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DATE: July 1, 1977

TO: Criminal Justice Agencies in Kansas

RE: New Criminal Records Manual

The enclosed material constitutes the first attempt at providing a Criminal Records Manual for the State. Made possible by a LEAA Grant through the Governor's Committee on Criminal Administration, this manual is designed to provide assistance and information to Criminal Justice agencies.

Although it is already a sizeable volume, we are planning several additions and enhancements. To help us make the manual better, please take some time to go through it carefully and then let us have your comments. A comment form is attached for your use, but it is not important that you use the form. Please send us your comments in any way that is effective or easy for you.

Special credit and recognition should go to several agencies that assisted in the preparation of the manual: Overland Park PD, Tonganoxie PD, Leavenworth SO. Kansas Highway Patrol and the Department of Corrections. These agencies spent several hours apiece describing their records operations with the consultants that prepared the manual as well as reviewing parts of it as it was being written.

You will probably notice that the manual deals extensively with topics related to the security and privacy area. It is not intended that concerns with security and privacy should take precedence over the effective and efficient operations of records facilities. However, with less than 6 months remaining before the effective date, and the significant impact this topic will have on records operations, we felt that the manual should be as complete as possible in this area.

Again, please let us have your comments concerning the manual.

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Your views about this manual may help improve its usefulness; this form will be sent to the author for appropriate action. Using this form to request assistance or additional publications will delay responses, however. For more direct handling of such request, please contact your KBI agent or the KBI office serving your locality.

Possible topics for comment are:

Clarity - Is the manual clear and easy to understand?

Accuracy - Did you find any errors in the manual?

Completeness - Are you aware of any additional information or forms that should be included?

Organization - Could the manual be put together in a more effective way?

Index - Could the index be expanded, how would it be organized?

Examples - How can the forms examples be improved?

Legibility - Are there any problems with physically reading the manual?

What is your position? _____

Number of latest revision (if any) concerning this publication _____

Please indicate if you wish a reply _____ YES _____ NO

If yes: NAME _____

ADDRESS _____

Thank you for your cooperation.

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ABOUT THE MANUAL

BACKGROUND

On March 19, 1976, the Law Enforcement Assistance Administration (LEAA), U.S. Department of Justice, published revised regulations implementing Section 524(b) of the Crime Control Act of 1973 as it pertains to the privacy and security of criminal history records. The regulations are intended to ensure that records contain accurate information, and that individuals are protected against unauthorized disclosure, misuse, or material errors. These regulations, which must be fully implemented by December 31, 1977, are contained in Title 28, Chapter I, Part 20 of the Code of Federal Regulations (a copy of these regulations is contained in the appendix).

These regulations required that Kansas prepare plans for the maintenance and dissemination of criminal history records and, where necessary, obtain legislative authority for enactment. The plans have been approved by the Governor, Attorney General and the LEAA.

PURPOSE

There are two basic purposes of this manual. First, the manual describes State and Federal requirements for maintaining and disseminating Criminal History Records Information (CHRI) by all affected Criminal Justice Agencies. Second, the manual provides Law Enforcement Agencies with standard forms and procedures for record keeping purposes.

BENEFIT

There are several important benefits of establishing strict controls on CHRI to both citizens and law enforcement and other criminal justice agencies. For citizens, control over criminal history records has the following advantages:

- It minimizes the opportunity for inaccurate information to be recorded about an individual by requiring adequate support for any entry into the CHRI record.
- It establishes strict controls on the dissemination of CHRI to criminal justice and other governmental agencies.
- It provides a means of error correction by allowing the affected individual to review and challenge questionable entries.

For criminal justice agencies, CHRI reporting has clear benefits. Under the requirements of CHRI reporting, storage and dissemination are clearly established. This allows the agency to know specifically how to respond to individual situations.

In addition, the quality of information historically maintained in CHRI often has been poor and has resulted in erroneous decision making. The standards and penalties imposed by these stricter regulations will increase the accuracy, completeness and timeliness of the information recorded.

Sections of this manual provide standard forms and procedures for use by law enforcement agencies. These procedures will simplify the exchange of information between agencies, since the design and preparation procedures for each form will be the same statewide. Content and quality will be comparable between agencies and similarity of report formats will facilitate rapid examination. The sections of the manual which specify procedures will serve as a training document for new officers, relieving each agency from preparing a detailed training plan of their own, and ensuring consistency among agencies.

ORGANIZATION

The manual has four major sections. These are:

- I. Requirements for Record Keeping
- II. Dissemination of Criminal History Records Information
- III. Security of Records
- IV. Individual Right to Access

The appendices which provide coding and other data necessary to complete the forms are at the end of the manual, each with its own heading.

The addition to the major sections, this manual includes the following features.

- The forms and instructions for completing them are grouped together for quick reference. Narratives explaining the use of each form precede these pages.
- An alphabetical list of all forms is included at the beginning of the manual to assist in ready access to forms data after the manual has been read.

I. REQUIREMENTS FOR RECORD KEEPING

Requirements imposed on criminal justice agencies for record keeping originate at four levels: Federal, State, County and Local. These requirements are based on legislated statutes, and regulations and rules established by executive agencies responsible for their implementation. This manual discusses Federal and State requirements only since County and Local requirements vary, based on limited unique needs. Complete copies of relevant statutes and rules can be found in the appendices to this manual. The following is a brief summary of their contents.

FEDERAL STATUTES AND REGULATIONS

Federal statutes and regulations affecting CHRI maintained by Kansas agencies are based on the Crime Control Act of 1973 and its implementation rule and Title 28, Chapter I, Part 20 of the Code of Federal Regulations.

Crime Control Act of 1973

The relevant portion of this Act is Section 524 (b), which states:

"All criminal history information collected, stored or disseminated through support under this title shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Administration shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an individual who believes that criminal history information concerning him, contained in an automated system, is inaccurate, incomplete, or maintained in violation of this title, shall, upon satisfactory verification of his identity, be entitled to review such information and to obtain a copy of it for the purpose of challenge or correction.

Title 28, Chapter I, Part 20 of the Code of Federal Regulations

Title 28, which upholds Section 524(b) of the Crime Control Act of 1973, applies directly to CHRI records.

Regulated Agencies

"The regulations in this subpart apply to all state and local agencies and individuals collecting, storing, or disseminating CHRI processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the LEAA subsequent to July 1, 1973 pursuant to Title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in Subpart C. Section 20. 20a."

NOTE - Kansas regulations apply to all agencies who store CHRI, regardless of funding source.

Regulated Information (Defined)

"'Criminal history records information' means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or any other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system. Section 20. 3b."

Exemptions to Regulated Information

"The regulations in this subpart (b) shall not apply to criminal history records information contained in: (1) posters, announcement, or lists for identifying or apprehending fugitives or wanted persons; (2) original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis; (3) court records of public judicial proceedings; (4) published court or administrative opinions or public, judicial, administrative or legislative proceedings; (5) records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of reg-

ulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operators' licenses; (6) announcements of executive clemency. Section 20. 20b."

STATE STATUTES
AND REGULATIONS

While Federal statutes and regulations apply to CHRI records maintained in Kansas, criminal justice agencies in the state should also look to Kansas statutes and regulations to determine their record keeping requirements. The following Kansas statutes, summarized on the next page affect record keeping.

Summary of Kansas Statutes Affecting Record Keeping

<u>Statute</u>	<u>Synopsis</u>
12-4515	Certain corrections treated as not existing
19-1904	Calendar of prisoners committed to the county jail.
19-1905	Copies of calendar provided to judges.
21-2501	Officers to take fingerprints of suspected law violators; identification data to national bureau of investigation.
21-2501-a	Maintenance of records of felony offenses and certain misdemeanors by law enforcement agencies; reports to bureau of investigation; form.
21-2503	Finger-print records admissable in evidence.
21-2504	Attorney General may call upon designated officers for information; forms.
21-2505	Penalties for non-performance of KSA 21-2504 requirements.
21-3827	Unlawful disclosure of a warrant.
21-4604	Presentence investigation and report.
21-4605	Availability of report to defendant and others.
21-4616	Annulment of certain convictions; effect.
21-4617	Expungement of record; offender over twenty-one; effect.
38-805	Records kept by juvenile court; privileged information.
38-815a	Restrictions on fingerprints, photographs and records of child, expungement.
45-201	Official public records open to inspection; exceptions.
45-202	Control over photographic records.
45-203	Penalties for violating 45-202.
50-712	Public records information for employment purposes.
75-712	Same; powers and duties; reports of investigations.
75-5218	Sentenced to custody of secretary of corrections; notice to secretary; copy of record; female offenders.
75-5221	Record of inmates.
75-5266	Psychiatric evaluation reports privileged.

COMPLETENESS AND
ACCURACY

Completeness and Accuracy are two major requirements imposed on CHRI records. "Complete" is defined to mean that CHRI must contain information on any disposition occurring within the various segments of the criminal justice system. "Accurate" means that information will contain no erroneous information of a material nature. To ensure completeness and accuracy, the following procedures will be followed:

The Kansas Bureau
of Investigation
as the Central
Repository for
Criminal History
Records Information

Prompt reporting of arrests and dispositions and rapid processing of queries through the Kansas Bureau of Investigation (KBI) by all criminal justice agencies will ensure the use and dissemination of the most current data available. All dispositions will be reported to the KBI and the KBI will be queried prior to disseminating CHRI.

Reporting of
Disposition

Dispositions must be reported to the KBI by all criminal justice agencies for actions resulting from an initial arrest. A "disposition" is defined as information disclosing that criminal justice proceedings have either been concluded or indefinitely postponed. The term includes--but is not limited to--the following:

1. Police dispositions, such as decisions not to prefer charges.
2. Prosecutor dispositions, such as elections not to commence criminal proceedings or indefinitely postpone them.
3. Court dispositions, such as convictions, dismissals, acquittals, and sentences.
4. Corrections dispositions, such as paroles or releases from supervision.
5. Other dispositions, such as pardons, executive clemencies, or appellate court decisions reversing or modifying earlier dispositions.

