association (NGA) for the Portal and Point of Presence (POPs) initiatives.
- Previously the Council had approved the 60-day pilot test that allowed a central dispatch to enter warrants for the court on weekends and after normal business hours. The procedure permits the warrants to automatically become valid at this phase thus eliminating the need for the court to cancel the warrants on the next business morning and then re-enter them. The pilot proved very successful and the Council approved to move this project from a test mode to a functional program available to all Central Dispatch and courts around the state.
- Applicant fingerprint processing has become an enormous undertaking for state and local agencies due to legislative changes mandating the requirement of criminal history record clearances for various reasons. MSP is investigating the use of a live scan fingerprint system, Sylvan/Identix for applicant print processing. Sylvan/Identix operates a combination of dedicated live scan fingerprinting locations along with mobile live scan fingerprinting locations. The applicant fingerprint requestor calls the Sylvan/Identix 800 number and the requestor is provided with a requestor number and instructed to report to a predefined live scan location for fingerprinting. The fingerprints are taken and transmitted to the Illinois office through dial up. Sylvan/Identix would require a dedicated line back to the MSP to have the live scan fingerprints entered into the Michigan Automated Fingerprint Identification System (AFIS). The fingerprint search response would be printed at the state and mailed directly to the requestor. Sylvan/Identix is willing to collect all the processing fees from the applicant and pay them to the state on a billing cycle.
 - The Council approved the concept pending the acceptance and approval of the MSP Security and Access Committee and that Sylvan/Identix meets all the requirements of the CJIS Security Policy.

- The Council approved three applicants for AFIS Latent Print Examiners:
 - Officer Mark Kusiak, Taylor Police Department
 - D/Sgt. Phillip Thick, Lapeer County Sheriff Department
 - Specialist Christine Dyke Wiley, Warren Police Department
- The Council approved a motion that local government agencies be informed and encouraged to use MSP Internet Criminal History Access Tool (ICHAT) for Michigan criminal history record conviction information. In addition, provide them with educational information that will be developed by CJIC and distributed to agencies.
- The Michigan Gaming Control Board was approved to have two LEIN terminals installed to conduct background investigations. One terminal will be placed in the Lansing office and one in the Detroit office. This access will be limited to Michigan criminal history records (purpose code M).
- The Council voted not to allow the entry of foreign personal protection orders in LEIN and recommends that victims be advised to carry the orders with them at all times or they can apply for a Michigan order in a Michigan court for a Michigan order to be put into LEIN.
- The Council agreed with the recommendation to publish some of the LEIN violations in the LEIN News Bulletin as a training tool. All department and personal names will be removed from the case prior to publication.
- The Council approved a CJIS Policy for LEIN Access to Schools. The Policy was printed in the February issue of the LEIN News Bulletin.
- LEIN Certificates of Excellence were issued to the Negaunee State Police Post and the Sterling Heights Police Department.

CJIS Policy Council Meeting April 19, 2001

The CJIS Policy Council took the following actions:

- Welcome two new members to the CJIS Policy Council:
 - Sheriff Tilman L. Crutchfield, Monroe County Sheriff
 - Capt. Donald G. Divis, Berrien County Sheriff Department.
- Approved a motion to explore the concept of placing "hot files" on the Internet.
- Approved the revised AFIS Agreement.
- The Council approved the establishment of a file in LEIN for Impound/Abandoned/Forfeited Boats. Agencies would be allowed to keep impounded boats in the file for up to one year, however, any boat in LEIN over 90 days would require validation. The entries would also be forwarded to NICB.
- The Council took the following action in response to the last NCIC audit:

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Criminal Justice Information Systems Policy Unit (*continued*)

