

AFIS



U C R

Virginia State Police

C J I S

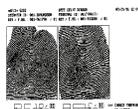


Criminal Justice Information Services Division Newsletter

Volume 8, Issue 2

JULY 2005

AFIS ACTIVITIES



AFIS

AFIS SYSTEM UPGRADE - PHASE 2 and DR PROCESSING

The implementation of Phase 2 of the AFIS System upgrade took place on March 5-6, 2005, at VSP Headquarters.

Functional enhancements that will be realized as a result of the Phase 2 implementation include an increase in the system accuracy due to the creation of the full Pre-Selection Record (PSR) records for each stored ten-print record and the use of 4-finger matching. Additionally, storage of the slap fingerprints on a day one forward basis will be initiated. The slap fingerprints will be made available to latent searches. Two other algorithms are being added to the latent search options. Operationally, the system controller will be upgraded and the RAID storage will be replaced with fiber channel SAN RAID storage.

The acceptance tests including the function tests, the latent accuracy test, the live scan and card scan accuracy tests, and the throughput test were conducted with acceptable results. Phase 2 was accepted.

The Disaster Recovery (DR) hardware and software were installed at the DR site, and additional testing was conducted. The DR processing was accepted.

The DR processing will be utilized if the normal operations at VSP's central site are interrupted for an extended period. The AFIS component will be capable of receiving the live scan submitted arrest records and forwarding them to the FBI for identification purposes. The FBI response

will be returned to the originating arresting agency. In addition, the live scan arrest records and applicant requests will be stored for processing at VSP once processing is restored at the central site.

ARCHIVAL AND RETRIEVAL SYSTEM

As of July 1, 2005, over 286,000 SID folders were created in the Archive system to contain criminal arrests and court dispositions that were received and processed electronically. Over 299,900 court dispositions were archived to date. Conversion of the Master Fingerprint File has been on hold during this quarter pending budget changes in the NCHIP grant to fund the effort.

CBM made modifications to the Archive system to handle the mugshots and make them available to CCH and SOR. This enhancement was implemented in early June 2005. The CCH group received guidelines for performing a preliminary test.

NON-CRIMINAL LIVE SCAN APPLICANTS

Approximately 50% of Virginia's applicant prints are now submitted electronically. This is a result of 70 live scan devices being installed at 53 non-criminal sites for non-criminal justice purposes. A total of 31,577 fingerprint based applicant requests were processed during the second quarter of 2005. This is an increase of 2,200 over the second quarter of 2004.

CRIMINAL JUSTICE LIVE SCAN SITES

On average, 620 arrest fingerprints are transmitted daily to the Central Criminal Records Exchange from 125 live scan systems installed in more than 98 local booking stations throughout the state. Seven additional agencies are in the process of implementing live scan units. Currently, 88% of arrests are processed electronically.

The first generation of IDS software is being installed throughout the state. This initial version replicates the current live scan capabilities while being easier to operate and support. Approximately 80 machines had the first version of IDS software installed in July. While the first version of IDS was installed, the version that reads the bar-coded magistrate documents is being tested and readied for implementation. The software upgrade to this improved version will not require a visit to the machine to upgrade the software to this new version. The ability to use the 2D bar-code reader to enter charge data at the IDS live scan will be installed shortly after the Symbol Cyclone readers arrive at the live scan sites. The 2D scanners will be shipped to each location and the software will be upgraded to make use of the bar-code scanner. The implementation of the 2D bar-code version of IDS, which will pass on the VCC code and the OTN to CCH, will be completed before the end of the year for all 125 criminal justice live scan machines in Virginia. The bar-code enabled version of IDS will be the standard software used for criminal bookings statewide.