These dispositions must be reported for all segments of the criminal justice community - police, prosecutors, courts and corrections. Dispositions occurring anywhere within the State must be reported to KBI within 90 days. Forms and procedures for this reporting are contained in Section I of this manual.

AUDIT OF RECORDS
BY THE KANSAS
BUREAU OF
INVESTIGATION

All criminal justice agencies are subject to a records audit by the KBI. Several agencies will be chosen at random each year for audit and a representative sample of records will be reviewed in order to determine the accuracy and completeness of data and to insure that all other provisions of the regulations are adhered to. Areas to be reviewed will include, but not be limited to: record accuracy, record completeness, effectiveness of quality control procedures, examination of the evidence of dissemination limitations, security provisions, and the individual's right to access.

Query of The Kansas
Bureau of Investi-
gation for CHRI
Information Before
Record Dissemination

Dissemination is the transmission of CHRI to individuals and agencies other than the criminal justice agency which maintains the CHRI information. It includes confirmation of the existence or nonexistence of a criminal history record. Dissemination does not occur when a current case (and a necessary file) is passed from one phase to another within the criminal justice system.

Criminal justice agencies will query the KBI prior to dissemination of any CHRI information to ensure that the most up-to-date disposition data is being used, except where there is a time element and KBI is technically incapable of responding within the necessary time period.

Detailed procedures for query and dissemination are contained in Section II of this manual.

Criminal History
Record Systems
at Individual
Agencies

Individual Criminal Justice Agencies are not prohibited from maintaining CHRI systems. If the information is available for dissemination outside of the agency, CHRI records must contain, at a minimum, all dispositions occurring within the jurisdiction served by the agency maintaining the record.

In light of the difficulty in maintaining an accurate, complete record at a local criminal justice agency, and the availability of a complete and accurate system at the KBI, each agency should closely examine its need to retain and disseminate their own CHRI.

RETENTION OF RECORDS

All criminal justice agencies should follow Federal and State of Kansas statutes in determining the requirements for retaining CHRI records.

II. DISSEMINATION OF CRIMINAL HISTORY RECORDS INFORMATION

"Dissemination" is the release of CHRI data to individuals or agencies other than the criminal justice agency which maintains the CHRI data. Use of the information by an employee or officer internally does not constitute dissemination. Also, reporting the occurrence of a current criminal justice transaction to another criminal justice agency is not dissemination. Thus, reporting an arrest to the KBI and the FBI or delivering an arrest report to a prosecutor are not considered to be dissemination. On the other hand, confirming the existence or non-existence of a criminal history record is dissemination.

There is a major distinction regarding the dissemination of "conviction" and "non-conviction" criminal history records. "Conviction" data is defined as information indicating that the individual pleaded guilty or nolo contendere to the criminal charges, or the individual was convicted. "Non-conviction" data includes the following disclosures:

- The election by police not to refer a matter for prosecution
- The election by a prosecutor not to commence criminal proceedings
- All dismissals
- All acquittals
- An arrest record without a disposition where one year has elapsed from the date of arrest and no conviction has resulted and no active prosecution of the charge is pending

The differentiation between "conviction" and "non-conviction" data is important because it determines the limits to which CHRI information can be disseminated to "non-criminal justice" and criminal justice agencies.

DISSEMINATION OF CONVICTION DATA

There is no limit of the dissemination of conviction data or information concerning cases in some stage of processing or prosecution. All such information may be freely disseminated to both criminal justice and non-criminal justice agencies.

DISSEMINATION OF NON-CONVICTION DATA

There are four general categories where dissemination of non-conviction data is permitted:

1. Dissemination is authorized to "criminal justice agencies for purposes of the administration of criminal justice and for justice agency employment."
2. Dissemination is allowed to "individuals for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate state or local officials or agencies."
3. Dissemination is permitted to "individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulation, and provide sanctions for violation thereof."
4. Dissemination is authorized to "individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data; limit the use of data to research, evaluative, or statistical purposes; insure the confidentiality and security of the data consistent with these regulations and with Section 524(a) of the Act and any regulations implementing Section 524(a); and provide sanctions for the violation thereof."

DISSEMINATION OF
INFORMATION TO THE
PUBLIC

Restraints on disclosure of CHRI data are primarily based on the classification of the receiver as being "criminal justice" or "non-criminal justice." With the exception of allowing a person to inspect and challenge his own record and other specific exemptions, no disclosure of non-conviction CHRI can be made to a member of the public. Specific information which may be released to someone other than a government agency is described in "Exemption to Regulated Information" (Section 20.20b of Title 28).

OTHER DISSEMINATION AUTHORIZATION AND CONSTRAINTS

International
Travel

Federal regulations specifically authorize the dissemination of CHRI for purposes of international travel. Thus, conviction and non-conviction data may be disseminated when requested for the purpose of issuing visas and granting of citizenship.

Juvenile Records
(K.S.A. 38-815a)

(a) Neither the fingerprints nor a photograph shall be taken of any child less than eighteen (18) years of age, taken into custody for any purposes, without the consent of the judge of the district court having jurisdiction. When the judge permits the fingerprinting of any such child, the prints shall be taken as a civilian and not as a criminal record.

(b) All records in this state concerning a public offense committed or alleged to have been committed by a child less than eighteen (18) years of age, shall be kept separate from criminal or other records, and shall not be open to inspection, except by order of the district court. It shall be the duty of any peace officer, judge or other similar officer, making or causing to be made any such record, to at once report to the judge of the district court of the district of such officer or judge the fact that such record has been made and the substance thereof together with all of the information in the possession of the officer or judge pertaining to the making of such record.

(c) When a record has been made by or at the instance of any peace officer, judge or other similar officer, concerning a public offense committed or alleged to have been committed by a child less than eighteen (18) year of age, the judge of the district court of the district in which such record is made shall have the power to order such record expunged. If the person to whom such order is directed shall refuse or fail to do so within a reasonable time after receiving such order, such person may be adjudged in contempt of court and punished accordingly.

(d) This section shall be construed as supplemental to and a part of the Kansas juvenile code. (L. 1974, ch. 178, Sec. 3; L. 1976, ch. 207)

Charges in Process

Information for the purpose of processing a charge through the criminal justice system can be furnished without constraint as long as the information relates only to the charge in process.

CONTROLLING
DISSEMINATION

Four forms will be used to control the dissemination of CHRI. These are:

1. User's Agreement (612C) for criminal justice agencies.
2. Non-Disclosure Agreement (612B) for non-criminal justice agencies.
3. Access Request (612A) for non-criminal justice agencies.
4. Dissemination Log (612D) for use by all agencies providing CHRI.

These forms with suggested procedures are discussed in detail in Section II of this manual.

DISSEMINATION LOG

Quality control (referred to as the systematic audit in federal regulations) is a series of procedures employed both to ensure the completeness and to verify the accuracy of the criminal history record information. Quality control is an integral part of a manual or automated system and functions continuously to ensure the quality of the data.

Quality control implies the requirement for an audit trail and a dissemination log. An audit trail allows for the tracing of specific data elements back to the source document. The audit trail will improve the integrity of the repository by ensuring that all input records are verified and edited prior to entry.

The dissemination log allows auditing and serves as a means of correcting erroneous disseminations. The federal regulations require that criminal justice agencies "upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information." For this reason a dissemination log is essential for identifying parties who were erroneously informed. Forms with suggested procedures are discussed in Section II of this manual.

III. SECURITY OF RECORDS

Procedures must be instituted to protect CHRI data from theft, sabotage, fire, flood, wind, or other natural or man-made disasters. Security steps that may be necessary include:

- Physical limitations on access via keys, badges, passwords, sign-in logs, etc.
- Storage of the information in the appropriate cabinets or containers.
- Utilization of detection and warning devices; such as fire, smoke and burglar alarms.
- Incorporating construction safeguards; such as heavy-duty walls or reinforced glass.

The procedures will differ for each location where CHRI is stored, depending on the potential for loss.

If the information is stored at a non-criminal justice facility, a criminal justice agency must have final authority regarding the procedures. The criminal justice agency must review the security procedures at the facility periodically to make certain they are being followed.

All criminal justice agencies in the State will develop and implement procedures dealing with physical security for all facilities in their jurisdiction by December 31, 1977. The procedures will be reviewed during the annual audit of the agency.

IV. INDIVIDUAL RIGHT TO ACCESS

It has always been the practice of the State of Kansas to allow an individual to review his own criminal history records and challenge their accuracy. While the State is currently in compliance with the intent of Federal regulations, no specific policy and procedures existed previously. One purpose of this manual is to promulgate Uniform Statewide policies and procedures for access and challenge of CHRI records. Section IV of this manual contains detailed procedures and example forms for access, review and challenge of CHRI records. The following is a brief summary.

VERIFICATION OF IDENTIFICATION

In the State of Kansas, the only acceptable means of identification for purposes of access and inspection are fingerprints or visual recognition attested to by the criminal justice agency handling the inquiry, or a written statement made on oath before a notary public or other person authorized to administer oaths.

If uncertainty exists, however, about the identity of the requestor, a fingerprint card submission may be required for access.

REGULATIONS AND RESTRICTIONS

An individual has the right to review any CHRI data maintained about him at any criminal justice agency. An individual cannot place undue burden on the criminal justice agency, nor can the agency make it unnecessarily difficult for the person to gain access to records. Agencies have the right to establish reasonable hours for review. The time periods should total no less than twenty hours per week, scheduled during normal working hours of clerical or support staff. The KBI hours are from 9:00 a.m. to Noon and 1 p.m. to 4 p.m. Monday through Friday.

KBI is the central State repository and, as such, maintains a complete CHRI system. The other criminal justice agencies throughout the State may only have a part of the total criminal history. Therefore, it is advisable for an individual to review his or her record maintained by the KBI.

An individual should contact KBI Headquarters or one of its regional offices to request access. However, if the individual cannot appear at one of these locations because of physical handicap, remoteness of residence, or incarceration, he should contact the closest sheriff's office or correctional officer for assistance.

The individual's right to review extends only to CHRI data concerning him. The following demonstrate the restrictions on the review by individual of CHRI data.