1. The CJIS Policy Council will send a letter to all of the agencies that failed the NCIC audit in any portion of the audit and require the agency establish policies and procedures to comply with LEIN/NCIC requirements.
2. The CJIS Policy Council shall use progressive sanction policies against agencies that have failed two consecutive audits.
3. The CJIS Policy Council will send a letter to each agency including all of their missing persons in LEIN requiring a complete validation.
- LEIN auditors will report all agencies that failed the data integrity in the audit to the Operation & Technical (O&T) Committee. The O&T Committee will review the findings and notify the agency that they are in violation of LEIN and the Sanction Policy will be followed with progressive steps to be taken if the agency fails to come into compliance with the data integrity. These cases will be reported to the CJIS Policy Council.
- Approved the retention period for cancelled warrants in LEIN to one year.
- Approved a request to move forward with an optional custody file in LEIN when it becomes feasible.
- The Council approved a recommendation to clarify the use of broadcast and administrative messages. The LEIN manual will be modified to include those circumstances that are approved and include a statement that all other uses are prohibited.
- LEIN Certificate of Excellence was issued to the Berkley Department of Public Safety.
- The Council approved the following Integration Operational Requirements:
 1. Every Michigan public safety agency shall be able to determine the Michigan correctional status (i.e., incarceration in a state correctional facility, local jail or holding facility, on probation or parole, and the terms and conditions of parole and probation, under community supervision, or some other form of correctional supervision and/or release) within 2 minutes with status currency of 24 hours.
 2. Every Michigan public safety agency shall be able to obtain a record through an inquiry by name and date of birth, of a person who has one, within 1 minute and to the officer within 2 minutes, with history currency of 24 hours. The records received should include all those records available in the current LEIN, Criminal History, SOS, NLETS, NCIC and III files.
 3. Every public safety agency with a live scan terminal connected to the state shall receive positive fingerprint identification within 2 hours of the submission.
 4. Every Law enforcement agency shall be able to forward to the appropriate criminal justice agency a warrant request for electronic review, approval and entry into the LEIN system.
 5. Every public safety agency should be able to determine pre-adjudication information including pending charges, bail and bond release, and conditions within 24 hours accuracy.
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 - This should be accomplished through a web browser front-end which would identify a broad range of records and their availability.
 - The records returned should have hotlinks to other available datasets both in centrally held database and in other contributing databases. These databases may be other public safety agencies or others.
 7. Every public safety agency should have the capability to download records from all centrally held databases with security established according to legal capabilities. Reporting and analysis capability down to the ORI level with security to provide the potential for ad-hoc reporting.
 8. Every public safety agency shall have access to a newly created, centrally held image repository. This repository shall maintain mugshots, palm prints and images of scars, marks and tattoos. This information shall be returned to a search request as a supplement to the CHRIS.
 9. Each public safety agency shall have the general ability as an authorized subscriber to information regarding a broad range of actions taken associated with specific people, cases and addresses.
 - The ability to subscribe to activity on registered records,
 - Or to additional activity on investigation systems (STATIS) and inquiries.
 - Electronic notification of justice agency actions.
 - Notification of court actions, prosecutor actions, etc.
 10. Each public safety agency shall have a minimum capability to capture and submit electronic records to the state repository.
 11. The CJIS policy council or designee will agree upon standards, which must be followed while using the integrated data system. Those standards will include:
 - Data standards
 - Operational standards
 - Security standards
 12. Every public safety agency will have available to them all centrally held databases a minimum of 99% of the time. ■

Firearms Records

Concealed Pistols License Update

On July 1, 2001, P.A. 381 of 2000 is scheduled to go into effect. This Act will change the current procedures for issuing concealed pistols licenses. The Court of Appeals has unanimously decided to accept a referendum on this bill. Unless the Michigan Supreme Court steps in, Michigan's new concealed weapons law will be put on hold until the voters decide the issue on the November 2002 ballot. By the time this article goes to press and is distributed, a decision may have been made. If in doubt, contact your local prosecutor's office.

Application Kits

The CCW application kits have been mailed to each county clerk and sheriff's office and every police agency that has registered pistols within the past five years. These kits containing a fingerprint card, concealed pistols license information and an application should not be distributed to the general public until July 1. Future kits will also include an appeal form. Although the law states that fingerprints must be submitted for both MSP and FBI, only one fingerprint card needs to be completed. The prints are forwarded electronically to FBI by MSP.

Please refer to the information in the application kits for application criteria, fees, training, etc.

Current License

A concealed pistol license issued under the current law is still valid after July 1st until the expiration date on the license. A licensee is bound by the restrictions given on the face of that license. However, all licensees restricted or unrestricted are subject to the restrictions established under PA 381 of 2000.