CRIME STOPPERS, CRIME SOLVERS OR CRIME LINE PROGRAMS: NEW LAW PERTAINING TO CRIMINAL HISTORY RECORD CHECKS

Effective July 1, 2005, House Bill 1676 pertaining to criminal history record checks provides that any board member or any person who has been offered membership on the board of a Crime Stoppers, Crime Solvers or Crime Line program shall not be required to pay the usual \$15.00 fee for a criminal history record check for appointment to such a board. Please use the Criminal History Record Name Search Request (SP-167) form for the record search, and indicate "Volunteer Crime Stoppers" or "Volunteer Crime Solvers".

VIRGINIA SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY

The Sex Offender and Crimes Against Minors (SOR) Registry is available to assist law enforcement agencies in protecting the public and assists the sex offender by requiring the offender to stay in compliance with Title 9.1-900 through 9.1-918, Code of Virginia. The violent offenders are required to register and re-register every 90 days for life, and sex offenders are required to register and re-register annually for 10 years from the date of their initial registration. Any period of confinement in a federal, state, or local correctional facility, hospital, or any other institution or facility during the 10 year period shall toll the registration period, and the duty to re-register shall be extended. Thereby, the additional time served would be added to the 10 years.

The sex offender is not programmatically deleted from the Registry when the offender reaches their 10 year re-registration requirement.

Pursuant to §9.1-909 of the Code, the court will hold a hearing on the petition at which the applicant and any interested persons may present witnesses and other evidence. After the hearing, and the court is satisfied that such person no longer poses a risk to public safety, the court shall grant the petition. The State Police will remove the offender from the Registry upon receipt of a court order granting that the offender be removed from the Registry.

CCRE INFORMATION



REVIEW THE LAWS THAT GOVERN THE VIRGINIA SOR VIA THE INTERNET

You may review all laws, § 9.1-900 through §9.1-918, Code of Virginia, that govern the Registry at www.virginiatrooper.org and clicking on Laws/Code of Virginia. The General Assembly screen page will appear. In the block located in the center of screen, enter 9.1-900 to read the purpose of the Registry. To continue reviewing the statutes, click on NEXT on the right top of the screen, until you review the entire Registry.

If you should have any questions concerning the laws that govern the Registry, please contact Ms. Debbie Mann, SOR Manager, at 804-323-2153 or Ms. Anita Dolan, SOR Supervisor, at 804-323-2154.

CHANGES IN THE SEX OFFENDER REGISTRY STATUTE EFFECTIVE JULY 1, 2005

Effective July 1, 2005, the 2005 Virginia General Assembly amended the Sex Offender and Crimes Against Minors Registry. Listed below are the changes:

SEXUAL BATTERY §18.2-67.4

Prior to July 1, 2005, if an offender was convicted of a misdemeanor, one count of sexual battery of a minor, the offender would be classified as a sexual offender. Effective July 1, 2005, any perpetrator 18 years or older, if convicted of sexual battery of a child under 6 years of age, is classified as a violent sex offender. This classification will change the offender's annual re-registration requirement to re-registering every 90 days for life.

MURDER OF A CHILD

Murder of a child under 18, pursuant to §18.2-31 or §18.2-32 is a new registrable offense. This offense is classified as a sex offense requiring registration and re-registration yearly. The offenders convicted of these murders will be posted on the Internet SOR website.

OFFENDERS MOVING TO THE COMMONWEALTH

Prior to July 1, 2005, the law required that any person moving into Virginia who was convicted of any similar offense under the laws of the United States to register and re-register with the SOR. Pursuant to §9.1-902, effective July 1, 2005, the law requires that a sex offender who must register in the state in which he was convicted to register in Virginia when he moves to the Commonwealth, regardless of whether the underlying criminal offense is similar to a Virginia offense. Persons whose offenses are similar to Virginia law will be registered either as a violent or non-violent offender as was done prior to July 1, 2005.

Effective July 1, 2005, there is a new provision in the law that requires a nonresident offender, within 10 days of entering the Commonwealth for an extended visit (30 days or more), to register and re-register in person with the local law-enforcement agency.

