

# THE RAP SHEET

## Information from the Criminal Records Division

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July/August 2008



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## Welcome!

Technology continues to allow the criminal justice system to streamline and speed information sharing to improve public safety. It is not enough to rely on timely information, it is also important that we take time to insure that the quality and accuracy of the information is held to the highest standard. This issue brings a focus to steps that are being taken to improve record quality. Information is also provided in this issue on the recent update of the Automated Fingerprint Identification System (AFIS).

## AFIS Update



On July 28, 2008, the Michigan AFIS21 system was taken down to convert to the new Michigan AFIS. The new Michigan AFIS became operational on Thursday, July 31, 2008. During the transition period, 2.6 million AFIS records, one million archive records, and 50,000 latent records were copied. During the conversion, 600 Live Scan devices were transitioned, and 28 new AFIS workstations were connected at 20 plus locations across the state.

Due to the complexity of AFIS and its interfaces, it was vital that all the different processes were running correctly and that all transactions were processing properly. Taking the extra time to verify the process was critical to ensure accuracy and integrity of the pending records.

Michigan's AFIS receives transactions from 600 Live Scan devices and interfaces with the Criminal History Record (CHR) system, Statewide Network of Agency Photos (SNAP), the Federal Bureau of Investigations (FBI) AFIS, and Oakland County's AFIS.

The new AFIS processed 4,000 jobs on its first day in operation. A latent search, which ran 20 minutes on the old system, was run in 30 seconds. This new system has many innovative features that will assist law enforcement in solving crimes:

- Enhanced Latent Matching Algorithms (ELMA) allows the use of multiple algorithms in performing a search.
- A slap database is a collection of slap prints or impressions (fingerprints that are not rolled).
- The capability to receive, search, and store palm prints. (This becomes a federal and state requirement on July 1, 2009. The palm database will be loaded during the next several months. Palm cards will continue to be converted into the system. Agencies with Live Scan palm capture capabilities will be receiving assistance with their palm submissions)
- The submission of latent searches to the FBI is simplified.
- There are many more features that the operators of AFIS will enjoy.

## Court Disposition Reporting

### Deferred/Dismissed Disposition Status

To enhance court reporting of deferred/dismissed dispositions under MCL statues 333.7411 (drug), 769.4a (domestic assault), 750.350A (parental kidnapping), and 750.430 (practicing under the influence), use the procedures outlined below:

- **Automated Courts**  
When entering a judicial (EJUD) disposition for the MCL's listed above, the arrest, charge, and judicial record is a "public record." For an incident to become a "non-public" record, the subject must successfully complete the assigned probation period. The court will then modify the disposition

(MJUD) electronically to reflect a suppressed record on the CHR. If the probation period wasn't completed, the status will be revoked and a modify judgment of guilt is entered.

- **Non-Automated Courts**

Report by U.S. mail the following forms approved by the State Courts Administrators Office (SCAO):  
DC 243 or CC 243a - Order of Probation - deferred status (public record)  
MC 245 - Motion and Order for Discharge from Probation (non-public record)

If a defendant is convicted and a judgment of guilt is entered, submit the appropriate form from the below list:

MC 219 - Judgment of Sentence - Commitment to Jail  
CC 219b - Judgment of Sentence - Commitment to Corrections Department  
DC 250 - Felony register of action  
DC 251- Misdemeanor register of action

If you have questions concerning disposition reporting or to request a deferred status court disposition report, provide your court's Originating Agency Identifier (ORI) number and the specific year(s) you'd like to review, to Ms. Diane Sandborn at (517) 636-0121 or sandbord@michigan.gov.

### New – Open Arrest Report

In an effort to maintain the integrity and quality of the CHR database, the CRD has piloted a new open arrest report. This report lists records with arrest dates nine months or older which are missing charge or judicial data. Upon receipt of the open arrest report, we ask each agency to review their files and update the case status. Once the arrest date becomes a year old and the record has not been updated, the arrest code will automatically change to released no pros (REL) and will be deleted from the CHR.

