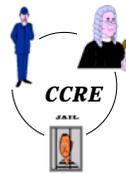


AFIS



UCR

# Virginia State Police



CCRE

JAIL

DMV

NLETS



Local Law Enforcement

NCIC



Firearms

## Criminal Justice Information Services (CJIS) Division Newsletter

Volume 19, Issue 1

January 2011

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## **AFIS ACTIVITIES**



### **Integra Archive**

The hardware and software for the new Integra Archive System was installed in June and July, 2010. Once installed, the conversion process was initiated. Conversion was executed in multiple stages because of the amount of data and the different types of data being transferred. Training and implementation were delayed because of technical challenges resulting in the system being switched to a production status on December 2, 2010. System performance and processes continue to be scrutinized to determine what changes can be implemented to improve system response times. Otherwise, the system has been stable since being switched to production. If you experience problems when using the Integra Archive System, please call the VSP Help Desk, 804-674-2028, and request that a problem ticket be generated to log and track the problem resolution.

### **Firearms Transaction Center**



### **Concealed Handgun Permits Issued to Retirees of Law Enforcement Agencies**

The Code of Virginia, §18.2-308, authorizes the issuance of a concealed handgun permit for retirees by the chief law enforcement officer of the agency from which the law enforcement officer retires. The statute also requires that a copy of the proof of consultation and favorable review for such permit be forwarded to the Department of State Police for entry into the Virginia Criminal Information Network (VCIN). This information may be forwarded to the State Police Firearms Transaction Center (FTC) at Post Office Box 85608, Richmond, Virginia 23285-5608 or faxed to 804-674-2791. To meet VCIN data entry requirements, the retiree's name and description must include the following:

# Firearms Transaction Center — Continued



## Concealed Handgun Permits Issued to Retirees of Law Enforcement Agencies—Continued

- Complete First, Middle and Last Name
- Complete Address
- Sex and Race
- Date of Birth
- Social Security Number (Optional)
- Height and Weight
- Hair and Eye Color
- Date of Review/Consultation
- Firearms Qualification Date for Nationwide Carry

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Nationwide carry privileges under the federal Law Enforcement Safety Act of 2004 (H.R. 218) are acquired upon successful completion of firearms qualification. The nationwide carry privilege expires one year to the date of the firearms qualification. The retirees must re-qualify every year. If qualification lapses, then the nationwide carry privilege expires and the retiree's concealed handgun permit issued by the agency that he or she retired from, is valid only in Virginia and those states where reciprocity or recognition is established. Proof of firearms qualification may be forwarded to the FTC for update of the VCIN entry to indicate nationwide carry privileges.

### Criminal Firearms Clearinghouse

All law enforcement agencies in the Commonwealth of Virginia are required to report recovered firearms to a central repository maintained by this agency. Pursuant to Code of Virginia, §52-25.1, the Criminal Firearms Clearinghouse (CFC) serves as a central repository of information regarding all firearms seized, forfeited, found or otherwise coming into the possession of any state or local law-enforcement agency of the Commonwealth of Virginia which are believed to have been used in the commission of a crime. Reports may be submitted to the CFC via form SP-187, which is available in a fillable format on the State Police website. The completed form may be printed and submitted to the Firearms Transaction Center at Post Office Box 85141, Richmond, Virginia 23285-5141, by fax at 804-674-2791, or email at [firearms@vsp.virginia.gov](mailto:firearms@vsp.virginia.gov). Written instruction in the completion of the SP-187 is available upon request by contacting the Manager of the Firearms Transaction Center at 804-674-2666 or via the noted email address.

## Virginia AMBER Alert Reaches National Headlines

“Imagine if we all took the time to look at missing children posters.” This is a comment received on an article of the AMBER Alert Activation for 12-year-old Brittany Smith. The AMBER Alert system was created after 9 year old Amber Hagerman’s disappearance. Since then, the AMBER Alert has lead to 525 successful national recoveries of missing children (as of December 2, 2010, [www.ncmec.org](http://www.ncmec.org)).

