

LEADS 2012

The NCIC Audits have been pushed back to July 2012 due to the severe weather conditions throughout the state in January.

After consulting with Terry O'Connell, NCIC decided it would be best to cancel the audit scheduled for January, due to the possibility of continued bad weather. There was a concern that the audit teams might not be able to reach some of the agencies, and did not want to risk the expenditure of time and money only to end up with an incomplete audit.

Uniform Crime Reporting Quality Assurance Review & Informational Technical Security; **April 23rd - 27th, 2012**

National Sex Offender Registry; **May 21st -25th, 2012**

National Crime Information Center, National Instant Criminal Background Check Systems & Integrated Automated Fingerprint Identification System; **July 16th - 20th, 2012.**

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DID YOU KNOW?

The Oregon State Police assumed direction over the Law Enforcement Data Systems (LEDS) in December of 1992.



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General LEDS Training Things to Remember:

- There is a New Employee & Separating Employee Checklist on our secure site - use them to walk you through all the steps needed.
- Double check your work! Once you have entered/modified/deleted a training record and/or history, query the training record to make sure that the changes you made are listed and are correct. **Double Check!**

NEXTest Things to Remember:

- NEXTest and LEDS **DO NOT** talk to each other. The LEDS Training records needs to be updated manually to reflect the recertification testing dates.
- The NEXTest username and password are case sensitive.
- The LEDS Rep cannot add an expiration date to the NEXTest record for a new employee. The LEDS Training Unit does that. Once we receive the copy of the test answer sheet, we will update their record showing the expiration date. If you don't send in their test answer sheet, their record cannot be updated!

Special Note:

When you are beginning a new information technology project, or a system upgrade, it is imperative that you have LEDS involved during the earliest planning stage to assist you with the complexities of the CJIS Security Policy, and to ensure you have the latest systems specifications for LEDS and OUCR/O-NIBRS. Having us involved as early as possible in your project will ensure that you use the most up to date information when writing your request for proposals and making sure your selected vendor can meet these standards.

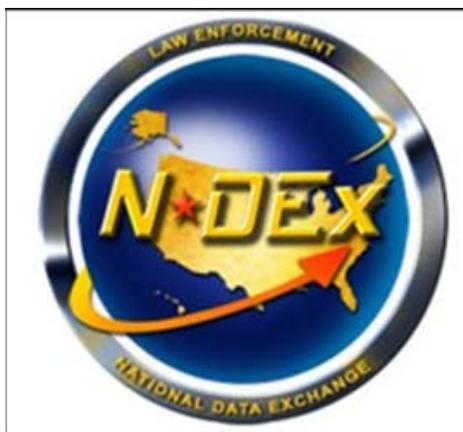
TERRY O'CONNELL, LEDS DIRECTOR

Information sharing has become one of the most critical elements of coordinated criminal justice enforcement efforts, but the ability to share information electronically between even adjacent agencies is in many cases both technologically and fiscally unfeasible. With the implementation of the new Oregon State Police Records Management System (RMS), OSP will take a major leap forward in information sharing through direct participation in the FBI National Data Exchange Program (N-DEX).

N-DEX is the FBI system that provides law enforcement agencies with a powerful new investigative tool to search, link, analyze, and share criminal justice information such as, incident/case report and arrest data, booking and incarceration data, probation/parole data, and expanded DOJ data sources on a national basis to a degree never before possible. N-DEX allows participating law enforcement agencies to detect relationships between people, places, things, and crime characteristics, and link information across jurisdic-

tions. N-DEX has been developed in collaboration with the law enforcement community, and is currently accessible to authorized users within law enforcement and criminal justice communities.

Oregon law enforcement agencies have almost 900 thousand records in N-DEX available for sharing on a national level. There are over 90 million records in N-DEX itself which are directly available for law enforcement purposes.



N-DEX additionally provides contact information and collaboration tools for law enforcement agencies that are working on cases of mutual inter-

est. Ownership of data shared through N-DEX remains the property of the law enforcement agency that submits it. N-DEX supplies controls to allow law enforcement agencies to decide what data to share, who can access it, and under what circumstances allowing agencies to participate in accordance with appli-

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TERRY O'CONNELL, LEDS DIRECTOR

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cable laws and policies governing dissemination and privacy.

Oregon State Police information will flow directly from their new RMS, to a computer system at LEDS, and then on to the FBI for inclusion in N-DEx. All law enforcement agencies in the nation will then have instant access to OSP information and OSP personnel will be able to make information correlations with our data and the data that resides in N-DEx. Searching for that information in N-DEx uses a simplified user interface similar to an internet search engine like Google.