- He is entitled to review information that records essentially that fact, date, and results of each formal stage of the criminal justice process through which he passed to ensure that all such steps are completely and accurately recorded.
- He is not entitled to review intelligence and investigative information.
- He is not entitled to review substantive information compiled about him by criminal justice agencies, as distinguished from a record of his movements through the agency.
- He is entitled to review the recordation of his admission to bail -- but, he is not entitled to the bail report.
- He is entitled to review the recordation of his sentencing -- but, he is not entitled to the presentence report.
- He is entitled to review the recordation of his admission to correctional institutions -- but, he is not entitled to medical records and other records of treatment.

CHALLENGE AND APPEAL

The federal regulations state that "a copy of the record should ordinarily be given when it is clearly established that it is necessary for the purpose of challenge." The fee should not exceed actual costs for making the copy (including labor and material cost). The maximum fee is \$10.00.

If the individual feels that an error exists in the CHRI, a formal challenge may be filed.

In Kansas, the individual submits his challenge to the head of the agency who has custody of the information in dispute. The individual is notified of the results within thirty (30) days of the date of his challenge. If the challenge is denied, the individual is entitled to appeal the decision.

Appeals in the State of Kansas must be submitted in writing and include information contained in the initial challenge plus any additional facts in support of the case.

The appeal is submitted to the Kansas Bureau of Investigation (KBI) who shall notify the individual of the ruling on the appeal within thirty (30) days. If the ruling is adverse the individual may seek review through the Attorney General's Office or the state's court system.

CORRECTION PROCESS

If the individual's appeal is sustained, the agency making the requested corrections to the records informs all other criminal justice agencies to whom the disputed records were given. In addition, the individual is given, upon request, a list of all of the non-criminal justice agencies known to have received the incorrect information. This enables the individual to correct the erroneous information given to the non-criminal justice agencies.



**REQUIREMENTS
FOR RECORD KEEPING**



I. REQUIREMENTS FOR RECORD KEEPING

This section is divided into two parts. The first part, I.1. Criminal Justice Agencies Reporting to the KBI, describes the responsibilities of four criminal justice agencies in handling the various steps in the arrest process. Circumstances surrounding the arrest will dictate that actions, if any, must be taken by each agency. This section reviews these varying circumstances and the actions appropriate to each.

The second part, I.2. Law Enforcement Record Keeping, includes a description of recommended forms designed to improve the standardize record keeping systems throughout the state. The narrative pages describe six different logs or files and the steps for maintaining accurate complete information. Forms appropriate to each log or file and accompanying instructions are at the end of this section.

I.1 CRIMINAL JUSTICE AGENCY REPORTING TO THE KANSAS BUREAU OF INVESTIGATION

This section includes the three basic forms, the Fingerprint Card (610A), Correction Notice Form (610D) and the Final Disposition Report, (R-84) required for reporting transactions to the KBI. These forms and the description of them are at the end of this section. Procedures for the following agencies are described:

1. Law Enforcement, which includes KBI field offices, the Kansas Highway Patrol, County Sheriffs, Police Departments, City Marshals, Alcoholic Beverage Control, the State Fire Marshal, Park Rangers, and Game Wardens.
2. Prosecuting Attorneys, including members of the Attorney General's staff, and district and county attorneys.
3. Courts, including city courts, magistrate courts, courts of common pleas, county and district courts, and the Supreme Court.
4. Kansas Department of Correction.

LAW ENFORCEMENT AGENCIES

During the booking process, the KBI Fingerprint Card and Final Disposition Report must be prepared for all persons arrested for felonies and selected misdemeanors. It is recommended that they be prepared for all misdemeanors. A palm print may also be utilized. The circumstances of the case determine the further processing of the documents. A variety of circumstances and the action appropriate to each are listed on the following page.

Circumstance

Fingerprint Card

Final
Disposition Report

The subject is arrested on a warrant from another agency.

Enter the name of the agency issuing the warrant and charge in the Charge block 18. Enter the date turned over to the other agency and fact "Turned Over To... (Agency Name)" in the Final Disposition block 22.

Prepare the report and give the agency receiving the subject.

The subject is not charged with the arrested offense by the law enforcement and is released.

Enter the disposition of "Not Charged" and date release in the Final Disposition block 22.

Destroy

The subject is charged with a misdemeanor.

Enter "Pending Court Disposition" in the arrest disposition ADN block 33.

Type final charge(s) on the report. Transmit the report to the prosecuting attorney.

The subject is charged with a felony and a "Probable Cause" hearing is to be held in a lower court.

Enter "Pending Court Disposition" in the arrest disposition ADN block 33.

Type the final charge(s) on the report. Transmit the form to the prosecuting attorney.

The subject dies, escapes or another disposition occurs which terminates processing after the fingerprint card has been sent in.

Record the circumstances in the Final Disposition & Date block 2.

The subject is received from the arresting agency and is being held for trial (i.e., a county jail receives subject scheduled for district court trial from a police department).

No fingerprint card is prepared.

No disposition report is prepared.

A law enforcement agency who issued a warrant receives the arrestee from another agency.

No fingerprint card is prepared. The card should have been prepared and submitted by the arresting agency to the KBI. An arresting agency always has the right to prepare a card for their own file.

No disposition report should have to be prepared. The report should have been prepared by the arresting agency and delivered with the subject. If a copy of the final disposition report was not previously prepared, a report should be made at booking.

PROSECUTING ATTORNEY

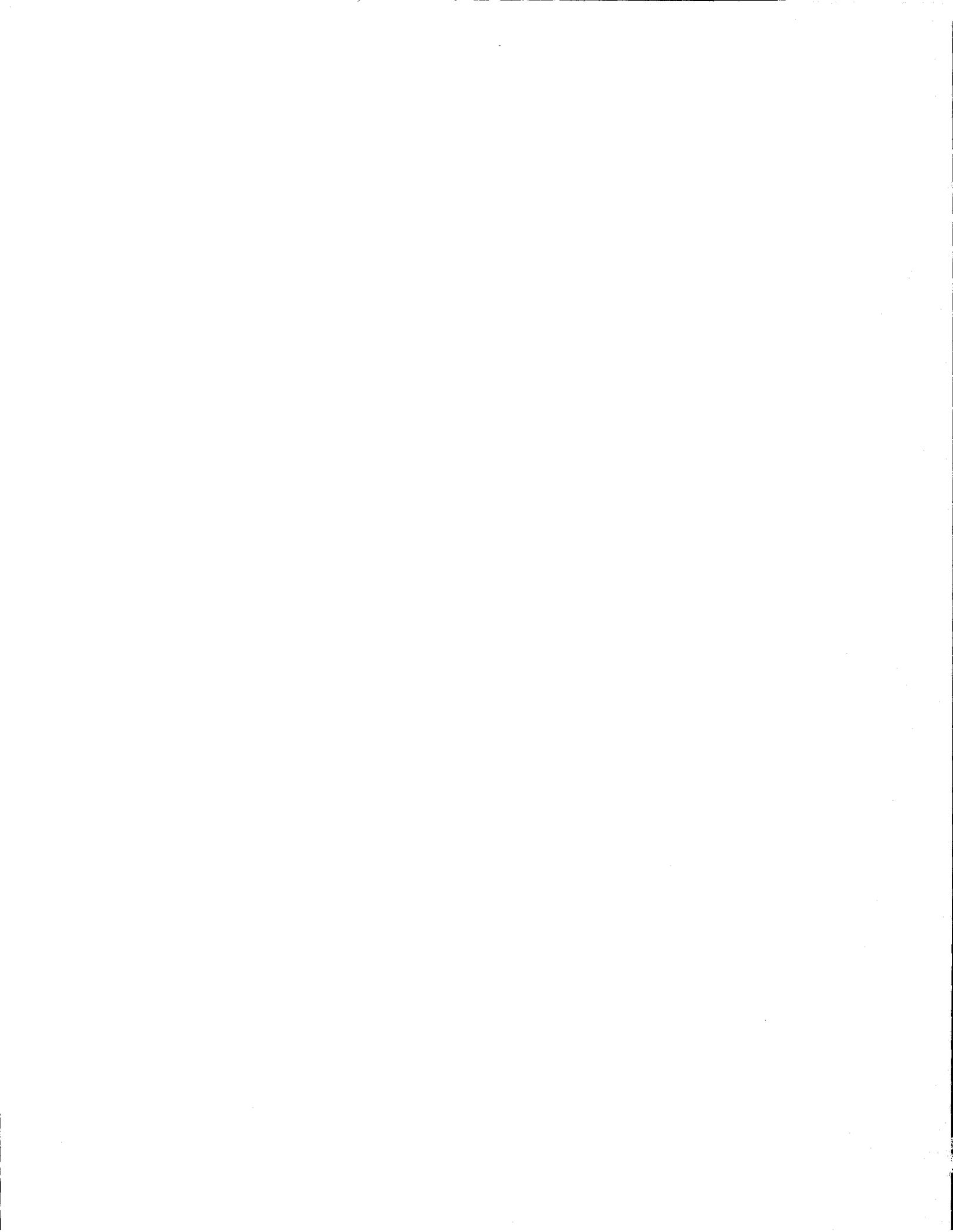
When a defendant's case is turned over to a prosecuting attorney by a law enforcement agency, lower court or grand jury, the Final Disposition Report along with the subject's case file should be sent to the prosecuting attorney.

If a misdemeanor is appealed, the Final Disposition Report will already have been transmitted to the KBI by the lower court clerk. In this case, a new Final Disposition Report (R-84), including the defendant's fingerprints must be prepared and sent to the KBI if any reversal, reduction or remanding of charges occurred. Circumstances and the action appropriate to each are listed on the following page.

CITY COURTS,
MAGISTRATE COURTS,
AND COURTS OF
COMMON PLEAS

The arresting agency is responsible for preparing all the information on the Final Disposition Report (R-84) with the exception of "Final Disposition and Date" block 2 and "This Form Submitted By:" block 6.