If an arrest is a felony or misdemeanor and the arrest code is warrant requested (REW), petition required (REP), or pending further investigation (PFI), the report is also sent to the prosecutor. If the arrest is a misdemeanor or ordinance and has a disposition other than REL, the report is sent to the court. Report notification is determined by the agency's ORI entered at arrest.

Initially, the open arrest report will be distributed through the U.S. mail. Future report distribution plans are to use e-mail or the Michigan Criminal Justice Information Network (MICJIN) portal.

Agencies with MICJIN portal access wishing to receive the report may contact Ms. Suellyn Green at (517) 322-5528 or greensr@michigan.gov.

### FBI CJIS Triennial Audit

In June 2007, the FBI Criminal Justice Information Systems (CJIS) Audit Unit conducted a triennial audit of MSP and local agencies in Michigan. The audit consisted of two parts, information technology security and policy compliance. The FBI's Audit Unit found areas of non-compliance. The MSP CJIS Field Services Section responded with a written corrective action plan. Part of that plan requires a return visit from an MSP CJIS auditor to each agency found out of compliance. The auditor will schedule the revisit in advance and it will not be a full audit. Questions concerning the FBI CJIS audit may be directed to the CJIS Field Services Section at (517) 636-4544.

### Complete and Accurate Information

The LEIN, National Crime Information Background Center (NCIC), and the National Law Enforcement Telecommunications Systems (Nlets) play critical roles serving as conduits of information. Their roles include providing information to officers regarding wanted subjects, articles, warrants, Personal Protection Orders (PPO), stolen vehicles, guns, etc. The key to a successful match between the queried subject and article often lies in the quality, and in some cases the quantity, of information included in the entry.

Users must make every effort to gather supporting descriptive information and include it in the LEIN/NCIC entry. Sources may include investigative reports, Secretary of State's driver or vehicle files, and CHR. In the effort to "pack the record," caution must be taken to ensure that the supporting information is for the subject of the record. Inaccurate information could result in the subject of the record being inappropriately released, seizure of the wrong items, or arrest of the wrong individual.

## Guidelines for Publishing Information On-Line

The Internet contains a wealth of information and has become a popular resource for communicating, researching topics, and finding information about people. It is also less intimidating than actually interacting with people because there is a sense of anonymity. Unfortunately, people have become so familiar and comfortable with the Internet that they adopt practices that make them vulnerable. For example, people are typically wary of sharing personal information with strangers; however they do not hesitate to post that same information online.

Once you have shared personal information, it can be accessed by strangers and there is no control over what might be done with that information. As a general rule, let common sense be your guide to what you post online. Before you publish something on the Internet, determine its value and consider the implications of having that information available to the public.

Identity theft is an increasing problem. The more information an attacker can gather about you, the easier it is to pretend to be you.

## Success Stories

### SNAP Success

Thanks to the officers of Lincoln Park Police Department and the CRD, an escaped fugitive was arrested in Florida on June 15, 2008. The fugitive had been out on escape status since October 22, 1973. The Lincoln Park Police Department used a SNAP photograph to confirm the escapee's identity.

### AFIS Success

A MSP trooper spotted a driver throwing litter from his vehicle and conducted a traffic stop. Upon approaching the stopped vehicle, the trooper smelled an odor of marijuana. When the trooper began to investigate, a passenger in the vehicle jumped behind the wheel and sped away. When the fleeing vehicle collided with another car, the suspect ran from the car. The suspect was apprehended, arrested, and fingerprinted. From the fingerprints, the suspect was positively identified as a murder suspect from a South Carolina homicide.

### Criminal Records Division Help

Applicant Background Check (517) 322-1956  
Computerized Criminal History (517) 322-1956  
Fingerprints (517) 322-1956

**How can we help?** If you have ideas for future articles, please contact Ms. Marcy Best at (517) 636-6158 or [bestm@michigan.gov](mailto:bestm@michigan.gov).