The success of these correlations have already been proven in Oregon when a Hood River agency used N-DEx and found a homicide suspect they were searching for living in California. They successfully arrested, extradited, and convicted the person of the homicide.

The process to access N-DEx begins initially with obtaining an FBI Law Enforcement Online (LEO) account

through LEO.gov (<http://www.leo.gov/>). Once you have a LEO account follow the procedures found on the LEDS website for N-DEx access (http://egov.oregon.gov/OSP/CJIS/docs/NDEX_APPL_PROCEDURE.pdf).

While access to N-DEx is currently via LEO, they have developed a secure portal that will support access from other systems. LEDS will work

with N-DEx to determine if the portal capability is compatible with other state systems that are in development. LEDS is also implementing a process that will allow all Oregon law enforcement agencies to submit an expanded set



of data elements to N-DEx, emulating the capability that OSP will have with its new RMS, further expanding the capacity for Oregon law enforcement agencies to share information.

N-DEx is functioning now, has proven results, and best of all its free to use. For further information about N-DEx visit Leo.gov, the LEDS website, or contact Terry O'Connell, or Jeff Bock at LEDS.

QUALITY AUDITOR NOTES

Welcome to 2012 and a brand new three-year audit cycle. I hope the 2012 - 2014 audit cycle will afford me the opportunity to conduct on-site audits with all agencies with NCIC/III access, in accordance with NCIC's expectations. I have developed a tentative schedule, and do not plan to adjust it based on the availability of overnight travel funding. So when your county comes up for the audit, if the funding is available, I will be out to see you, if not, then I will send out the self-audit packets again. Adjusting the schedule last audit cycle caused me to have to complete audits for 19 counties in 2011, and I don't plan to go down that road again.

I want to thank the following agencies in advance for their cooperation and participation with the NCIC audit teams conducting local agency reviews: Benton County SO, Corvallis PD, Crook County SO, Deschutes County SO, Lane County SO, Eugene PD, Springfield PD, Lincoln County SO, Marion County SO, Salem PD, Polk County SO, Yamhill County SO, and the Yamhill County Jail. The audits are scheduled for July 16-20, 2012, and we will share the results with you once they are received. Agencies in Jackson, Clackamas, Multnomah and Washington Counties are grateful that they were given some relief this audit cycle.

As far as the LEDS audits are concerned, I plan to audit the following counties during the next six months: March – Linn County, April - Benton County, May - Clatsop County, June – Gilliam, Morrow and Wheeler Counties. Look for my audit letters 30 days in advance of the audits.

For information on the audit process please visit our secure website and refer to the LEDS Representative Manual Section, then select the link for LEDS/NCIC Audit Procedures and Reports.

Don't hesitate to contact me at 503-378-3055, extension 55007 or email to dan.malin@state.or.us with any questions or requests for assistance.

MISSING PERSONS RECORDS AUDIT ISSUES

Across the board for nearly all law enforcement agencies, a continuing issue is being noted and that is the failure to verify and update the records with medical and dental record information. This is required for juvenile records (EMJ) and recommended for adult records within 60 days of initial record entry. Title 42 Section 5780 of the US Code regarding missing children states in part, *"No later than 60 days after the original entry of the (juvenile) record into the State law enforcement system and NCIC computer networks, verify and update such record with any additional information, including where available, medical and dental records."*

It is suggested that when the original missing person report is taken, the person receiving the report ask the reporting party the names of the subject's dentist and doctor, or confirm if the missing subject was being seen by a dentist or doctor. If the information is available forms for authorization of release of dental/medical information are available at the LEDS website under the User Resources link at <http://egov.oregon.gov/OSP/CJIS/NCIC.shtml>. Your records should show that the waiver form was provided to the parent or guardian and what the outcome was. If the parent or guardian signed the waiver form and provided the physician or dentist's name, then the record should show when your agency sent the data packet to the dentist and when it was returned. If the dentist has any questions concerning the packet, a person from your agency who is familiar with the packet and the entry into LEDS/NCIC should be ready to assist the dentist. If the packet is not returned in a timely manner follow up with the dentist is necessary.

If dental characteristics are not available for coding, then UNK should be entered in the DCH field. This will cause the following to be transmitted following the DRE field in a positive response: DENTAL CHARACTERISTICS (DCH) ARE NOT AVAILABLE, and will cause an NCIC dental cross search comparison not to be generated.