Virginia’s AMBER Alert for Brittany Smith was quickly made into a high profile case, even landing on Nancy Grace’s CNN “America’s Missing” television show. Brittany Smith was believed to be in the company of 32-year-old Jeffrey Scott Easley, her mother’s boyfriend. Brittany had not been seen in school since December 2, 2010. Her mother, Tina Smith, had not shown up to work for several days and her co-workers began to express concern. Authorities later discovered that Brittany Smith’s 41-year-old mother; Tina Smith, was deceased in her home. The AMBER Alert was issued in Virginia, Florida, and Alabama on December 6, 2010, and Jeffrey Easley was considered a suspect for murder and abduction. Websites were created, and numerous calls and tips were made to Roanoke County Sheriff’s Office and the Virginia State Police.

Thanks to the AMBER Alert system, Nancy Grace aired this story on her “America’s Missing” television show. A viewer of the show was able to provide a tip which helped law enforcement find Brittany Smith 3,000 miles away, in Northern California. Theresa Shanley called police after spotting Brittany Smith and Jeffrey Easley outside a Safeway supermarket in the Richmond district area of San Francisco. The pair was holding up a sign and asking for money. Shanley stated she recognized the pair from watching the show.

Jeffrey Easley is now in custody and charged with abduction, and is being investigated for the death of the Brittany Smith’s mother. As a result of this system, Brittany is now home in Virginia with her father, and Jeffrey Easley is awaiting trial. This is just one of many AMBER Alert success stories.

## Recent System Changes to VCIN

On December 13, 2010, address fields were added to the wanted person entry format and multiple associated addresses to the supplemental entry format. Local agencies now have the capability to indicate the type of address such as last known, employer, etc. Entry of address data should be entered as a set; i.e., Street Number (SNA) with City (CTY) and State (STA) or Street Number (SNA) with ZIP code (ZIP). The Street Number (SNU) and County (COU) will be optional within the set. The information on Address Data is located in the Wanted Person section of the VCIN Manual on Page II-4-41.

Additional changes were made to the Protection Order files on December 13, 2010. These changes relate to the Message Key (EPO) and (EPOC), which allows the caution indicator to be added or deleted from the entry.

The Wanted Juvenile was also corrected. It now allows you to modify the Date of Violation (DOV) field.

# VCIN NOTES - Continued



## VCIN Audits

Starting with the 2011, the VCIN audit staff will be auditing each agency to ensure that each VCIN terminal has access to a copy of the current VCIN Operating Manual, NCIC Operating Manual, and NCIC Code Manual.

The latest copy of the manuals are needed to enable each operator to have access to all new formats, changes to formats, changes to edits in the system, and new codes that will be needed to add additional information or obtain information from the system.

Access to current manuals is also needed to enable operators to review all rules and regulations governing VCIN, NCIC, DMV, and other information obtained from the computer network.

## **VCIN Announces Instructor Basic Course to Be Held**

It has been nearly two years since the Department of State Police held their last VCIN Instructor (Basic) Training Program. Since that time, we have fielded numerous calls from agencies requesting VCIN instructor training. Some of these agencies indicated that they did not have any instructors or were going to lose their instructors due to retirements.

With an obvious need of new instructors, First Sergeant K. Scott Downs has planned a VCIN Instructor Basic Course to be held at the State Police Training Academy July 25-29, 2011. This class will accommodate 50 students, and will give priority to agencies that do not have instructors.

Anyone applying for this course must be a DCJS General Instructor, a certified "Level A" VCIN operator for one year, and scored an 85 or better on their "Level A" test. The VCIN Section will be forwarding a letter to Criminal Justice Agencies in the near future detailing how and when to register.

## **UCR HIGHLIGHTS**



This past October, the state Program along with the FBI conducted a second round of "Level Two" IBR training with sessions in Bristol, Roanoke, and Lynchburg. By bringing the training sessions to different locations throughout the state, we are able to provide more opportunities for agencies to attend. Since September 2008, we have been able to offer both Level One and Level Two trainings to all reporting agencies. More than 625 representatives from reporting agencies attended at least one of the twelve sessions presented. Evaluations completed by participants provided very positive feedback, with over 80% stating that they were "very satisfied", overall, with the training, with the level of detail presented and with the format of the material covered. Also, participants indicated the trainings would enable them to better perform their job duties.