Pistol Free Areas

Licensees cannot carry a pistol in the "Pistol Free Areas" designated in the revised law. These areas are as follows:

- A school or school property, except a parent or legal guardian of a student may have a pistol in a vehicle while picking up or dropping off their child.
- A public or private day care center
- A sports arena or stadium
- A dining room, lounge, or bar area of a premises licensed under Liquor Control Code. This does not apply to the owner or employee of the premises.
- Any property or facility owned or operated by a church, synagogue, mosque, temple, or other place of worship, unless the presiding official allows concealed weapons.
- An entertainment facility that the individual knows or should know has a seating capacity of 2,500 or more.
- A hospital
- A dormitory or classroom of a community college, or university
- A casino

An employer may prohibit an employee from carrying a concealed pistol in the course of their employment.

Also per Michigan Supreme Court, Administrative Order 2001-1, "Weapons are not permitted in any courtroom, office, or other space used for official court business or by judicial employees unless the chief judge or other person designated by the chief judge has given prior approval consistent with the court's written policy."

Breakdown of Duties set forth by 2000 P.A. 381:

Local Police Agencies

- Distribute application kits.
- Provide board with any information or knowledge by the police department on the suitability of an applicant.
- If a licensee's chemical test indicates a bodily alcohol content, the peace officer shall promptly report the violation, in writing, to the issuing gun board.
- Enter suspended or revoked licenses, or amendments to a suspension or revocation into LEIN.
- Enter a statement into LEIN that an individual has received notice of a revocation or suspension.

Court

- Report civil infractions to county gun boards.
- Order the individual's license suspended for six months if an individual is guilty of a civil violation pursuant to this act.
- Order the individual's license revoked if an individual is guilty of second offense violation (misdemeanor) pursuant to this act.
- Order the individual's license revoked if an individual is guilty of a third or subsequent violation (felony) pursuant to this act.

Sheriff

- Distribute application kits
- Take fingerprints, may collect \$15.00 to take the prints.
- Run LEIN on applicants, must include a check of NICS and report finding to the board.
- County concealed weapon licensing board member.

Prosecutor

- Chairman of the county gun board (may opt out).
- If not a member of the board, the prosecutor shall be given the opportunity to review all CCW applicants and provide input.
- Notify the gun board of a criminal charge and subsequent disposition against a licensee.
- Compile and provide a report to MSP containing the information reported to the board.

Board of Commissioners

- Appoint a replacement board member for the prosecuting attorney if he/she opts out.

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Firearms Records (*continued*)

County Concealed Weapon Licensing Board

- Board may appoint up to 3 panels to assist in evaluating applicants.
- Approve or deny licenses.
- May conduct a hearing if a licensee is responsible for 3 or more civil infractions of this act during the licensing period.
- May suspend a license for any individual charged with a felony or misdemeanor as defined in this act until the final disposition.
- May suspend or revoke licenses in accordance with violations committed by licensees.

Firearms Instructor

- May be an appointed member of the board.
- Conduct classes in compliance with this act.
- Must be certified by this state or a national organization.
- Issue a certificate stating that participants have completed the training in all areas required.

County Clerks

- Distribute application kits.
- Application is filed with the county clerk.
- Distribute a copy of a compilation of the CCW laws to applicants, and have them sign a written statement of receipt.
- Administer an oath to the applicant that all information on the application is true.
- Retain a copy of the application.
- Collect fees and disburse money as specified. New applicant \$60.00: \$5.00 to the concealed weapon enforcement fund, \$10.00 in the county general fund to the credit of the county clerk, remainder to the state general fund to the credit of the state police. Renewal \$35.00: all goes to the county general fund.
- Affix the photograph on the concealed pistols license.
- Issue CCW licenses.
- Report to the state and house fiscal agencies by Oct 1st each year, the costs per applicant to implement this section.
- Authorized to administer an oath to anyone testifying before the board.

Michigan State Police

- Member of the county gun board.
- Provide application kits to police, sheriffs and clerks.
- Provide Pistol Sales Record form.

- Enter an order or conviction of prohibitions for using, transporting, selling, purchasing, etc a firearm into LEIN.
- Do a comparison of fingerprints.
- Submit one set of prints to FBI.
- Provide a copy of the fingerprint comparison to the county sheriff and clerk.
- Proscribe the CCW license format.
- Create and maintain a computerized database in LEIN of individuals who have applied for a CCW.
- File an annual report with the senate and house of representative on concealed pistols licenses issued, denied, revoked and pending.
- Provide a form for the prosecuting attorneys to notify the gun board of a charge or conviction of a licensee.
- Shall expend money from the concealed weapon enforcement fund only to provide training to law enforcement regarding rights and responsibilities of licensees and proper enforcement techniques.