The question as to the availability of DNA must also be answered. If there is no sample available, possibly from a toothbrush or hairbrush, and the biological mother is not available, then the answer is no. If the mother is available, contact should be made, by letter or otherwise to request a DNA sample. Such letters may need to be provided in English and Spanish, and possibly other languages. If the mother refuses to submit a sample, or does not respond to the request, then the answer is no. Your records should show where the mother was contacted and what the results of the request for DNA sample were.

The Word from OUCR

Warning: The following has content that some may find offensive. Continue reading at your own discretion.

It's been in the news for a number of weeks. It has caused our phones to ring and our average number of daily e-mails to edge up a bit. It's become the source of confusion and even a tiny bit of fear. "It" is a new definition for the crime of Rape being adopted by the Federal folks back east. What is the new definition and what does it mean for Uniform Crime Reporting in Oregon? Well, let's take closer look.

In the past, for Uniform Crime Reporting (UCR) purposes, (forcible) rape was defined as: *"the carnal knowledge of a female, forcibly and against her will."* By this definition, only a female could be the victim of a rape offense. "Carnal knowledge" meant penetration of the victim's vagina by the offender's penis, meaning the offender had to be a male. The offender had to use force to overcome the victim's resistance and the victim had to be an unwilling participant.

About ten years ago a movement began to change this definition to also include a number of other sex offenses that we here in Oregon already report separately. After being rejected in the past, the movement recently picked up some considerable political clout in Washington DC causing the U.S. Department of Justice to acquiesce and adopt a new definition for rape. As of January of this year, Rape is defined as: *"penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim"*.

This new definition significantly changes how the crime of Rape is reported in Uniform Crime Reporting. Along with including males as the victims of rape and allowing for the reporting of victims and offenders being the same sex, the following crimes are all reported together as "Rape":

- Forcible Rape
- Attempted Forcible Rape
- Non-Force ("statutory") Rape
- Physical Molest
- Incest
- Forcible Sodomy
- Non-Force Sodomy
- Sex Crime – Other (possibly)
- Sexual Assault with an Object (O-NIBRS only)

The Word from OUCR continued...

What does this mean to your agency's crime statistics? Obviously, adding all of these offenses together under the single offense of "Rape" will cause the numbers of Rapes to show an increase... perhaps a *substantial* increase in some agencies.

So, what should you do about it? Nothing. At least, not right now or during 2012. For the time being, continue to report Rapes and Other Sex Crimes just as before. The FBI hasn't formally adopted this new definition, but is expected to do so in April. If they do, the earliest the FBI could begin to accept data under the new definition is January of 2013. Even then, the only changes in Oregon would be to report males as victims of Forcible Rape, Attempted Forcible Rape and Non-Force Rape and to allow victims and offenders to be the same sex. For Oregon UCR purposes, **ALL** Rape and Other Sex Crime offenses will continue to be reported using current OUCR/O-NIBRS codes. When it comes time to forward the data to the FBI, we (OUCR) will convert the appropriate offenses to the FBI offense code for Rape. This way, the only increases you will see in your Rape statistics will be from the inclusion of males as victims (along with any true increase in the number of Rape offenses). After a 1-year transition phase, the numbers will stabilize.

Your Rape offense statistics **WILL** show an increase in reports produced by the FBI, however. In fact, for the first time, an FBI "stat" will routinely be higher than a "stat" from an in-state report from the Oregon UCR Program. People are bound to call you about this difference. Your agency will need to remember that the reason for the difference is because Oregon reports Rape and Sex Crimes individually while the FBI lumps them all together.

If or when the time comes to begin reporting male victims of Rape and same-sex victim and offender, the OUCR Program will issue an advisory. Until such time, please make no changes to your OUCR/O-NIBRS reporting procedures despite what you might hear in news reports.

Note: This change in the definition of Rape is for **Uniform Crime Reporting purposes only**. It in no way supersedes Oregon Revised Statutes (ORS) related to Rape and Other Sex Crimes. The investigation and arrest of offenders should not be based on this Federal definition of Rape. All investigations and subsequent arrests for Rape and Other Sex Crimes should be carried out in accordance with Oregon Revised Statutes.

CJIS Security Awareness Training vs. LEDS Recertification Training

There is a difference between the CJIS Security Awareness Training and the LEDS Recertification Training. CJIS Security Awareness Training is designed for your IT staff that do not have a user name or password to log into LEDS but yet have access to the computer that “houses” LEDS. The FBI requires that they have the CJIS Security Awareness Training every two years.