When a trial is held for an individual charged with a misdemeanor or a "Probably Cause" hearing is held for a felony charge, the court clerk is responsible for reporting the outcome. A variety of circumstances and the action appropriate to each are listed on the following page.



Circumstance

PROSECUTING ATTORNEY

The prosecuting attorney elects not to file charges.

The prosecuting attorney files felony charges.

CITY COURTS, MAGISTRATE COURTS AND
COURTS OF COMMON PLEAS

The misdemeanor defendant is convicted of the charge on a lesser included offense.

The misdemeanor defendant is found not guilty of any charge.

A felony defendant is "Bound Over" to a higher court on at least one charge.

"No Probable Cause" is found for a felony defendant.

The defendant waives a "Probable Cause" hearing or the case is passed to a higher court with no finding.

The defendant dies or another unusual terminal action occurs.

An appealed misdemeanor is remanded to a lower court for retrial.

Final Disposition Report

Enter "Do Not File" in the Final Disposition & Date block 2 and the date for each charge.

Retain the Final Disposition Report until the completion of the trial when it is delivered to the court for entry of final disposition information. No report is made of the filing decision to the KBI.

Enter the date and sentence given for each charge in the Final Disposition & Date block 2. Transmit the form to the KBI.

Enter the date "Found Not Guilty" in the Final Disposition & Date block 2. Transmit the form to the KBI.

Transmit the form with the commitment paper to the cognizant prosecuting attorney. No report to the KBI is made.

Record the date and action "No Probable Cause Found" in the Final Disposition & Date block 2 for each charge examined and send the form to the KBI.

Transmit the form to the cognizant prosecuting attorney. No report to the KBI is made.

Record the circumstances of the action in the Final Disposition & Date block 2 and send the form to the KBI.

Since the Final Disposition Notice has been sent to the KBI for the initial conviction by the lower court, another form, complete with fingerprints must be prepared and forwarded to the KBI with the final action on the charge recorded in the Final Disposition block 2 at the end of the trial.

COUNTY AND
DISTRICT COURTS

The prosecuting attorney is responsible for delivering the Final Disposition Report (R-84) to the court clerk for recording the final disposition of case tried in County or District courts. Upon completion of the trial, the court clerk records the required information on the form and sends it to the KBI. A variety of circumstances and the appropriate actions to each are listed on the following page.

KANSAS DEPARTMENT
OF CORRECTION

CHRI data must be reported to the KBI on the Standard Fingerprint Card (610A) and Final Disposition Report. Each time an individual enters or exists from institutional confinement and/or is placed on parole or probation, a report must be made. On the following page is a list of circumstances that must be reported to the KBI.



COUNTY AND DISTRICT COURTS

Circumstance

Final Disposition Report

The defendant is convicted of a charge(s).

Enter the date of sentence and sentence imposed for each charge. If the subject is convicted of, or enters a guilty plea to a lesser or different charge from the offense charged at arrest, clearly specify the new charge in the Final Disposition & Date block 2.

The defendant is found not guilty.

Enter "Not Guilty" and the date for each charge in the Final Disposition & Date block 2.

The charge is dismissed or reduced and remanded to a lower court for trial.

Enter the fact "Reduced and Remanded" or "Dismissed" and the date for each charge disposed of in this manner in the Final Disposition & Date block 2.

The case is terminated by death of the defendant, passed indefinitely, or otherwise ends.

Record appropriate circumstances in the Final Disposition & Date block 2.

NOTE: For each County or District Court action listed above, a Final Disposition Report must be sent to the KBI.

KANSAS DEPARTMENT OF CORRECTION

Circumstance

Fingerprint Card

Final Disposition Report

An inmate is received at KDC or a convicted felon is placed in the custody of the department for probation (this includes returned parole violation or escapees).

One card is prepared and transmitted to the KBI listing the convicted charge under the Charge block 18. Under Arrest Disposition block 33 list the appropriate phrase:
1. Received for confinement.
2. Received for probation.
If the reason for submission is return of a parole violation or escapee, note the same in the Charge block 18.

None prepared.

Prior to parole of an inmate.

None prepared.

Prepare two copies. Enter "Released on Parole as of (date)" in the Final Disposition & Date block 2. Send this copy to the KBI. On the record copy the Final Disposition & Date block 2 is left blank and recorded when the parole period expires and supervision ceases. The second copy is retained in the case file.

Upon expiration of the parole period.

None prepared.

Enter "Expiration of Sentence-Discharged from Parole" and date in the Final Disposition & Date block 2. Send the form to the KBI.

Expiration of probation.

None prepared.

Enter "Expiration of Sentence-Discharged from Probation" in the Final Disposition & Date block 2.

Discharged from confinement.

None prepared.

Enter "Expiration of Sentence-Discharged from Confinement" in the Final Disposition & Date block 2.

TYPE OR PRINT ALL INFORMATION IN BLACK INK

FULL LEGAL NAME NAM

SIGNATURE OF PERSON FINGERPRINTED
THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES

2

LAST NAME 1 FIRST NAME _____ MIDDLE NAME _____ KBI _____

RESIDENCE OF PERSON FINGERPRINTED, INCLUDE CITY & STATE

5

ALIASES 3 CONTRIBUTOR ORI 4 GAL _____
COMP. 6 DATE OF BIRTH DOB
MONTH DAY YEAR 7

DATE SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

15 16

DATE ARRESTED OR RECEIVED DOA 17 LEAVE BLANK

CHARGE

18

YOUR NO. OCA 19 CLASS _____

FBI NO. FBI 20 REF _____

FINAL DISPOSITION

22

SOCIAL SECURITY NO. SOC 21 NCIC CLASS - FPC

CAUTION 23

24

1. RIGHT THUMB

2. RIGHT INDEX

3. RIGHT MIDDLE

4. RIGHT RING

5. RIGHT LITTLE

6. LEFT THUMB

7. LEFT INDEX

8. LEFT MIDDLE

9. LEFT RING

10. LEFT LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

LEFT THUMB

RIGHT THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY



STATE OF KANSAS KANSAS BUREAU OF INVESTIGATION TOPEKA, KANSAS

25 PALM PRINT TAKEN? YES NO

26 PHOTO AVAILABLE? YES NO

IF AVAILABLE, SUBMIT WITH CARD. DO NOT PASTE. SINCE PHOTOGRAPH MAY BECOME SEPARATED INDICATE NAME, DATE TAKEN, FBI NUMBER, CONTRIBUTOR AND ARREST NUMBER ON REVERSE SIDE.

STATUTE CITATION CIT

1. 30

ARREST DISPOSITION ADN

33

EMPLOYER IF U S GOVERNMENT INDICATE SPECIFIC AGENCY. IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO.

27

OCCUPATION

28

SCARS, MARKS, TATTOOS AND AMPUTATIONS SMT

29

BASIS FOR CAUTION ICO

31

DATE OF OFFENSE DOO

32

MISC. NO. MNU

34

FAMILY HISTORY: TO BE FILLED IN BY PERSON FINGERPRINTED

Married Separated Divorced Where married Date

Spouse's first, middle, and maiden name:

Father's name Living Residence

Mother's name Living Residence

Brothers and Sisters:

Name Age Residence

Children:

Name Age Residence

Name Age Residence

Name Age Residence

Name Age Residence

ADDITIONAL INFORMATION

LEAVE BLANK

MI-1174

36

K.B.I. Fingerprint Card

The following instructions provide detailed information on the completion of each block on the K.B.I. fingerprint card. With the exception of those marked "Leave Blank", all blocks must be completed.

1. FULL LEGAL NAME (NAM):

Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial is used, indicate this in the following manner: "A (only)". If no middle name exists, indicate this in the following manner: "(NMN)".

2. SIGNATURE OF PERSON FINGERPRINTED:

The person being printed should sign his legal name in this block. This should be completed prior to the actual "taking" of the prints to avoid the possibility of smearing the prints on the card.

NOTE: Care should be taken to observe the name signed by the person does not differ from his known name, and to avoid a fake signature, ensuring the NAME is the same as the signature. (John-Jhon)
Do not assume the correct spelling, check the spelling.

3. ALIASES:

List all other names used by subject. This should not include contractions (Bill for William, Ray for Raymond, etc.). Nicknames should not be included unless the person has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

4. CONTRIBUTOR (ORI):

Place the name and address of the agency submitting the fingerprint card. In addition, the NCIC Identification number as listed in your NCIC Guide Manual must be inserted.

5. RESIDENCE OF PERSON FINGERPRINTED:

List the present or last known address of the subject.

6. COMPLEXION (COMP):

Use only designated code for skin tone. (See Attachment)

7. DATE OF BIRTH (DOB):

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

8. SEX:

Use only a one-character alpha code, as follows:

MALE: M

FEMALE: F

9. RACE:

Use only a one-character alpha code, as follows:

<u>Race</u>	<u>Enter As:</u>
*White	W
Negro	N
Indians	I
Chinese	C
Japanese	J
**All Others	O

*Includes: Mexicans and Latins.

**Includes: Asian Indians, Eskimos, Filipinos, Indonesians, Koreans, Polynesians, and other Non-Whites.

10. HEIGHT (HGT):

Enter height in three numerics (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600
2. 5 feet, 8 1/2 inches - Enter as 509

11. WEIGHT (WGT):

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98

12. EYES:

Use only designated code for eye color.

<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Blind	OOO
Unknown	XXX

13. HAIR:

Use only designated code for hair color

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is to be used when subject has lost most of the hair on head.

14. PLACE OF BIRTH (POB):

In this block enter the place of birth using the city and state (territorial possession, province, or country will be used if applicable). Use standard code. (See Attachment I).

15. DATE:

This is the date that the person is fingerprinted.

16. SIGNATURE OF OFFICIAL TAKING FINGERPRINTS:

The official who fingerprints the person MUST sign his name in this block.

17. DATE ARRESTED OR RECEIVED (DOA):

Enter the date the person was arrested, or in lieu thereof, the date person was fingerprinted. Correctional Institutions should enter the date the person is received, not the date of the original arrest or sentencing.