Other changes

In addition to changing the law regulating the concealed pistol licenses, this public act also makes changes to several other laws concerning firearms.

- Changed the definition of purchase to mean "a person who receives a pistol from another person by purchase or gift." The revised law deletes the words "or loans".
- Definition of seller used to read "...a person who sells, furnishes, loans, or gives a pistol to another person." The words "furnishes, loans" have been taken out.

This Act repeals:

- MCL 28.423, allows local government to charge \$5.00 for a license to purchase.
- MCL 28.426, is the concealed pistols license law under P.A. 372 of 1927.
- MCL 28.429d, states, "A firearms that is possessed in violation of this act is subject to forfeiture." PA 381 includes language on forfeiture. More information will be provided on that in the future.
- MCL 28.432c, waives the fee for a concealed pistols license for a retired police officer.

A person granted a concealed pistols license on or after July 1, 2001 (will have the licensee's picture on the license) is not required to get a license to purchase a pistol, nor is a dealer required to run a check on the purchaser through the National Instant Check System (NICS).

(continued on next page)

Firearms Records (*continued*)

FFL dealers will no longer be required to get a license to purchase for pistols they purchase from individuals or other dealers.

There will be a new form, the Pistol Sales Record, sent to every police and sheriff department that has registered guns within the past five years. If you have not received them yet, you will shortly, unless this law is not going into effect July 1st.

These forms are also available on the Internet at the MSP web site, www.msp.state.mi.us

The Pistol Sales Record must be completed by the seller when a pistol is purchased from them and the purchaser has a pictured CCW in lieu of the license to purchase. It does not have to be "issued" or signed by the law enforcement agency. ■

Identification

Arrest Charge of Failing to Register as a Sex Offender

Please be advised that the correct arrest charge code for reporting a person arrested for failing to register as a sex offender is 5000 (obstructing justice). There are arrest records on the criminal history system with an incorrect charge of 1100, which is for reporting of sexual assault charges. The incorrect records will be fixed, as they are found. All law enforcement agencies should report the "failing to register as a sex offender" charge as "obstructing justice". Once the prosecutor reports the authorized charge or the court reports the final disposition, the criminal record will properly reflect the MCL number of 28.729 "Sex offenders-failure to register".

Duplicate Generation of an FBI Fingerprint Card No Longer Required

Effective January 2001, submission of the state criminal fingerprint card will also provide for the criminal record reporting requirements to the FBI. As state fingerprint cards mailed to the CJIC are converted to an electronic record, it is also forwarded to the FBI. This also applies to applicant fingerprint cards that are also searched at the FBI. The elimination of the FBI card will reduce the time required to fingerprint and reduce the cost of mailing the forms to the state. This also eliminates the requirement to stock FBI fingerprint cards.

Law enforcement agencies generating criminal fingerprint cards for mailing to the state from a live scan device should contact their live scan vendor and have them remove the automatic generation of the FBI forms when there is a state form generated.

Fingerprint Image Quality Issues and Live Scan

Live scan users are reminded to monitor the printing device associated with the live scan to assure that it is properly calibrated and the "arc" is properly adjusted to produce a quality printed copy of the fingerprint images captured. Instruction to calibrate and adjust "arc" on the printer is provided by your live scan vendor and should also be provided in the live scan operations manual. The printer settings should be rechecked after every 100 printed records.

Proper calibration on the live scan printer will eliminate processing problems experienced by the CJIC. An image that is too dark or too light requires special handling by the fingerprint technicians adding to the processing time to adjust the image so that it will be properly searched or recorded on AFIS. The CJIC quality control staff will, on occasion, contact your agency to request that the printer calibration be reviewed so as to correct future problem fingerprint images. A regular routine to check the settings on your printer will correct quality control problems.

Do Not Use Staples on the Fingerprint Card

Staple holes in a fingerprint card hampers the processing of incoming prints and creates paper jams when scanning, by interfering with the proper feeding of the forms from the hopper to the scanner. We

ask that you please do not staple forms to the fingerprint card. Even some paper clips are difficult to remove without tearing the card. Please just stack the forms, allowing the CJIC to sort them properly.