IBR "Level One" training sessions will be offered again in 2011. This training is critical to those who are new to IBR, and will benefit those who have previously attended sessions. Agencies will be notified when more information becomes available as to the dates and locations of this training.

# UCR HIGHLIGHTS—Continued

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## Tip of the Month

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

### December – Destruction/Damage/Vandalism of Property

The definition of a destruction/damage/vandalism of property offense is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. Incidental damage/destruction of property resulting from another offense (such as during a burglary) is to be reported as an additional 290 offense, only, if the reporting agency deems the amount of damage to be substantial or significant. Although the state IBR Program does not set parameters of what is a significant dollar loss due to vandalism, each agency should use consistent guidelines for reporting a secondary damage/vandalism offense in an incident. However, a 290 destruction/damage/vandalism offense must always be reported when the vandalism indicates a bias motivated (hate) crime.

### November – Type of Arrest

While we have included information in prior CJIS newsletters, we would like to focus your attention once more on the correct coding for the field ‘type of arrest.’ A recent audit by FBI NIBRS staff indicated that the ‘type of arrest’ field was often being coded incorrectly. While ‘summoned/cited’ appears to be clear (offender is not taken into custody but instead issued a summons or citation), there is confusion between an ‘on-view arrest’ and ‘taken into custody.’ An ‘on-view arrest’ is when an offender is taken into custody without any pre-existing papers, i.e., there is no outstanding warrant and there is no previous incident report. This would include obtaining an arrest warrant from a magistrate AFTER taking the offender into custody. When an offender is arrested and taken into custody based on a pre-existing warrant and/or a previously submitted incident report exists for the offense, the type of arrest should be reported as ‘taken into custody.’

Another part of the issue of ‘on-view arrest’ and ‘taken into custody’ may be that some vendor software does not display enough text to allow agency personnel to differentiate between these two types of arrest. That is, presented with the letter code choices of “O,” “T” and “S”, with no additional explanation, some agencies may have routinely selected the incorrect response.

### October – Hit and Run

For IBR purposes, report a hit and run resulting in personal injury as a 90Z offense, IF an arrest is made. Do not report a hit and run where only property damage was done, since this is considered a traffic offense and, as such, is excluded from the IBR program.

# UCR HIGHLIGHTS....CONTINUED

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## **September – Aggravated vs. Simple Assault Classification**

Some aggravated assaults are being submitted to the state program which should more appropriately be reported as simple assaults. If an offender does not use a weapon or only uses hands, feet, or fists AND the victim does not suffer any serious injury, the assault meets the definition of a simple assault, not an aggravated assault. This would apply to assaults on law enforcement officers as well (i.e., assaults on officers should not automatically be reported as aggravated). If you have any questions, or would like to review any scenarios, please feel free to call the state IBR office.

## **August – Statistical Reports on the IBR Website**

Now that we have reached the half way point in the year, it would be a good time for agencies to review the statistical reports that are available on the IBR website. You can view all IBR data submitted through July 20th in the 'June 2010' year-to-date statistical reports.

- The Synopsis of Offenses report provides the number of offenses by type of offense; whether completed or attempted; and rate per 100,000 population.
- The Arrest report shows the number of arrests by type of offense as well as race, ethnicity and resident status of the arrestee. If there are multiple charges against one arrestee, the Arrest report reflects the one charge that your IBR software sends to us in your submission file as the most serious arrest charge.
- The Involved Parties report provides information on the number and type of victims related to offenses. This report is useful because, for IBR purposes, all crimes against persons are counted by the number of individual victims involved. For example, a single incident of assault with two victims would be counted as two assault offenses.
- The Property report displays dollar value and property category by the type of property loss.

Because the year-to-date reports are created and posted to the IBR website on the same date for all agencies, it is another reason to submit timely IBR files so that your agency can review the most complete data available. It is important to understand that any data in late submission files will not be included in the current year-to-date reports. Please call the state program office with any questions.