18. CHARGE:

Enter the name(s) of the offense(s) for which the arrest is being made. Also enter next to offense, the NCIC Uniform Offense Classification numeric. (See Attachment II)

19. YOUR NO. (OCA):

This is the number assigned to the subject by the contributing agency.

20. FBI NO. (FBI):

Enter the subject's FBI number when available.

21. SOCIAL SECURITY NO. (SOC):

Enter the subject's social security number.

22. FINAL DISPOSITION:

List FINAL disposition only in this block.

23. CAUTION:

If special caution should be used when dealing with the subject, check (x) caution box and explain "basis for caution" on reverse side in the appropriate block.

24. FINGERPRINTING:

Refer to Appendix B for procedures on fingerprinting.

REVERSE SIDE OF CARD

25. PALM PRINTS TAKEN:

This block is provided to indicate if you have palm prints of the subject available. Check (x) the appropriate box "Yes" or "No".

26. PHOTO AVAILABLE:

Indicate, by checking (x) the appropriate box, if a photo is available. If a photo is available, submit it with a completed fingerprint card. Do not paste or tape photo to the fingerprint card. Indicate on the reverse side of the photo the subject's name, date picture taken, FBI number, contributing agency, and arrest number (OCA).

27. EMPLOYER:

Enter subject's present employer and employer's address. If employer is the U.S. Government, specify the agency. If military personnel, list branch of service and serial number.

28. OCCUPATION:

Indicate the actual type of work the subject does. If unemployed at time of custody, enter (u) and the type(s) of occupation subject has engaged in or is trained to do.

29. SCARS, MARKS, TATTOOS, AND AMPUTATIONS (SMT):

All types of marks, physical deformities or other information which are identifiable should be indicated in this block. Use standard codes.

30. STATUTE CITATION (CIT):

Cite applicable state statute number(s) related to the offense.

31. BASIS FOR CAUTION (ICO):

When the caution box on the front of the card has been checked, the specific reason must be indicated in this block.

32. DATE OF OFFENSE (DOO):

In this block, indicate the actual date the offense occurred for which subject was arrested.

33. ARREST DISPOSITION (ADN):

When the FINAL disposition of the subject has not been determined, complete this block.

34. MISCELLANEOUS NUMBER (MNU):

Any miscellaneous number (MNU) available should be listed in this block. Include such numbers as military service, passport, alien registration, etc. (Identify type of number.)

35. FAMILY HISTORY:

The subject should write legibly all information requested in this block. The official attending the subject should carefully observe that the information provided is legible and consistent with known information on the subject. (Information provided should relate to the subject's factual family history at the time this card is completed.)

36. ADDITIONAL INFORMATION:

Enter any additional information on the individual you consider to be important. This block may also be used for supplemental information where space is limited in previous blocks.

K.B.I. PALM PRINT CARD

(FRONT)

FULL LEGAL NAME NAM 1	DATE OF BIRTH DOB 2	Signature of person taking prints 3
KBI 4	KBI 5	Date 6

1214-H

RIGHT HAND (Turn hand diagonally on this card)

K.B.I. PALM PRINT CARD

(BACK)

Signature of person being printed	Date of Arrest	Charge
7	8	9

LEFT HAND (Turn hand diagonally across card)

K.B.I. PALM PRINT CARD

The following instructions provide detailed information on the completion of each block on the K.B.I. Palm Print Card.

1. FULL LEGAL NAME (NAM):

Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial, indicate this in the following manner: "A (only)." If no middle name exists, indicate this in the following manner: "(NMN)."

2. DATE OF BIRTH (DOB):

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

3. SIGNATURE OF PERSON TAKING PRINTS:

The official who is taking the palm prints must sign in this block.

4. CONTRIBUTOR (ORI):

Place the name and address of the agency submitting the palm print card. In addition, the NCIC identification number as listed in your NCIC Guide Manual must be inserted.

5. KBI:

Enter the subject's KBI number, if available.

6. DATE:

This is the date that the person's palm prints were taken.

7. SIGNATURE OF PERSON BEING PRINTED:

The person being printed should sign his legal name in this block. This should be completed prior to the actual "taking" of the prints to avoid the possibility of smearing the prints on the card.

NOTE: Care should be taken to observe the name signed by the person does not differ from his known name, and to avoid a fake signature, ensuring the NAME is the same as the signature. (John - Jhon)
Do not assume the correct spelling, check the signature.

8. DATE OF ARREST:

Enter the date the person was arrested. Correctional Institutions should enter the date the person is received, not the date of the original arrest or sentencing.

9. CHARGE:

Enter the name(s) of the offense(s) for which the arrest is being made. Also enter next to offense, the NCIC Uniform Offense Classification numeric. (See attachment II.)



W. L. ALBOTT
DIRECTOR

STATE OF KANSAS

KANSAS BUREAU OF INVESTIGATION

3420 VAN BUREN
TOPEKA, KANSAS 66611
(913) 296-3026

2.19
JACK H. FORD
ASST. DIRECTOR

FIELD SERVICES
DAVID E. JOHNSON
EAST REGION
ROBERT C. CLESTER
WEST REGION

SPECIAL SERVICES
JACK A. WEST
NARCOTICS
JACK H. WILLIAMS
INTELLIGENCE

SUPPORT SERVICES
DWAYNE SACKMAN
IDENTIFICATION-INFORMATION
RONALD L. JONES
LABORATORY

CONTRIBUTOR:

Enclosed fingerprint card(s) are being returned to you because of reason(s) indicated below:

- Complete descriptive data omitted
- Name and signature differ
- Name not shown at top of print, signature illegible
- Name of subject missing
- Age and year of birth differ
- Date of birth not given/not clear/incomplete
- Charge and date of arrest not given/not clear, please clarify
- Finger impressions not on card
- Hands reversed
- Right hand printed twice
- Left hand printed twice
- Apparently mailed to us by mistake
- Indicate correct sex of subject
- Signature of official taking prints missing
- Furnish final disposition if available
- Advise reason for submission of fingerprints, criminal (charge) applicant (position for which applying)
- These prints are not classifiable because: not fully rolled, deltas missing smudged improperly inked not in proper sequence one or more fingers printed twice .
- One or more impressions missing or partially missing. Please indicate if amputated. If not amputated, obtain these prints. We cannot accept when not printed for any reason other than amputation.
- Finger impressions on attached card(s) are identical with those on file for subject of attached record; however the descriptive data on the attached card(s) evidently pertain to another individual
- Descriptive data on attached fingerprint card(s) are similar to that on file for subject of attached record; however, finger impressions are not identical
- Search by name only has been conducted with negative results
- Fingerprint search has been conducted with negative results
- Subject is a juvenile. If subject was certified as an adult please indicate such and resubmit fingerprint card. If not certified as adult, retain fingerprint card and request FBI to return fingerprint card from their files to your agency (See K.S.A. 38-815(a))
- Other _____

After making appropriate changes or additions, please resubmit

W. L. ALBOTT
Director

Enc.

R-84 (Rev. 6-29-71)

FINAL DISPOSITION REPORT

Leave Blank

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

(See instructions on reverse side)

FBI No. 1		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.) 2
Name on Fingerprint Card Submitted to FBI Last 3 First Middle		
If FBI No. Unknown, Furnish: Date of Birth _____ Sex _____ 4 Fingerprint Classification _____		This Form Submitted By: (Name, Title, Agency, City & State) 6 _____ Signature Date _____ Title
State Bureau No. 5		
Contributor of Fingerprints 7		
Arrest No. 8	Date Arrested or Received 9	<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: 10 Return Arrest Fingerprint Card to Contributing Agency; Certified or Authenticated Copy of Court Order Attached.
Offenses Charged at Arrest 11		

FINAL DISPOSITION REPORT

The following instructions provide detailed information on the completion of each block on the Final Disposition Report. With the exception of those marked "Leave Blank", all blocks must be completed.

The agency ultimately making final disposition should complete this form and mail copies to:

- (1) Kansas Bureau of Investigation
Identification/Information Service Section
3420 Van Buren
Topeka, Kansas 66611
- (2) Federal Bureau of Investigation (FBI)
Identification Division
Washington, D.C. 20537

1. FBI NO.:

The FBI number should be indicated (if known).

2. FINAL DISPOSITION AND DATE:

Indicate all charges at arrest separately and final disposition and date of each one. Indicate type of sentence imposed, e.g., consecutive, concurrent, probation, etc., if applicable (When arrested subject is convicted or enters a guilty plea to a lesser or different offense than that charge when originally arrested, this information should be clearly indicated).

3. NAME ON FINGERPRINT CARD SUBMITTED TO KBI AND FBI:

The name must be identical to that submitted on the fingerprint card to the KBI and FBI. Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial is used, indicate this in the following manner: "A (only)". If no middle name exists, indicate this in the following manner: "(NMN)".

4. IF FBI NO. UNKNOWN, FURNISH:DATE OF BIRTH:

The complete date of birth (expressed as month, day and year) must be inserted. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

SEX:

Use one-character alpha code, as follows:

MALE: M

FEMALE: F

FINGERPRINT CLASSIFICATION:

Insert (if known) as provided by the FBI.

5. STATE BUREAU NO.:

Insert K.B.I. number

6. THIS FORM SUBMITTED BY:

Indicate the name, title of the official submitting this form, and his agency, city or town, and state. The official MUST sign his name and date this form in the spaces provided.

7. CONTRIBUTOR OF FINGERPRINTS:

Insert the name and address of the agency which took the fingerprints. Normally this will be the arresting agency. Include ORI.

8. ARREST NO.:

Insert the number assigned by the arresting agency.

9. DATE ARRESTED OR RECEIVED:

Enter the date the subject was arrested, or if not applicable, the date the subject was received.

10. COURT ORDERED EXPUNGEMENT:

If a court having jurisdiction orders an expungement or sealing of the subject's record, check (x) this box, return the arrest fingerprint cards to the contributing agency, and attach a certified or authenticated copy of the court order to this form. The court order MUST list the specific arrest(s) to be expunged or sealed. See Supreme Court rule 184 for additional information.