Correcting a Criminal Record

If data reported from your agency is incorrectly reported on the criminal history record, contact the MSP, CJIC, Criminal Team to have it corrected. The information needs to be provided directly from the reporting agency as follows:

- law enforcement for correcting arrest data,
- prosecutor for correcting charging data
- courts for correcting disposition data

A copy of the criminal history marked with the error and a notation of the correction, or a copy of the report that properly reflects the data must be provided. This information may be mailed to MSP, CJIC, 7150 Harris Drive, Lansing, MI 48913 or faxed to (517) 322-6288. A correction to the information reported to the FBI will also be made. Contact the Criminal Team staff at (517) 322-1165 with further questions.

Cases, provided the charge was not a sex offense and providing the individual does not have a previous conviction, that resulted in dismissal or no prosecution can be expunged from the criminal record without a court order. The arresting agency should advise the MSP, CJIC, Criminal Team that the arrest did not result in prosecution. The court should advise the team of dismissals. If there is a prior conviction on file, the individual must go to the court and request a court order for return of fingerprints on the dismissed case.

There are also provisions in statute to have a prior conviction sealed by court order if 5 years has elapsed since conviction and there are no other arrest records on file. The person must be directed to the court to receive, complete and file an application to have their conviction "set aside". Law enforcement will be asked to fingerprint, on the state applicant fingerprint card, persons making application to "set aside" a conviction. CJIC will seal the record once the court order to "set aside" is received.

Questions that relate to having a criminal record expunged or sealed should be directed to (517) 322-1959. This information is also available on the CJIC web site www.state.mi.us/msp/cjic/crr97.pdf.

Criminal Records Reporting and the CCW Law

The new CCW law requires the submission of fingerprints to check the criminal history record to determine eligibility for licensing. Among other disqualification, a misdemeanor conviction is a reason to deny the issuance of a CCW license. All misdemeanor convictions punishable by less than 93 days can disqualify a person from having a CCW license if it occurred within the 3 years preceding the application. The following table provides a partial list of misdemeanor convictions that disqualify a person for 8 years. These are punish-

(continued on next page)

Identification (*continued*)

able by less than 93 days and must be reported on conviction; others listed in the law are reportable on arrest.

It is important to have all misdemeanor convictions reported to the criminal history record, if the criminal record search is to be com-

plete for CCW licensing purposes. Refer to the "Criminal Records Reporting" handbook for the process to report misdemeanor convictions. This handbook is available at www.state.mi.us/msp/cjc/crr97.pdf or by contacting Diane Crandell at (517) 322-1957. ■

<i>MCL#</i>	<i>PACC Code</i>	<i>Short Title</i>
257.626	257.626	Reckless driving
257.81	257.81	Assault or assault and battery
750.223	750.2231	Weapons-Firearms- sale without compliance pistol
	750.2232	Weapons- Firearms-sale of long gun to minor
750.229	750.229	Weapons- Pawnbroker accepting pistols
750.232	750.232	Failure to register a firearm or firearm component
750.232a	750.232A1	Purchase pistol without a license
	750.232A4	Using false ID to purchase firearm
750.233	750.233	Aiming firearm without malice
750.234e	750.234E	Brandishing firearm in public
750.234f	750.234F	Possession of firearm by minor
750.235a	750.235A	Parent of a minor who possessed a firearm in a weapon free school zone
750.237	750.237	Possessing a firearm while under the influence of intoxicating liquor or a drug
750.237a	750.237A2	Weapon free school zone violation-Misdemeanor
752.862	752.862-A	Reckless, careless or negligent use of firearms causing property damage of \$50 or less
752.863a	752.863A	Reckless discharge of firearms

LEIN—Law Enforcement Information Network

Data Quality and Second Party Checks

The National Crime Information Center (NCIC) noted in its 2000 audit report of the Michigan's Law Enforcement Information Network (LEIN) that seven percent of the wanted person records they reviewed had additional information in the case files that was not entered in LEIN. This information included alias names (AKA), social security numbers (SOC), and scars, marks and tattoos (SMT). In addition, NCIC reported that some of the agencies they visited were not conducting second party checks. The NCIC report qualified this failure to perform second party checks as violations of NCIC policy. The NCIC policy states:

The accuracy of NCIC 2000 records is an integral part of the NCIC 2000 System. The accuracy of a record must be double-checked by a second party. Agencies lacking support staff for this verification should require the case officer to check the accuracy of the record, as the case officer carries the primary responsibility for seeking the fugitive or recovering stolen property.