## **More on the Statistical Reports on the IBR Website**

There are five different statistical reports that are created and posted on the IBR website. Individual agencies have access to their agency's reports as well as statewide totals. It is important to be aware of the production schedule to help you understand the importance of submitting your crime data by the 15<sup>th</sup> of each month.

Each individual monthly report is created after your IBR submission file is processed, and each monthly report includes data for that particular month only. For example, Agency A submitted its September 2010, IBR file on October 10, 2010. Each of the monthly statistical reports for September are created and posted on October 10th, and will include September only data. In other words, even if

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# UCR HIGHLIGHTS....CONTINUED

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## **More on the Statistical Reports on the IBR Website—Continued**

the September submission file included revisions to incidents that occurred in July or August, only the September data is included in the September statistical reports. Monthly statistical reports are never updated or revised. Please note that if no applicable data was submitted for a particular report, such as there are no homicides in a particular month, you will not see a 'homicide' monthly report for your agency.

Individual agencies can also review statewide monthly reports. The statewide reports are generated on the last or next-to-the-last business day of each month. For example, the September 2010 statewide reports was created and posted on October 27th. Again, these monthly reports will not be updated or revised.

Year-to-date statistical reports are generated at the end of each quarter, and are created and posted at one time for all agencies. Year-to-date reports are cumulative in nature, i.e., the January – March reports (generated some time between April 16 and the end of the month) will include all January, February and March data that an agency has submitted by the YTD report creation date. The January – June reports (generated in July) will include all January, February, March, April, May and June data submitted by the creation date, etc.

When an agency submits late IBR submission files, its data is not included in statewide total monthly reports and will not be comprehensive in the agency's YTD statistical reports.

## **Traffic Fatalities - Correct Reporting**

On a regular basis, the FBI asks the state program office to review cases submitted as a homicide, non-negligent manslaughter or negligent manslaughter with certain characteristics. Most frequent are incidents that occurred on a highway or road where a motor vehicle is reported as the fatal weapon. We ask agencies to review these cases and, more often than not, find that these are traffic fatalities, hit and run cases, and/or DUI traffic fatalities. Although these cases may be submitted to the courts and prosecuted as manslaughter offenses, for IBR purposes these scenarios do not meet the definition of homicide, non-negligent manslaughter or negligent manslaughter. Because they are not considered reportable crimes for IBR, the arrests would also not be reportable to the IBR program. The exception is a case where an offender is also arrested for DUI or another reportable offense; in such a case, the agency should report the Group B DUI arrest and not a manslaughter charge.

The state program has also been asked by the FBI to verify reported negligent homicides which have been determined to be death caused by a drug overdose and the local agency has arrested the drug dealer. For IBR purposes, an accidental overdose is not a reportable offense. An exception would be if the 'drug dealer' purposely and willfully forced a person to ingest drugs and the intent of the 'dealer' was to cause the person to die from an overdose.

# UCR HIGHLIGHTS....CONTINUED

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## Data Quality and Data Tracking

Data quality remains a central issue for the state IBR office. We continue to identify and implement new procedures to help agencies identify potential data reporting errors. Over the last few months, we have asked agencies to review and verify any incident submitted with a bias motivation (a hate crime). In addition, we have expanded a review of property values to include any incident submitted with a property loss of \$100,000 or more. While we appreciate the extra time required by asking you to verify, revise and resubmit, if necessary, the process has greatly enhanced the quality of data. For example, for all of the hate crimes reported so far for 2010, after further review by the reporting agency, 37% of the cases were determined not to be hate crimes. In addition, this process has helped agencies identify and correct incidents with erroneous dollar values submitted as stolen, seized, etc. For example, one case initially reported \$27,601,291 of seized property (money in a drug case), when in fact, the correct value was determined to be only \$276. As you can see, if just this one case had not been corrected, the value of seized property for 2010, would have been over reported by millions of dollars!

## The Statute Conversion Table

In July 2010, we conducted a review of the statute conversion table that is posted on the IBR website. You will find that this version includes multiple listings of the same offense code when the definitions contained in multiple subsections would be reported as different IBR offenses. The current table was posted in an expanded format to provide agencies with more detailed information.