11. OFFENSES CHARGED AT ARREST:

List offense(s) charged at arrest. Enter next to the charge the NCIC Uniform Offense Classification numeric describing the offense committed.

12. RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY:

Fingerprints should be taken for this form at the same time that the full set of fingerprints are taken for the KBI Fingerprint Card. (610 A)

I.2 LAW ENFORCEMENT RECORD KEEPING

This section contains recommended forms and procedures for law enforcement record keeping. For smaller agencies with limited training facilities and staff, this document can provide basic instructions for officers and clerical staff. In addition, the use of standardized forms and procedures throughout the law enforcement community will simplify information exchange as a result of universal familiarity.

Topics covered include:

1. Complaint/Dispatch Log
2. Cross Reference Index File
3. Radio Log
4. Incident Report File (with continuation forms)
5. Offense Reports
6. Arrest/Booking Records

Forms described under each of these sections usually consist of a simple one-page design. Multi-color carbon pack types have been avoided because these are usually unnecessary in the majority of cases and are extremely expensive. However, large law enforcement agencies with many departments and complex (often automated) information systems may prefer to elaborate on the basic design to suit their needs.

COMPLAINT/DISPATCH LOG

The Complaint/Dispatch Log refers to information kept under file in the Complaint/Dispatch Card file.

When the complaint operator or the dispatcher receives a call, he records the receipt of the complaint and/or the notification of an officer of impending police activity on a Complaint/Dispatch Card. Each card is prenumbered with a complaint number which subsequently becomes the case, arrest and file number. Complaint/Dispatch arrival and completion response times as well as all ensuing police activities are also recorded. After the incident has been serviced, the Complaint/Dispatch card is filed by complaint number in the file.

All field activity is accompanied by the recording of a complaint card and, as such, serves as the basis for measuring activity, resource allocation and analysis.

A sample Complaint/Dispatch card and detailed instructions for its completion are at the end of this section.

INCIDENT REPORT FILE
(609 C)

Information on all incidents of a non-criminal nature such as dog bites and wind damage should also be kept under file. When an officer responds to an incident of this type, he should submit an Incident Report. Upon receipt of this form, the complaint operator or dispatcher will record the action on the Complaint/Dispatch Card.

A sample Incident Report and detailed instructions for its completion are at the end of this section.

Incident Continuation
Report
(609D)

The Incident Continuation Report should be used when making an initial report if more space is required to report the incident completely and accurately. This form may also be used at a later date to report a follow-up or additional information obtained after the initial report.

A sample Incident Continuation Report and detailed instructions for its completion are at the end of this section.

OFFENSE REPORTS
(609 A)

Whenever an offense is committed against an individual, business organization or public agency, the incident must be reported to the KBI. Information is transmitted to the KBI on an Offense Report (609 A).

A sample Offense Report and detailed instructions for its completion are at the end of this section.

Offense Continuation
(609 B)

The Offense Continuation Report (609 B) is an optional form to provide a detailed narrative account that has been briefed on the face sheet along with any pertinent comments or observations of the reporting officer. Although optional, any crime of this nature generally requires a narrative to report the incident completely and accurately. At least one continuation sheet is expected at the time of the initial investigation. Additional sheets may be added at a later date to report on the progress of the investigation. These sheets, because they relate to the details of the offense, are of particular importance to the KBI. Information on these sheets is not available to the public.

A sample Offense Continuation Report (609 B) and detailed instructions for its completion are at the end of this section.

CROSS REFERENCE
INDEX FILE

When a Complaint/Dispatch is logged, a Cross Reference Index should be completed and filed under the subject's name. Each time the subject calls in an additional complaint, the number on the complaint should be added to the subject's index card. This index will provide the means by which items of information can be retrieved from the report files. Without a properly maintained and filed index, it becomes impossible to locate information when needed.

A sample Cross Reference Index Card and detailed instructions for completing it are on pages at the end of this section.

RADIO LOG

Federal Communications Commission (FCC) rules and regulations no longer require that a log of all radio activity be maintained. Each licensee of a station must, however, maintain records in accordance with Section 89.175, 89.177 and 89.179 of the FCC Rules and Regulations.

FCC Rules and
Regulations

Section 89.175 Content of Station Records

- (a) The results and dates of the transmitter measurements and the name of the person making the measurements.
- (b) When service or maintenance duties are performed, the responsible operator shall sign and date an entry in the station record giving:
 - (1) Pertinent details of all duties performed by him or under his supervision;
 - (2) His name and address, and
 - (3) The class, serial number and expiration date of his license: Provided, that the information called for by subparagraphs (2) and (3) of the paragraph remains the same, need be entered only once in the station record at any station where the responsible operator is regularly employed on a full time basis and at which his license is properly posted.
- (c) For stations whose antenna or antenna supporting structure is required to be illuminated a record in accordance with the following:

- (1) The time the tower lights are turned on and off each day if manually controlled.
- (2) The time the daily check of proper operation of the tower lights was made, if an automatic alarm system is not provided.
- (3) In the event of any observed or otherwise known failure of a tower light:
 - (i) Nature of such failure.
 - (ii) Date and time the failure was observed, or otherwise noted.
 - (iii) Date, time and nature of the adjustments, repairs, or replacements that were made.
 - (iv) Identification of the Flight Service Station (FSS) notified of the failure of any code or rotating beacon light or top light not corrected within thirty minutes, and the date and time notice was given to the FSS that the required illumination was resumed.
- (4) Upon the completion of the periodic inspection required at least once each three months:
 - (i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators and alarm systems.
 - (ii) Any adjustment, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

Section 89.177 Form of Station Records

- (a) The records shall be kept in an orderly manner and in such detail that the data required are readily available. Key letters or abbreviations may be used if proper meaning or explanation is set forth in the record.
- (b) Each entry in the records shall be signed by a person qualified to do so having actual knowledge of the facts to be recorded.
- (c) No record or portion thereof shall be erased, obliterated, or willfully destroyed within the required retention period. Any necessary correction may be made only by the persons originating the entry who shall strike out the erroneous portion, initial the correction made and indicate the date of the correction.

Section 89.179 Retention of Station Records

Records required to be kept shall be retained by the licensee for a period of at least one year.

KANSAS ARREST/BOOKING
RECORDS
(610 E)

The Arresting Agency should keep a record of each subject taken into custody from moment of arrest to time of release. All information is recorded on a Kansas Arrest/Booking Report (610 E). This report records each step in the legal process, the whereabouts of the subject at all times, and both the subject's medical history and a description of injuries received while in jail.

A sample Kansas Arrest/Booking Report (610 E) and detailed instructions for its completion are on pages at the end of this section.

COMPLAINT/DISPATCH CARD

Nature of Incident <input type="checkbox"/> In Progress				Complaint No.	
1.				2.	
Location of Incident		4. Corner <input type="checkbox"/> NW <input type="checkbox"/> NE <input type="checkbox"/> SW <input type="checkbox"/> SE	Patrol Area	Time	6.
3.		5.		Recd.	A.
Complainant's Name <input type="checkbox"/> Refused		Telephone Area		Disp.	B.
7.		8.		Arr.	C.
Complainant's Address <input type="checkbox"/> Same as Loc.				Comp.	D.
9.					
Remarks					
10.					
Unit Assnd.	Unit Assit.	13. Notifications	Recd By	Disp. No.	
11.	12.	<input type="checkbox"/> Ambulance <input type="checkbox"/> Fire Dept. <input type="checkbox"/> Wrecker	14.	15.	

COMPLAINT/DISPATCH CARD

The following instructions provide detailed information for completing each block of the Complaint/Dispatch Card.

1. NATURE OF INCIDENT:

Describe briefly the nature of the incident such as "proowler in yard."
Check box (x) if incident was in progress at time complaint was received.

2. COMPLAINT NO.:

Each card should be numbered with a complaint number which will become the case, arrest and file number.

3. LOCATION OF INCIDENT:

In most instances, a street address will be sufficient. In areas where there are no street addresses, the location should be described with reference to cross streets, known landmarks, highway markers or other fixed points.

4. CORNER:

Check (x) box for appropriate corner if incident occurred at a street corner.

5. PATROL AREA:

Enter the local agency's district or beat assignment number.

6. TIME:A. REC'D.

Enter the military time and the date (month-day-year) the call was received.

B. DISP.

Enter the military time and the date (month-day-year) a unit was dispatched.

C. ARR.

Enter the military time and the date (month-day-year) a unit arrived.

D. COMP.

When the unit completes its tasks at the location, enter the military time and the date (month-day-year).

7. COMPLAINANT'S NAME:

Record the complainant's full legal name in the sequence of first name, middle name, last name, and suffix. If complainant refused to give name, check box entitled "REFUSED."

8. TELEPHONE NUMBER:

Enter the complainant's telephone number. Indicate whether this is complainant's residence or business phone number. If phone number is other than complainant's residence or business, specify whose phone number it is such as next door neighbor's phone.

9. COMPLAINANT'S ADDRESS:

Enter the street address of the complainant. To avoid confusion include city or town in all addresses. Do not use post office boxes as addresses. If complainant's address is the same as incident location, check box (x).

10. REMARKS:

This space is to provide any additional relevant information.

11. UNIT ASSIGN'D:

Indicate the agency's designation for the unit assigned to the complaint.

12. UNITS ASSIST.:

Indicate the agency's designation for the unit(s) assisting with the complaint.

13. NOTIFICATIONS:

Check block for each service dispatched to incident.

14. RECEIVED BY:

Enter Complaint Operator's code number.

15. DISPATCHER NO.:

Enter Dispatcher's number.

COMPLAINT NUMBER
CROSS REFERENCE INDEX

This index will provide the means by which items of information can be retrieved from report files. It is extremely important that each index card be maintained and filed with care. Without a properly maintained and filed index, it becomes impossible to locate information when needed.

Instructions for completing the index are provided below:

LAST NAME 1.		FIRST NAME 2.		MIDDLE NAME 3.		SUFFIX 4.	
ALIASES 5.							
ADDRESSES 6.							
DATE OF BIRTH 7.	SEX 8.	RACE 9.	HGT. 10.	WGT. 11.	EYES 12.	HAIR 13.	PLACE OF BIRTH 14.
<u>COMPLAINT NUMBERS</u>							
15. No.		Date		No.		Date	
1.				5.			
2.				6.			
3.				7.			
4.				8.			