The verification of a record should include assuring that all available cross checks, e.g., VIN/LIC, were made and

that the data in the NCIC 2000 record match the data in the investigative report. (NCIC 2000 Operating Manual, Introduction, Section 3.2 (1)).

The issues of data quality and second party checks were included in the agenda of the February meeting of the LEIN Subcommittee of the Criminal Justice Information Systems (CJIS) Policy Council. It was noted that NCIC rejected Michigan's position as unacceptable that validations constitute the second party check. After much discussion, the subcommittee asked the LEIN Field Services (LFS) Section to define second party check. Because agencies vary greatly in their staff resources, complaint processing and LEIN entry procedures, the LFS Section will be working to develop a flexible policy that is broad enough to apply to courts, law enforcement agencies, central dispatches and other agencies that enter records in LEIN and NCIC.

Terminal Agency Coordinators are invited to comment or share current practices to be considered in the development of a statewide second party check policy for Michigan's LEIN. Comments can be directed to Kathleen Fay, Manager, LEIN Field Services Section, at fayk@state.mi.us or (517) 336-2014. ■

Uniform Crime Reporting

MICR Property Class 99 (Special Category)

The FBI has determined we **should not** be using the property class of 99 (special category) at this time. By definition this data value would capture statistics on **certain theft fads**, i.e., cellular phones. Currently the National Incident-Based Reporting Systems (NIBRS) has not identified any special category property descriptions to be utilized using code "99". The Statistical Information Section will monitor the use of this code and will return all property descriptions coded to '99' back to the agencies for correction.

MICR Warnings

In the past MICR agencies received a substantial amount of paper work from the UCR staff monthly that identified warnings being generated by the mainframe. To reduce the paper flow for the UCR representatives and staff technicians, reports will now be distributed quarterly. Please review these quarterly reports for verification of the identified incidents and resubmit corrections, if necessary. Warnings are as follows:

Suspected bias motivation of 88 (Other)	Data Element 18
Offender suspected of using a computer	Data Element 17
Dollar value greater than 100,000	Data Element 55
Number of motor vehicles stolen or recovered greater than 1	Data Element 57
Burglary of a rental storage unit and the number of premises entered is greater than 1	Data Element 21
Aggravated assault where the weapon is none	Date Element 19
Non-aggravated assault with injury where the weapon is none	Data Element 19
Age of offender is 99	Data Element 23
Age of victim is 99	Data Element 29
Age of arrestee is 99	Data Element 41
Property class of 99 (Special Category)	Data Element 54

Bulletin Board System

As of May 1, 2001 the Bulletin Board System (BBS) is no longer operable. Agencies using the BBS were informed of a free Internet service, so the data could be submitted through e-mail.

Agencies still requiring assistance, please contact one of the following UCR representatives:

Counties 01- 43 contact Sharon Saites at 517-322-5543 or e-mail address (saitess@state.mi.us).

Counties 44 - 83 contact Viki Sandborn at 517-322-5113 or e-mail address (sandborv@state.mi.us).

Clemis agencies contact Karlene Ohler at 517-322-5544 or e-mail address (ohlerk@state.mi.us).

Law Enforcement Officers Killed or Assaulted Forms (RI-126)

In the past a warning notice was mailed to the MICR agencies when a police officer was entered as the victim of an assault, file class 13001 or 13002 whether a LEOKA form was received or not in UCR.

To eliminate excessive paper, these warnings are only being sent if a LEOKA form has not been received in UCR or if the information on the LEOKA and the incident in MICR do not agree.

A LEOKA form must be submitted monthly whether an officer was assaulted or not. If there was no activity just note a zero in line (12) of the RI-126 form.

Hate Crime Submission

The quarterly Hate Crime report is required to be submitted by Summary agencies, whether or not activity occurred. If your agency has not reported 1st quarter, please submit the appropriate form(s). Agencies reporting MICR data should not submit this form, since MICR data element 18 (suspected bias motivation) satisfies all hate crime data collection requirements. Any questions contact Karlene Ohler at (517) 322-5544 or ohlerk@state.mi.us.

