

THE RAP SHEET

Information from the Criminal Records Division

Division Contact (517) 322-1665

www.michigan.gov/msp

Fax: (517) 322-6326

002

September/October



Capt. Charles E. Bush, Commander
Criminal Records Division
Michigan State Police
7150 Harris Drive
Lansing, Michigan 48913

Welcome!

Welcome to THE RAP SHEET, the newsletter of the Criminal Records Division (CRD) of the Michigan State Police (MSP). We appreciate the feedback we received in response to the first issue. As a result of your suggestions, you may notice subtle changes in this issue. Thank you for your help as we continue to provide you with timely and accurate information to enhance criminal justice and public safety.

CRD Temporarily Relocated

On October 20, 2007, the CRD will temporarily be relocated from the General Office Building at the State Secondary Complex to the Hollister Building on Allegan Street in downtown Lansing. All CRD phone numbers and the mailing address will remain the same. If you should need to visit us in the Hollister Building, please call ahead.

Live Scan - Law Enforcement Information Network (LEIN) Responses

Law enforcement agencies in all 83 Michigan counties have the technology, via Live Scan, to submit fingerprints electronically to the CRD. During July 2007, CRD processed 54,999 fingerprint transactions, with 52,747, or 96 percent submitted electronically. In comparison, during the same time period in 2005, the CRD processed 42,925 transactions with 29,127, or 68 percent, submitted electronically. In 2007, the CRD will offer 5 Live Scan trainings, 2 for applicant and 3 for criminal justice agencies. One-on-one (for new Live Scan administrators) and on-site training is also available. Currently, 304 agencies have been trained.

Recently, several agencies lost connectivity (Live Scan failed because of data or fingerprint flaws). MSP verifies receipt of all Live Scan transactions by returning 2 (state and FBI) LEIN responses. If a LEIN response is not returned:

- 1) Verify that your transaction was sent by a Live Scan operator
- 2) Verify that the Live Scan device is operating correctly
- 3) Verify connectivity through your Point of Presence (POP) or Virtual Private Network (VPN) provider



Note: Printing of a fingerprint card with a Transaction Control Number (TCN) and a retention code of "y" (yes) does not verify that your transaction was received. To verify that the transaction was received by CRD, review your LEIN response or query LEIN.

When a LEIN response is returned:

- Review the state LEIN response for verification of complete and accurate data. If the data is incomplete, the information can be changed or deleted by faxing a correction request to (517) 322-6288 or email CJICCHRCORR@michigan.gov. Correction requests must include the subject's name, date of birth, TCN or criminal tracking number (CTN), and the information to be corrected.

THANK YOU FOR YOUR ASSISTANCE!!!!

Because of your hard work and combined efforts, the CRD is able to provide complete, accurate, and current criminal histories within approximately 2.45 days from time of arrest. The national average is 13.77 days.

Questions concerning Live Scan, connectivity, or training may be directed to Mr. Keith Kramer at (517) 636-0124 or kramer_keith@michigan.gov.

Automated Fingerprint Identification System (AFIS) Update



What is AFIS?

AFIS is the automated process that receives applicant (licensing) and criminal prints for identification purposes. State and Federal laws require an automated process, and AFIS is the venue where criminal history systems are built. Without AFIS, a large number of positive fingerprint identifications would not be possible. AFIS is also used to identify prints found at crime scenes. Michigan's AFIS solves an average of 80 crimes per month.

Michigan's first AFIS device was installed in 1988 with oversight provided by the AFIS Policy Council, which was created by Act 307 of 1988. This system services fingerprint identification, both latent and ten-print, for the entire state. At the

time of installation, Michigan converted 724,000 ten-print fingerprint cards. It was estimated that it would take 72 man-years to search a single unknown fingerprint against the paper criminal prints. In comparison, the first AFIS completed the same task in one hour. In 1988, card scanning was the only venue available to enter ten-print arrest and applicant prints into the system. At that time, averages of 400 transactions were processed per day. Michigan currently has 2.3 million people registered on AFIS, with an average of 2,300 daily transactions received from 600 Live Scan locations across the state. A typical search takes approximately 20 minutes, searching not only the Michigan records, but also the Federal Bureau of Investigations (FBI) Integrated Automated Fingerprint Identification System (IAFIS.)