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**CHANGES IN THE SEX OFFENDER
REGISTRY STATUTE EFFECTIVE
JULY 1, 2005—CONTINUED**

MARITAL RAPE

Effective July 1, 2005, §18.2-67.2:1, Code of Virginia, was repealed. This section covered violations or attempted violations of Marital Sexual Assault. Persons previously convicted of this offense are still required to register and re-register. The repeal of this section was due to the inclusion of offenses committed between spouses within the elements of the offenses of rape, forcible sodomy and object sexual penetration.

INDECENT LIBERTIES WITH MINOR

Effective July 1, 2005, the minimum age for conviction under Indecent Liberties of a Minor §18.2-370 was changed from under 14 years of age to under 15 years of age.

**JUVENILES; JUDICIAL DISCRETION TO
REQUIRE REGISTRATION**

“This provision of the law is not retroactive and is subsection is declaratory of existing law.”

Prior to July 1, 2005, juveniles could only be entered in the Registry if the offender was convicted in the circuit court of one of the offenses outlined in §9.1-902 of the Code of Virginia. As of July 1, 2005, pursuant to §9.1-901C, juveniles adjudicated delinquent shall not be required to register if the offender is a juvenile over the age of 13 at the time of the offense, who is tried as a juvenile and is adjudicated delinquent of any offense enumerated in subdivisions A through A4, and the court, in its discretion and upon motion of the attorney for the Commonwealth, finds that the circumstances of the offense require offender registration. This new provision will only apply to adjudications on or after July 1, 2005.

The order form for the SP-236 Sex Offender and Crimes Against Minor Registration form is on page 9.

**A REMINDER ABOUT JUVENILE
FINGERPRINTS**

With the change in §16.1-299, Code of Virginia, effective July 1, 2004,

“All duly constituted police authorities having the power of arrest shall take fingerprints and photographs of any juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an adult, is required to be reported to the Central Criminal Records Exchange pursuant to subsection A of §19.2-390.[fingerprints] shall be filed with the juvenile court on forms provided by the Central Criminal Records Exchange.”

The significance of this change is that juveniles are now fingerprinted in the same manner as adults. That is, the change in law states juveniles shall be printed. Prior to this change, criminal code stated that juveniles may be printed for certain criminal charges. Section 16.1-299 also states that fingerprints are to be filed with the Juvenile Court on forms provided by the Central Criminal Records Exchange (CCRE). While this requirement is not a change in law, it should be emphasized. The hardcopy fingerprint card (SP-180 or Live Scan SP-220) needs to be sent to the court of jurisdiction. The Disposition form (SP-180 or Live Scan SP-222) also needs to be sent to the court by the arresting agency.

If for any reason law enforcement does not print a juvenile, the juvenile court should be made aware of this so the court can make arrangements to obtain fingerprints. Once the juvenile case has been completed, both the fingerprint card as well as the completed disposition are sent to CCRE by the court. If CCRE does not receive both of these forms from the court, neither the charge nor the disposition can be added to the juvenile’s criminal record. For this reason, it is extremely important that all criminal justice agencies use whatever resources available to help ensure that juvenile criminal records are as complete and accurate as possible. If you have any questions, suggestions, or special concerns regarding the processing of juveniles, you may contact Mr. Norm Westerburg, CCRE Agency Management Analyst, at 804-323-2164.

VCIN Notes



ATTENTION: AGENCY HEADS AND TERMINAL AGENCY COORDINATORS

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

The following agencies were added to VCIN during the first & second quarters of 2005:

AGENCY NAME TERMINAL ADDRESS ORI

*Frederick County	Commonwealth Attorney FECA	VA034013A
*Warren County	Commonwealth Attorney WCCA	VA093013A

*DENOTES LIMITED SERVICE TERMINAL

PROPER USE OF ORIGINATING AGENCY POLICE OR IDENTIFICATION NUMBER IN THE MISCELLANEOUS NUMBER (MNU) FIELD OF WANTED PERSON/MISSING PERSON RECORDS

When an agency wants to include an individual's criminal record identification number, commonly called the SID number, in a Wanted Person/Missing Person entry, it would be entered into the MNU field with the prefix of OA for Originating Agency Police Identification Number not PI for Personal Identification Number or VA for Veterans Administration Number. An example of correct way would be MNU/OA-VA123456. Incorrect ways would be PI-VA123456 and VA-123456.