Motor Vehicle Theft

Motor vehicle theft is the unlawful taking or driving away of a motor vehicle. When reporting a motor vehicle theft be sure to properly code the type of vehicle taken. For UCR purposes, a motor vehicle is defined as a self-propelled vehicle that runs on land surface and not on rails and which fits one of the following property descriptions:

Automobiles - sedans, coupes, station wagons, convertibles, taxis, cabs, or other similar motor vehicles that serve the primary purpose of transporting people.

Buses - motor vehicles which are specifically designed (but not necessarily used) to transport groups of people on a commercial basis.

Recreational vehicles - motor vehicles which are specifically designed (but not necessarily used) to transport people and also provide them temporary lodging for recreational purposes.

Trucks - motor vehicles which are specially designed (but not necessarily used) to transport cargo on a commercial basis. (Includes pickup trucks and sports utility vehicles.)

Other motor vehicles - any other motor vehicles whose primary purpose is to transport people. (Includes motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, and golf carts.)

Burglary - Force/Without Force

22001 - Burglary - Forced Entry is the unlawful forcible entry of a building or other structure with the intent to commit a theft or felony.

22002 - Burglary - Entry without Force (Intent to Commit) is the unlawful entry without force with the intent to commit a theft or other felony.

Criminal Sexual Contact Offenses Attempted/Completed

When reporting:

11001 Sexual Penetration Penis/Vagina - CSC 1st Degree

11002 Sexual Penetration Penis/Vagina - CSC 3rd Degree

attempted should not be reported as **completed**. ■

UD-10 and Crash

New Contact for Crash Statistics

The new contact for CRASH data requests, as well as all crime statistics, is Amy Alderman. Amy may be reached at (517) 322-6025 or aldermana@state.mi.us

UD-10 Street Locations

Per page 24 of the UD-10 Instruction Manual, it is **crucial that the intersecting road be accurately recorded**. Over a dozen safety agencies use this information to determine courses of action in alleviating high risk traffic areas, thus eliminating traffic crashes. Numerous agencies study UD-10s to determine traffic crash patterns for a particular area. For the safety agency, whether a crash was right angle or head on-left turn determines what is needed to eliminate future crashes. For further information on how safety agencies utilize UD10 Crash Data, contact Chad Canfield (OHSP) at (517) 333-5306 or canfieldc@state.mi.us.

"AT" Location Rare

A location "AT" an intersection will be rare. "At" is the **exact point** where the projected center lines of the intersecting roadways cross. All crashes occurring in an intersection do not necessarily receive an "AT" status. For further information may be obtained from page 24 of the UD-10 Instruction Manual.

Private Property/Non-traffic Crashes Should Not be Reported to CRASH Data Base

In 1999, the CJIC received 2,751 private property/non-traffic records that were **not fatals, ORV's, or snowmobiles** crashes.

Private property/non-traffic crashes should not be submitted to the MSP. These non-reportable crashes are not always caught by Document Processing staff before they are sent to our outsource vendor for keying. This means that will be added to our mainframe, increase crash statistics for your agency, and will eventually be added to an individual's driving record even though they are not considered reportable crashes.

Non-traffic crashes are usually found when a citizen discovers the non-reportable crash was added to their driving record. Document Processing staff must then locate the crash, remove it from our mainframe system and forward a delete record to the Department of State. **Only fatals, ORV and snowmobile crashes are reportable if on private property.** Questions on reportable or non-reportable crashes can be directed to Lori Salters at (517) 322-6910, or Lorie Sierra at (517) 322-5030.

Gel Pens

The UD10 Instructional Manual states **"Do not use a felt pen"** (page 10). However, Document Processing Unit staff also cautions you on the use of the new gel pens. Although gel pens do not bleed through as rapidly as felt pens (water based ink), they have been shown to bleed through on occasion and over time. That is, after completing the UD10, the pens gel ink may bleed through several hours later and without the officer's awareness.

If our Document Processing staff catches these bleed throughs they must rewrite the UD-10 form to keep the original information intended by the officer. However, if it is not caught by Document Processing staff, the changes caused by the bleed through will be picked up by our scanner, changing what the officer had intended to go on record. An example of this is where a code bubbled on the front page bleeds through to the second page and a bubble such as fatal "K" code is picked up by mistake.

New UD-10 Bid Out

The new UD-10 bid is out on the DMB website. Bids are expected to be returned by April 24. Agencies can continue to order UD-10s from Rotary Multiforms until approximately July 2001 or when the new contract is awarded. Information will be forwarded to the agencies when this change occurs. ■



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