Please remember that this table is provided to you as a tool – a starting point – to help determine the most likely IBR offense code. Ultimately, the most appropriate IBR offense code for a particular case must be determined based on specific circumstances. State program personnel are available to discuss questionable cases, and to answer any other questions.

Because the table is in a PDF format, it cannot be sorted or reformatted (without special software). However, DCJS posts statute tables on its website in the Excel or Text formats for both expanded and summarized tables. The DCJS tables include more information than the Statute Conversion Table on the IBR website, but they can be downloaded and sorted. The link is: [http://www.dcjs.virginia.gov/ijp/ust\\_data.cfm?menuLevel=0&mID=7](http://www.dcjs.virginia.gov/ijp/ust_data.cfm?menuLevel=0&mID=7)

## **2010 Crime in Virginia — Submission of Crime and Arrest Data**

The 2010 year end deadline for submitting crime and arrest data to be included in the 2010 Crime in Virginia publication is March 15, 2011. This is a good time to review, revise, and resubmit any incidents from your unresolved errors list. Staff with the state program are available to help you understand your error messages, so you may correct and resubmit the incident. Incidents that have “errored” never become part of the IBR database and, therefore, can never be reported by the state or national program.

# UCR HIGHLIGHTS....CONTINUED



## Group A Offenses and Group B Arrests

Statewide, the Group A offense nine month preliminary data figures for 2009 and 2010 are as follows.

Group A Offenses - Nine Months	2009	2010	Percent Change
<b>Murder &amp; Non-negligent Manslaughter</b>	270	294	8.9
<b>Kidnapping/Abduction</b>	1,171	1,246	6.4
<b>Forcible Rape</b>	1,106	1,153	4.2
<b>Other Forcible Sex Offenses</b>	2,449	2,634	7.6
<b>Robbery</b>	4,630	4,141	-10.6
<b>Aggravated Assault</b>	7,621	7,348	-3.6
<b>Simple Assault &amp; Intimidation</b>	74,254	75,629	1.9
<b>Arson</b>	987	924	-6.4
<b>Extortion/Blackmail</b>	84	107	27.4
<b>Burglary</b>	22,830	21,741	-4.8
<b>Larceny Theft</b>	112,843	109,357	-3.1
<b>Motor Vehicle Theft</b>	8,762	7,805	-10.9
<b>Counterfeiting/Forgery</b>	5,419	5,026	-7.3
<b>Fraud Offenses</b>	18,015	17,643	-2.1
<b>Embezzlement</b>	2,020	1,846	-8.6
<b>Stolen Property Offenses</b>	1,335	1,097	-17.8
<b>Destruction/Damage/Vandalism of Property</b>	64,151	57,923	-9.7
<b>Drug/Narcotic Offenses</b>	34,739	35,239	1.4
<b>Non-Forcible Sex Offenses</b>	153	158	3.3
<b>Pornography/Obscene Material</b>	399	422	5.8
<b>Gambling Offenses</b>	83	59	-28.9
<b>Prostitution Offenses</b>	889	798	-10.3
<b>Bribery</b>	19	23	21.1
<b>Weapon Law Violations</b>	6,984	6,512	-6.8
<b>TOTAL</b>	<b>371,213</b>	<b>359,125</b>	<b>-3.3</b>

Group B Arrests Nine Months	2009		2010		Percent Change Adult	Percent Change Juvenile
	Adult	Juvenile	Adult	Juvenile		
<b>Group A</b>	91,043	13,248	92,776	12,272	1.9	-7.4
<b>Group B</b>	144,522	14,508	146,783	13,478	1.5	-7.1
<b>TOTAL</b>	<b>235,565</b>	<b>27,756</b>	<b>239,559</b>	<b>25,750</b>	<b>1.7</b>	<b>-7.2</b>

Comparing preliminary nine months' data for 2009 and 2010, the number of Group A and Group B arrests experienced almost no change for adults (1.9% and 1.5% respectively). Juvenile Group A arrests decreased (-7.4%) as did juvenile Group B arrests (-7.1%)