USE OF OWNER APPLIED NUMBER (OAN) FIELD IN STOLEN VEHICLE RECORD ENTRIES

The main use of this field is for vehicles that have been assigned a state-assigned vehicle identification number (VIN) by DMV. Do not enter a state-assigned VIN number into the regular VIN number field. Another use of this field would be when entering motorcycles, mopeds, or ATVs and

your supporting documentation indicates an engine number in addition to the regular VIN number, the engine number would be entered into the OAN field. Additionally, if you have a VIN that is accepted by VCIN, but rejected by NCIC (usually trailers), and you have verified the VIN by having DMV perform a title search, then enter the VIN in the OAN field and place SVIN as the first item in the Miscellaneous (MIS) field. Following this procedure allows your record to be accepted into both NCIC/VCIN.

VCIN Notes

EXTRADITION FIELD (EXL) IN WANTED PERSON ENTRIES

For VCIN only misdemeanor warrants or felony warrants, where the Commonwealth Attorney will not extradite, the EXL field in the entry will always be the number 4, which in VCIN translates "WILL PICK UP ANYWHERE IN VIRGINIA", and in NCIC translates to "NO EXTRADITION".

NLETS/NICB/U.S. CUSTOMS & BORDER PROTECTION LICENSE PLATE READER PROGRAM

NLETS, in conjunction with the U.S. Customs and Border Protection and the National Insurance Crime Bureau, are pleased to announce the implementation of the License Plate Reader Program (LPR). This program tracks the movement of vehicles as they cross through the ports of entry along the southwest border between the United States and Mexico, and the northern border between the United States and Canada. This valuable investigative data is now available to NLETS users. By using the existing RQ message key addressed to the destination code "NA", NLETS users can receive a detailed list of when and where a vehicle crossed over the United States' borders within the last twelve months.

Organized Criminal Gang File

When an agency determines that an individual is a member of a criminal street gang either by admission of the individual, observation by a law-enforcement officer that the individual frequents a known gang area, associates with known gang members and demonstrates gang style of dress, tattoos, hand signals, or symbols, or being arrested on more than one occasion with known gang members for offenses consistent with gang activities, the agency shall enter the individual's name and other appropriate gang-related information into the VCIN Organized Criminal Gang File and the NCIC Violent Gang File.

The VCIN file is not operational at this time, but agencies must enter into the NCIC Violent Gang File as soon as practicable after determining that an individual is a member of an organized criminal gang. When the VCIN File becomes available, records in the NCIC Gang File will programmatically be entered into the VCIN file. Codes for entering into this file are obtained by faxing the Code Request Form on page 10 of the VGTOF Section of the NCIC 2000 Operating Manual to 304-625-5393. On the Code Request Form, the location would be the location from where the individual operates as a member of a gang, and not the individual's home address. Also, before you can enter a gang member, you must first enter the gang group first.

CJIS Newsletter to be Placed on VSP Web Site

In the near future, the CJIS Newsletter will be posted on the VSP Web Site and will only be disseminated electronically. The Web Site address is www.vsp.virginia.gov

Firearms Transaction Center

Effective July 1, 2005, law-enforcement officers are no longer subject to the provision limiting a person from purchasing more than one handgun in a 30-day period by amendment of §18.2-308.2:2, Code of Virginia. As a result, a check against the Virginia State Police, Firearms Transaction Center Calendar File on Handgun Purchases is not necessary prior to the purchase of service handguns authorized by §59.1-148.3, Code of Virginia. Additionally, as of July 1, 2005, §59.1-148.3 is amended to allow certain law-enforcement agencies to sell service handguns to its current law-enforcement officers when the agency has purchased new service handguns and the handguns subject to sale are no longer used in the course of duty.