Michigan has 20 latent terminal sites to access AFIS in order to search for prints collected at unsolved crime scenes. These latent terminals search both the state and FBI IAFIS. Michigan was one of the first states to provide statewide IAFIS latent search connectivity.

AFIS is a critical component of MSP's existing infrastructure. AFIS manages the message flow between the State of Michigan and the FBI's IAFIS for arrest data, fingerprint, mug shots, Michigan's Criminal History System (CHS), and Michigan's Statewide Network of Agency Photos (SNAP).

Current AFIS Status

In 2000, the original AFIS design was updated to hold 2.5 million records with a peak process of 1,900 transactions per day. The expectation was a maximum of up to 300 Live Scan devices. The current AFIS:

- Averages 2,300 transactions per day
- Has peaked at over 3,200 transactions per day
- Is accessed by 600 Live Scan devices
- Increased transactions by 50 percent in the last 3 years

Why AFIS Expansion is Needed

- Automation has increased the number of transactions, i.e., Live Scan has made reporting easier
- Changes in the laws that allow misdemeanor and ordinance reporting at time of arrest
- Expansion of juvenile reporting
- Laws that allow or require applicant prints including school employment, Carrying Concealed Weapon (CCW), health care workers, etc.
- Additional laws (currently over 30) that require more applicant print submissions
- Age of the system

Michigan AFIS Expansion Project

The Michigan AFIS Expansion Project is underway and scheduled for completion in July 2008. Features of the project include:

Expansion and upgrades

- Equipment upgrades
- Storage expansion
- Throughput expansion

Palm print submission, storage, and search capability

- AFIS will be able to electronically accept palm prints from Live Scan devices (currently accepted - demographics, applicant information, arrest and charge data, fingerprints, mug shots, scars, marks, and tattoos)
- Storage of palm prints allowing ten-print and latent searches (palm prints could be used for identification purposes for 30-50 percent of crime scenes)

AFIS Expansion Project Timeline

- February 2008 - System delivery, install, software load and configuration
- March 2008 - System review and initial testing
- April/May 2008 - Remote latent terminal install and staff training
- June/July 2008 - System final acceptance

As the timeline dates play out, information regarding system downtime (for the switchover) will be broadcast through LEIN. We will make every effort possible to reduce system unavailability.

AFIS Latent terminal sites will receive information through correspondence, meetings, and training with their agency's contact or latent print examiner.

News – Applicant Fingerprinting Fees Reduced

Reduced Fingerprinting Fees

Effective October 1, 2007, costs of processing applicant fingerprints, via Live Scan, through MSP and the FBI will be reduced by \$4.75 (old - \$54.00 vs new - \$49.25). The reduction in costs resulted from a study determining that the FBI has realized an efficiency gain by having states, such as Michigan, submit prints electronically.

Fingerprint fee changes

Description	Code	Old Fee	New Fee
Adult Foster Care Employment (MCL 400.734A) (PL 108-173)	FCE	54	49.25
Michigan School Employment (MCL 380.1230a & MCL 380.1230g)	SE	54	49.25
Health Care Employment (MCL 333.20173) (PL 108-173)	*HC	54	49.25
Consumer & Industry SVCS, , Insurance Bureau (MCL 500.249a)	IB	54	49.25
Private Detective (MCL 338.838) – Licensed Employees/Investigators	PSD	54	49.25
Private Security Guard (MCL 338.1068) – Private Security Police and Alarm Systems	PSG	54	49.25
Third Party Tester (MCL 257.309)	TPT	54	49.25
Day Care Home License or Registration (MCL 722.115)	DCL	54	49.25
Dept of Agriculture, Racing Commission (MCL 431.316) Horse Racing License	*RC	54	49.25
Dept of State, Bureau of Auto Reg (MCL 257.248f) – Salvage Dealer License	AR	54	49.25
Polygraph License (MCL 338.1710)	PO	54	49.25
State Bar License (MCL 600.949)	SB	54	49.25
Private Security & Investigator License (MCL 338.838 & .1068) – Owner License	PSI	54	49.25
Department of State, Driver Education Licensing (MCL 256.602)	LDE	54	49.25
Dept of Treasury, Gaming Control Board (MCL 432.202) – Casino Gaming License, etc	GCB	54	49.25
NCPA/VCA (PL 103-209) National Child Protection Act	*CPE	54	49.25
NCPA/VCA/VOLUNTEER (PL 104-243) National Volunteers w/children, etc	*CPV	48	45.25

Reduced Fingerprint Fee Transition

Effective September 27, 2007 – 1:00 AM – All CRD customers are directed to stop submitting applicant prints. This will give CRD the opportunity to clear all prints using the old fee structure.