The LEDS Training Unit has purchased a software program that provides the training, testing and record retention for the CJIS Security Awareness Training. It’s located at:

WWW.CJISONLINE.COM

If this looks familiar, well it should! It’s the same company that provides the portal for the LEDS Recertification.

The policy regarding the CJIS Security Awareness Training is located on our security website, under the LEDS Representative Manual. It’s chapter 8. Please take some time to look it over.

Just remember, if they do not have a user name or login and they have not take the LEDS Test, but they have access to the computers that do have LEDS, they need CJIS Security Awareness Training.

HELP DESK TIPS

HIT HANDLING PROCEDURES - CHAPTER 24

"CCC" for Corrections Offenders Records

An agency receiving a corrections offender record **must notify the supervising agency** via the LEDS "CCC" FORMAT advising the circumstances of the contact.

HANDLING YQ/YR TRANSACTIONS - CHAPTER 24

When an agency received a hit, and an individual is being detained, or piece of property seized, **confirmation with the entering agency is necessary to ensure the validity of the record prior to taking action. The entering agency, or a secondary agency acting on their behalf, must be available 24-hours a day, 7 days a week for confirmation.**

The agency receiving the hit confirmation request must either confirm the record or provide a time when the record will be confirmed. The decision for establishing priorities is ALWAYS made by the agency requesting confirmation and is a required field for all hit confirmation messages.

If an agency receives a YQ they **MUST** respond with a YR, even if that YR agency says "we're looking for the warrant", they must respond, and they must respond in the time indicated 10 minutes or one hour. A second hit will initiate a call from LEDS inquiring why a second hit is being generated and a third hit goes to LEDS and NCIC with NCIC generating a letter for explanation to the Oregon State Control Terminal (LEDS). In short LEDS has to answer to NCIC why a 3rd hit was generated and not taken care of properly and promptly.

NCIC policy requires YQ/YR transactions be used for all hit confirmation requests and responses. IN ADDITION to the YQ/TR transaction: Agencies can confirm or request confirmation via telephone PROVIDED, the phone conversation is recorded in some manner in the event the record is later not confirmed as valid by the entering agency. IT IS A VIOLATION OF NCIC POLICY TO USE AN ADMINISTRATIVE MESSAGE (AM) FOR RECORD CONFIRMATION OR RESPONSES.

And as always all agency's are encouragement to call the HELPDESK if they are having trouble with entries, 503-378-5565.

STATES THAT PROVIDE OLN PHOTOS

| | | |
|---------------------|-------------------------|--------------------------|
| Alabama | Massachusetts | Ohio |
| Arkansas | Michigan | Oregon |
| Delaware | Minnesota | Pennsylvania |
| Georgia | Mississippi | South Dakota |
| Idaho | Montana | Tennessee |
| Indiana | New Hampshire | Texas |
| Iowa (new) | New Jersey | Virginia |
| Kansas | New Mexico | Washington |
| Kentucky | New York (new) | Wisconsin (new) |
| Maryland | North Carolina | Wyoming |

STATES THAT PROVIDE CORRECTIONS PHOTOS

| | | |
|---------------|----------------|--------|
| Iowa | Montana | Oregon |
| Massachusetts | New Mexico | |
| Michigan | North Carolina | |

MICHAEL CURTIS - RETIRED

Michael began his career with the Law Enforcement Data System (LEDS) in 1994 as a LEDS Specialist in the Operations Center. In 1996 Michael became the first Systems Administrator of LEDS and designed the information systems infrastructure needed for LEDS to begin a modernization plan for migrating to a totally new communications infrastructure, TCP/IP. Prior to this all statewide LEDS communications had been done via leased telephone lines at a great expense to both the State and LEDS Users. Michael's system design and his establishment of the first Internet Firewall for LEDS set the groundwork for the current LEDS infrastructure that is vastly superior to the old leased line connections.

To add to his accomplishments while working at LEDS Michael developed and maintained the first Web Site for LEDS and in 2001 became the first OSP Employee to receive a Certificate of Public Management from the George Atkinson Graduate School of Management. Michael was also the first Information Security Officer for LEDS and developed the initial audit program for Criminal Justice Information Systems to meet FBI standards.

Throughout his career with LEDS Michael was instrumental in making certain that all the State's critical criminal justice information flowed through LEDS in a secure and timely manner assisting to ensure Officer safety on a statewide and national basis.