If you should have any questions regarding this matter, please contact Ms. Donna K. Tate, Manager, Firearms Transaction Center, at 804-674-2210 or Donna.Tate@vsp.virginia.gov.

UCR Highlights....



UCR HIGHLIGHTS

PUBLISHED DATA

Please monitor your IBR monthly files to be sure that each file contains the approximate number of incidents that should be reported each month. The monthly error report will provide you with the number of Group A incidents and the number of Group B arrests contained in the submitted file. The FBI will not publish in the *Crime In The United States* an agency's figures if any month is not reported or any month looks as if it has been under-reported.

2004 STATEWIDE DATA

The following figures represent the statewide 2004 totals. Offenses of a person (murder, kidnapping, rape, sex offenses and assaults) are victim counts. All other offenses are offense counts.

All Group A offenses increased or stayed nearly the same when compared to the figures from the previous year, except the offenses of murder, extortion/blackmail, larceny, motor vehicle theft, vandalism and gambling.

The total number of murders decreased by almost 4%, and the extortion/blackmail offenses decreased by almost 13%. Even though the total number of larcenies decreased, the specific larcenies of purse snatching and shoplifting increased. Gambling offenses decreased the most with a decrease of 53%.

2004 CRIME IN VIRGINIA

As stated in the previous CJIS Newsletter, agencies will be provided the 2004 annual report, *Crime In Virginia*, on a CD rather than a hard copy document. This document will also be found on the State Police Web Site www.vsp.virginia.gov (note the new web address) under Crime Statistics. Copies of the CD are now being produced.

Group A Offenses – 2004

Murder/Nonnegligent Manslaughter	392
Kidnapping/Abduction	1,890
Forcible Rape	1,729
Other Forcible Sex Offenses	3,458
Robbery	6,908
Aggravated Assault	11,312
Simple Assault & Intimidation	92,241
Arson	1,637
Extortion/Blackmail	76
Burglary	27,883
Larceny Theft	157,060
Motor Vehicle Theft	17,309
Counterfeiting/Forgery	8,718
Fraud Offenses	16,216
Embezzlement	3,073
Stolen Property Offenses	1,347
Damage/Vandalism of Property	89,655
Drug/Narcotic Offenses	39,440
Non-Forcible Sex Offenses	301
Pornography/Obscene Material	183
Gambling Offenses	39
Prostitution Offenses	999
Bribery	17
Weapon Law Violations	9,714

2004 Arrests

Adults Juveniles

Group A Arrests	101,453	17,881
Group B Arrests	165,026	18,974

When comparing the 2004 arrest figures to the same time during the previous year, we find that both the Group A arrests and the Group B arrests increased 7%.

The total adult arrests (Group A and Group B) increased 6.6%, while the total juvenile arrests increased 10.3%.

Of the total juvenile Group A arrests, 4,917 were for larcenies, 4,714 for simple assaults, and 2,637 for drug offenses.

Of the total adult Group A arrests, 18,300 were for larcenies, 29,799 for simple assaults, and 25,482 for drug offenses.

Due to legislative changes, the SP-236 Sex Offender and Crimes Against Minors Registration form has been revised as of July 1, 2005.

Using the form below, please order new forms and destroy all old SP-236 forms.

ORDER FORM

SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRATION FORM SP-236

Agency Name: _____

Mailing Address: _____

Attn: _____

Date Forms Ordered: _____

Phone Number: _____

**Please fax your order request to (804)-323-0862, or
email your request to Anita.Dolan@vsp.virginia.gov.**