On October 1, 2007 – 5:00 PM – CRD will resume processing applicant prints using the new fee structure. Any questions regarding this transition may be directed to Mr. Robert Grounds at 517-322-1038.

NEW PROCEDURES

Reporting a Personal Protection Order (PPO) Violation To The Criminal History Record (CHR)

At a recent Criminal History Workgroup meeting, reporting a violation of a PPO to the CHR system was discussed. The group agreed that a procedure needed to be created to instruct both law enforcement and the Circuit Court/County Clerk staff on how to properly report a violation of a PPO to the CHR. CRD staff worked with the State Court Administrators Office (SCAO) to develop the procedure outlined below.

Law Enforcement

1. The arresting law enforcement agency fingerprints the individual upon arrest and forwards the arrest information to the Clerk of the Circuit Court (County Clerk) of jurisdiction.
 - If the defendant was printed on a Live Scan device, the arresting agency must ensure that the TCN and the Originating Charging Agency Number (OCA) is forwarded to the County Clerk (*this information should be contained in the police report*).
 - If the defendant was printed on a hard fingerprint card, the arresting agency must forward the card to the County Clerk along with the police report.

County Clerk/Circuit Court**

1. Courts must submit a copy of SCAO form CC 382a (Order after Hearing on Show Cause for Violating Valid Personal/Foreign Protection Order) to CRD at:

**Criminal Justice Information Center
Criminal Records Division
7150 Harris Drive, 1A
Lansing, Michigan 48913**

- If the law enforcement agency submitted the arrest via Live Scan, the court must include the TCN in the CTN/TCN field and the OCA number in the "Police Report No." field on the CC 382a. A copy of the Order must be sent to CRD for entry into the CHR.
- It is recommended that the police report **not** be retained in the court file. The report is filed as a means of providing information (is not a pleading in the case). The clerk should note the TCN and OCA numbers for the CC 382a and then destroy the report. This eliminates the possibility that non-public information contained in the police report (social security number, victim's address, phone numbers, etc.) will be seen by the public.
- If the law enforcement agency provided the County Clerk with a fingerprint card, the clerk must attach the card to the completed CC 382a and submit them to CRD.
- The Judicial Information Systems (JIS) software provided to Circuit Courts by SCAO will be updated for electronic submission of these civil case dispositions to MSP upon completion of the NGL software revision.
- Courts using software other than JIS are encouraged to request their vendors modify their software to enable electronic reporting.

*****Until availability of software that enables Courts to submit PPO Violation dispositions electronically***

Law enforcement agencies with questions regarding this procedure may contact Mr. Tim Bolles, Criminal History Section Manager at (517) 322-5529 or at bollest@michigan.gov.

County clerk or circuit court employees with questions regarding this procedure may contact Ms. Dawn Childress, State Court Administrators Office, at (517) 373-3756 or at ChildressD@courts.mi.gov.

CJIS Field Services Update

NEXT GENERATION LEIN TO BE IMPLEMENTED

On July 23, 1967, the Law Enforcement Information Network (LEIN) experienced its inaugural deployment when the Governor's emergency proclamation relating to the civil unrest in the City of Detroit was broadcast. LEIN is over 40 years old and continues to use the same software that was deployed in 1967. Needless to say, the 40 year old system presents us with problems of support, new enhancements, performance, and system enhancement.

Approximately two years ago, we embarked on the Next Generation LEIN (NGL). NGL will use advanced technology that will reduce some costs and permit us to be more responsive to your needs as well as provide enhancements for homeland security.

Our planned cutover date for the NGL is September 30, 2007. For the most part, the look and feel of LEIN will remain unchanged. Feel free to advise us of any concerns or observations you may have as we approach the cutover date. If your agency is a single user (a workstation directly connected to LEIN), no action should be required for cutover preparation.