1. LAST NAME

Print subject's last name if known.

2. FIRST NAME

Print subject's first name if known.

3. MIDDLE NAME

Print subject's middle name if known.

4. SUFFIX

Print suffix such as "Jr." or "II" if known.

5. ALIASES

Print all other names used by subject. Nicknames should not be included unless the subject has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

6. ADDRESS

List the present or last known address of the subject. Include street address, city or town, and state. Address changes should be listed on the back of the card.

7. DATE OF BIRTH (DOB)

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

8. SEX

Use only a one-character alpha code, as follows:

MALE: M
FEMALE: F

9. RACE

Use only a one-character alpha code, as follows:

<u>Race</u>	<u>Enter As:</u>
*White	W
Negro	N
Indians	I
Chinese	C
Japanese	J
**All Others	O

*Includes: Mexicans and Latins.

**Includes: Asians, Indians, Eskimos, Filipinos, Indonesians, Koreans, Polynesians, and other Non-Whites.

10. HEIGHT (HGT)

Enter height in three numerics (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600
2. 5 feet, 8 1/2 inches - Enter as 509

11. WEIGHT (WGT)

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98

12. EYES

Use only designated code for eye color.

<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Blind	OOO
Unknown	XXX

13. HAIR

Use only designated code for hair color

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is to be used when subject has lost most of the hair on head.

14. PLACE OF BIRTH

In this block enter the place of birth using the city and state (territorial possession, province, or country should be used if applicable). Use standard code.

15. COMPLAINT NUMBERS

List chronologically the complaint numbers involving this subject in part I or part II offenses.

INCIDENT REPORT

This form is designed to record any incidents of a non-criminal nature such as dog bites and wind damage.

Detailed instructions for completing the incident report are provided below:

1. COMPLAINT NO.

This number MUST be identical to the complaint number on the Complaint/Dispatch Card.

2. NATURE OF INCIDENT

Describe briefly the nature of the incident such as "proowler in yard."

3. OCCURRENCE

DATE: Insert the date (month-day-year) of the incident

TIME: Insert the military time

4. INCIDENT LOCATION

In most instances a street location will be sufficient. In areas where there are no street addresses, the location should be described with reference to cross streets, known landmarks, highway markers or other fixed points.

5. PATROL AREA

Enter the local agency's district or beat assignment number.

6. COMPLAINANT

1. LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX - Enter the complainant's full legal name.

2. DOB - Enter the complainant's date of birth.

3. SEX - Enter the complainant's sex.

4. STREET ADDRESS, CITY, STATE - Enter the complainant's street address, city, and state (Do not use post office boxes as addresses.).

5. PHONE - Enter the complainant's phone number. Indicate whether the number is complainant's home or business phone number. If complainant has no phone, insert number at which he might be reached and whose phone it is.

7. DETAILS

Provide a concise narrative of the incident including any pertinent comments or observations of the reporting officer. List names and addresses of witnesses or other persons involved.

8. STATUS

Check appropriate box:

- Gone on Arrival - A complaint is issued requesting assistance or investigation and when the officer arrives at the alleged scene, the complainant and/or the individual(s) alleged to be involved are not present. Thus, no information of significance can be recorded.
- Unfounded - The officer arrives at the scene of an alleged incident and finds no evidence to verify such an incident occurred. Thus, the incident is unfounded.
- No Action Taken - The officer answers a request for assistance or investigation and decides that a verbal warning will suffice. Thus, no formal action is taken.
- Accident Report - A traffic accident is being reported on the standard reporting form.
- Traffic Ticket - This code indicates that a traffic ticket was written.

9. REPORTING OFFICER SIGNATURE

The officer completing this form MUST sign his name.

10. DATE

Enter the date the report was completed.

11. BADGE NO.

Enter the badge number of the officer completing the report.

12. APPROVING OFFICER SIGNATURE

The officer approving this report MUST sign his name.

13. BADGE NO.

Enter the badge number of the officer approving the report.

CONTINUATION REPORT

1. COMPLAINT NO. _____

2. DATE _____

3. PAGE _____

4. NAME OF COMPLAINANT _____
(Last Name) (First Name) Middle Initial (Suffix)

5. NATURE OF INCIDENT _____

6. DETAIL: _____

Multiple horizontal lines for writing details.

INCIDENT
CONTINUATION REPORT

This continuation report should only be used as a supplement to the incident report (It should not be used as a supplement to the offense report which has its own continuation form). Use as many pages of this continuation form as are necessary to report the incident completely. Additional sheets can be used on subsequent days as supplemental forms to report on any follow-up investigation.

Complete this form as follows:

1. COMPLAINT NO.

This number must be identical to the complaint number on the Complaint/Dispatch Card and the Incident Report.

2. DATE

Enter the date this continuation report is being written.

3. PAGE

Enter the page number of this report. If, for example, this is the first Continuation Report sheet following the Incident Report sheet, number this sheet "2".

4. NAME OF COMPLAINANT

Enter the full legal name of the complainant (last name-first name-middle name-suffix). This name should be identical to the name on the Incident Report.

5. NATURE OF INCIDENT

Enter a brief description of the type of incident.

6. DETAIL

Insert any additional narrative as appropriate.

7. REPORT OFFICER'S SIGNATURE

The officer preparing this report MUST sign his name.

8. BADGE NO.

Enter the badge number of the officer preparing this report.

OFFENSE REPORT

2.39

(Name of Reporting Agency)	NCIC AGENCY IDENT. NO. KS0000000	I. CASE NO. 77-220
----------------------------	-------------------------------------	-----------------------

2. CODE SECTION 21-3715	3. CRIME Burglary	4. CLASSIFICATION Residence-Single Family	5. REPORT AREA Beat 5
6. DATE AND TIME OCCURRED-DAY 1/5/77 0730/1630 Wed		7. DATE AND TIME REPORTED 1/5/77 1700	
8. LOCATION OF OCCURRENCE 1214 31st Street, Snowville		9. VICTIM'S NAME LAST, FIRST, MIDDLE (FIRM IF BUSINESS) JONES, Robert Arthur	
10. RESIDENCE ADDRESS Same as #8		11. RES. PHONE 123-4567	
12. OCCUPATION Teacher	13. RACE-SEX WM	14. AGE 35	15. DOB 4/12/32
16. BUSINESS ADDRESS (SCHOOL IF JUVENILE) Snowville Junior High		17. BUS. PHONE 234-5678	
CODES FOR BOXES 20 AND 30 V=VICTIM W=WITNESS P=PARENT RP=REPORTING PARTY DC=DISCOVERED CRIME			18. CHECK IF MORE NAMES IN SUPPLEMENT <input type="checkbox"/>
19. NAME-LAST, FIRST, MIDDLE HINTON, Mary Sue		20. CODE W	21. RESIDENCE ADDRESS 1215 31st St., Snowville
22. RESIDENCE PHONE 123-6789		23. OCCUPATION Housewife	
24. RACE-SEX WF	25. AGE 50	26. DOB 7/24/17	27. BUSINESS ADDRESS (SCHOOL IF JUVENILE) None
28. BUSINESS PHONE None		29. NAME-LAST, FIRST, MIDDLE	
30. CODE		31. RESIDENCE ADDRESS	
32. RESIDENCE PHONE		33. OCCUPATION	
34. RACE-SEX		35. AGE	
36. DOB		37. BUSINESS ADDRESS (SCHOOL IF JUVENILE)	
38. BUSINESS PHONE		39. BUSINESS PHONE	

MODUS OPERANDI (SEE INSTRUCTIONS)

39. DESCRIBE CHARACTERISTICS OF PREMISES AND AREA WHERE OFFENSE OCCURRED
 One story five-room house in older moderate income area

40. DESCRIBE BRIEFLY HOW OFFENSE WAS COMMITTED
 Removed screen on rear service porch window, broke glass, reached in and opened door. Ransacked house, took items from all rooms.

41. DESCRIBE WEAPON, INSTRUMENT, EQUIPMENT, TRICK, DEVICE OR FORCE USED
 Bodily force, used rock to break window

42. MOTIVE-TYPE OF PROPERTY TAKEN OR OTHER REASON FOR OFFENSE
 Color TV set, clothing, silverware, money

43. ESTIMATED LOSS VALUE AND/OR EXTENT OF INJURIES-MINOR, MAJOR
 Approximately \$7,030.

44. WHAT DID SUSPECT/S SAY-NOTE PECULIARITIES

45. VICTIM'S ACTIVITY JUST PRIOR TO AND/OR DURING OFFENSE
 At work

46. TRADEMARK-OTHER DISTINCTIVE ACTION OF SUSPECT/S
 Fingerprints removed by wiping furniture and articles with victim's shirt

47. VEHICLE USED-LICENSE NO.-ID NO.-YEAR-MAKE-MODEL-COLORS (OTHER IDENTIFYING CHARACTERISTICS)
 Late model green 4-door sedan, dent in left rear fender

REPORTING OFFICERS Weidauer/Jones	RECORDING OFFICER Jones	TYPED BY jh	DATE AND TIME 1/5/77	ROUTED BY
--------------------------------------	----------------------------	----------------	-------------------------	-----------

FURTHER ACTION <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input checked="" type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> CO. ATTNY <input type="checkbox"/> S.O./P.D.	<input checked="" type="checkbox"/> KBI <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	REVIEWED BY Capt. Smith	DATE 1/5/77
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OFFENSE CONTINUATION REPORT

2.40

(Name of Reporting Agency)	NCIC AGENCY IDENT. NO.	48. CASE NO.
	KS0000000	77-220

49. CODE SECTION	50. CRIME	51. CLASSIFICATION							
21-3715	Burglary	Residence - Single Family							
52. VICTIM'S NAME--LAST, FIRST, MIDDLE (FIRM IF BUS.)		53. ADDRESS			RESIDENCE		BUSINESS	54. PHONE	
JONES, Robert Arthur		1214 31st St.,			Snowville		123-4567		
55. SUSPECT NO. 1 (LAST, FIRST, MIDDLE)	56. RACE--SEX	57. AGE	58. HT.	59. WT.	60. HAIR	61. EYES	62. ID NO. OR DOB	63. ARRESTED	
Unknown	WM	25-35	6'	180	drk			YES <input type="checkbox"/> NO <input type="checkbox"/>	
64. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS								75. CHECK IF MORE NAMES IN SUPPLEMENT	
								<input type="checkbox"/>	
65. SUSPECT NO. 2 (LAST, FIRST, MIDDLE)		66. RACE--SEX	67. AGE	68. HT.	69. WT.	70. HAIR	71. EYES	72. ID NO. OR DOB	73. ARRESTED
									YES <input type="checkbox"/> NO <input type="checkbox"/>
74. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS								75. CHECK IF MORE NAMES IN SUPPLEMENT	
								<input type="checkbox"/>	

1/5/77, V reports he came home at 1645 and found his house completely ransacked. All drawers were pulled out and clothing and other articles strewn about house in every room. Even canned goods in kitchen cupboards were on floor.