If your agency is a computer interface user of LEIN, you should have completed the NGL Testing Application form and returned it to our office. We urge all computer interface agencies to schedule a test to make sure all is well. To schedule a test, contact Mr. Kevin Collins of the project staff at (517) 636-4544 or collinsk@michigan.gov.

If your computer interface to LEIN uses message parsing, it is absolutely critical that you test your system with the NGL due to possible changes in message formatting and character positioning. Once the NGL goes live, you will be responsible for accommodating any message parsing required for your system.

The following LEIN broadcast was sent to all LEIN users that are registered on the MSP CJIS Listserv on August 9, 2007, regarding U.S. Department of State Passport Services hit confirmations.

TO ALL LEIN USERS
U. S. DEPARTMENT OF STATE PASSPORT SERVICES

THE U.S. DEPT. OF STATE PASSPORT SERVICES HAS BEEN GRANTED ON-LINE ACCESS TO THE NCIC WANTED PERSONS FILE IN ORDER TO SUPPORT PASSPORT SCREENING AND THE REFERRAL OF FUGITIVE INFORMATION TO LAW ENFORCEMENT AGENCIES. THE U.S. DEPT OF STATE IS REQUIRED TO FOLLOW THE HIT CONFIRMATION PROCESS.

YOU ARE REMINDED THAT UPON REQUEST FOR HIT CONFIRMATION, YOU MUST DO SO WITHIN ONE HOUR. IF THE REQUESTER IS THE U.S. DEPT. OF STATE PASSPORT SERVICES, YOU ARE AUTHORIZED TO CONFIRM THE WARRANT.

PLEASE POST FOR ALL SHIFTS.

AUTHORITY, THOMAS L. EVANS, MICHIGAN FEDERAL CJIS OFFICER
MICHIGAN STATE POLICE

EMPLOYMENT CHECKS:

As a result of the FBI CJIS audit, the CJIS Field Services Section is reminding agencies to use the correct Purpose Codes for employment checks.

Purpose Code J:

Employment checks including Interstate Identification Index (III) inquiries conducted on individuals who are employees of the criminal justice agency should be run under Purpose Code J. The key word is employed. It does not matter what the employee is responsible for at the criminal justice agency. An employment check for a janitor who is employed by the criminal justice agency would be run under Purpose Code J.

OR

A vendor/contractor/volunteer that is servicing a criminal justice agency, and is involved in the administration of criminal justice functions (maintains computer network, data entry clerk, etc.) should also be run under Purpose Code J.

Purpose Code C:

Employment checks including III inquiries conducted on vendors/contractors/volunteers at the criminal justice agency which are not involved in the administration of criminal justice functions, should be run under Purpose Code C. Purpose Code C would involve individuals who are **not** directly employed by the criminal justice agency and are **not** involved in the administration of criminal justice functions. These individuals would include carpet cleaning vendors, vending machine personnel, contract cooks, contract janitors, etc.

Success Stories

Applicant Fingerprint Training Pays Off - Protecting Children

On July 10, 2007, a local Michigan school district contacted the CRD Quality Control Unit (QCU) Supervisor, Mr. Robert Grounds, to confirm that a fingerprint response provided by an applicant was a true copy. The applicant had provided a copy of a state and FBI response stating there was no criminal history. The school district noted the TCN had been generated by a Live Scan device from a local agency. After checking the TCN, it was found that it was for a different person employed by the same school district. MSP records confirmed that the TCN was for a different agency. Because the agency followed training provided by CRD QCU, an investigation has been initiated into forged documents.

Automation Helping to Ensure Public Safety

The Midland County Clerk's Office revoked a CCW license on an individual based on information received from CRD's Automated Rap Back Notification. The whole process, from arrest to Rap-Back Notification, occurred within a 24-hour period.

LEIN Entry – Stolen Vehicle Recovered 24 minutes later

The Corunna Post received a report that a new 2007 vehicle had been stolen from a local dealership. As the Michigan Intelligence Operations Center (MIOC) Emergency Dispatcher was entering the vehicle into LEIN, an MSP Trooper advised he was turning on a vehicle that was traveling over 96 mph on I-96 near Saginaw Street. When the Trooper called in the vehicle's plate number, he was advised of the stolen information. The suspect was apprehended and the vehicle was recovered 24 minutes from entry into LEIN. The suspect had additional warrants.

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) 322-1665 or Bestm@michigan.gov.