Screen over service porch window was on ground on right side of window. A small hole was broken in window and, by reaching in two feet, the doorknob of back door can be turned to gain entry. A rock was found on floor of porch under broken window. Window cannot be seen from street because neighbor's 7' hedge blocked view.

A thorough, albeit messy, prowl through the entire house was made.

Description of S and car was provided by W-1, who saw suspect as he was loading the TV set into car. She thought nothing of this, as JONES has many visitors of the age groups of S, and he has been known to loan things like TV'S, chairs and even tables to others.

ID was called to check for latents, even though S appeared to have wiped everything with one of V's shirts. Detectives were called and will take over

investigation. SEE ATTACHED PROPERTY REPORT FOR MISSING ITEMS.

REPORTING OFFICERS		RECORDING OFFICER	TYPED BY	DATE AND TIME	ROUTED BY
Weidauer/Jones		Jones	jh	1/5/77 2100	
FURTHER ACTION	<input checked="" type="checkbox"/> YES	COPIES TO:	<input checked="" type="checkbox"/> DETECTIVE	<input checked="" type="checkbox"/> KBI	
	<input type="checkbox"/> NO		<input type="checkbox"/> JUVENILE	<input type="checkbox"/> PATROL	
			<input type="checkbox"/> CO. ATTNY.	<input checked="" type="checkbox"/> OTHER	
			<input type="checkbox"/> S.O./P.D.	<input type="checkbox"/> OTHER	
REVIEWED BY				DATE	
Capt. Smith				1/5/77	

(Name of Reporting Agency)		NCIC AGENCY IDENT. NO. KS0000000	48. CASE NO. 77-220
49. CODE SECTION 21-3715	90. CRIME Burglary	51. CLASSIFICATION Residence - Single Family	
32. VICTIM'S NAME--LAST, FIRST, MIDDLE (FIRM IF BUS.) JONES, Robert Arthur		53. ADDRESS 1214 31st St., Snowville	54. PHONE 123-4567
35. SUSPECT NO. 1 (LAST, FIRST, MIDDLE)	56. RACE--SEX	57. AGE	58. HT.
			59. WT.
			60. HAIR
			61. EYES
			62. ID NO. OR DOB
			63. ARRESTED YES <input type="checkbox"/> NO <input type="checkbox"/>
64. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS			
65. SUSPECT NO. 2 (LAST, FIRST, MIDDLE)	66. RACE--SEX	67. AGE	68. HT.
			69. WT.
			70. HAIR
			71. EYES
			72. ID NO. OR DOB
			73 ARRESTED YES <input type="checkbox"/> NO <input type="checkbox"/>
74. ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS			75. CHECK IF MORE NAMES IN SUPPLEMENT <input type="checkbox"/>
-PROPERTY REPORT-			
Item	Description	Serial Number	Value
1	Cash - 10 & 20 dollar bills, taken from behind mirror in master bedroom		\$250.00
2 *	TV set, Philco, Color, 23" tube, Italian style w/ walnut finish, 1 year old, cost \$1050 (owner's est.) Tube #123890778 Chassis #555890		750.00
3 *	Silver, sterling flatware, 12 5-piece plate settings, plus 5 service pieces (total 65) w/ hardwood box. Robers Bros. in Candelabra pattern. Family heirloom. (Owner's est.)		3,000.00
4 *	Coin collection, 14 coins, Roman empire, all with head of Caesar and hexagon shaped. (Value based on numismatic handbook)		3,000.00
5	Man's suit, size 42, dark blue, double breasted, tear in right front pants pocket, older. (Owner's est.)		30.00
(* Items reported to KBI by APB on 1/5/77) Actual cash \$ 250.00 Owner's est. 3,780.00			
Numismatic Handbook 3000.00 (\$ 7,030.00)			
REPORTING OFFICERS Weidauer/Jones		RECORDING OFFICER Jones	TYPED BY jh
		DATE AND TIME 1/5/77 2100	ROUTED BY
FURTHER ACTION <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input checked="" type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input checked="" type="checkbox"/> CO. ATTN. <input type="checkbox"/> S.O./P.D.	<input checked="" type="checkbox"/> KBI <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	REVIEWED BY Capt. Smith
			DATE 1/5/77

OFFENSE REPORT

GENERAL INSTRUCTIONS - FACT SHEET

The space at the top of the form should indicate the name of the agency making the crime report to the Bureau. In the case of police departments, the name of the city and type of law enforcement agency should appear. In the case of a report submitted by a Sheriff's Office, the name of the county should be used. This alleviates confusion with the city police department within the county seat.

The full nine-character NCIC agency identification number should be entered in the box so marked at the upper right corner of this page. Any agency that does not have an NCIC identifier assigned to them should notify the Kansas Bureau of Investigation in order that an agency identification number can be assigned. The agency identification number is used to identify reports in computer storage.

The numbered boxes are to be completed as follows:

1 - CASE NUMBER. Enter the report serial number or local case number assigned to the particular crime report. The number should be identical to the number of the Complaint/Dispatch Card. The unnumbered box immediately below is to be left blank for KBI use only.

2 - CODE SECTION. Enter the Criminal Code Section number (as shown in Kansas Statutes Annotated) or other code section number applicable to the particular crime or combination of crimes being reported in the offense report.

3 - CRIME. Designate only the legal Criminal Code definition or other code definition of the particular offense reported.

4 - CLASSIFICATION. Enter the particular type of crime reported within the kind of offense involved. For example, if the code section is 21-3715 and the crime is burglary, the classification in this example could be car, dwelling, house, market, drug store, bank, etc. This provides additional detail concerning the offense.

5 - REPORT AREA. This term is provided for the use of the local agency and for bureau information. The reporting area should reflect the geographical area where the offense occurred. It may reflect a local agency district or beat assignment system.

6 - DATE AND TIME OCCURRED--DAY. This entry refers to the time when the offense was committed and should be expressed with the sequence being month, day, year, time and day of week. Use standard military 24-hour time system.

7 - DATE AND TIME REPORTED. This information has been found, in some instances, to have significance in connection with the investigation of the offense. It should be expressed in the same style as item #6.

8 - LOCATION OF OCCURRENCE. In some instances, a street address will provide a specific location of the offense. If the location is in a rural area

or some other place where street addresses are not used, the location should be described with reference to cross streets or known landmarks, highway markers or other fixed points. The information required in this space is not necessarily the mailing address of the victim, rather it may be described as "residence on northeast corner of Brewer and Baseline Roads".

9 - VICTIM'S NAME; LAST, FIRST, (FIRM IF BUSINESS). The victim is the injured party or the person who suffers the loss. The victim may be an individual, a business organization or public agency.

If the victim is an individual, the full legal name should be shown in the sequence indicated. In the instances where the victim is a firm, corporation or other legal entity, the name of the organization should be shown in this space rather than the name of the employee who may represent the victim.

For example, if a Standard Oil Company service station is burglarized and property belonging only to the company is taken, the victim is the Standard Oil Company. If an armed robbery is committed against the manager or employee of the same service station in which only company money or property is taken, the victim is still the Standard Oil Company. However, if in addition to company money, the personal property of an employee is taken or he is injured, the employee would be named as an additional victim in block 19 or 20.

In some cases there are more than two additional victims or combination of victims, reporting parties, parents, etc. In this circumstance, check box 18 and enter additional names on the Offense Continuation Report (609B).

10 - RESIDENCE ADDRESS. Record the street address of the victim. If the victim is a business, leave this space blank and use space 16 asking for business address. To avoid confusion always include city in all addresses. Do not use post office boxes as addresses.

11 - RESIDENCE PHONE. Enter the telephone number at which the victim can be contacted. If the victim is a business, leave this space blank and use space 17 asking for business phone. If the victim does not have a telephone, attempt to obtain a message phone that may belong to a neighbor or relative. Enter that number here and cover the circumstances in the detailed report.

12 - OCCUPATION. Record the type of employment the victim is engaged in at the time of the offense. Such information may have modus operandi significance by indicating the type of person the offender has chosen to be the victim.

13 - RACE, SEX. Enter here the race of descent, sex and general age classification of the victim if it is an individual. The following designations are consistent with police identification systems:

W - White	J - Japanese
N - Negro	C - Chinese
M - Mexican	M - Male
I - Indian	F - Female

These designations should be abbreviated in any of their applicable combinations. Write out a more suitable description if none of the above race or descent categories is appropriate.

14 - AGE. If the victim is an individual, enter the age in years, otherwise leave blank.

15 - DATE OF BIRTH (DOB). Again, if the victim is an individual, enter date of birth. Use a six digit date of birth, i.e., January 21, 1948 is 012148.

16 - BUSINESS ADDRESS. Enter the business address at which the victim is employed, if the victim is an individual. If you cannot obtain the business address, enter name of the employer; if it is a juvenile, the name of the school. If the victim is a business, enter the street address at which the business is located or receives its mail. Include city in all addresses.

17 - BUSINESS PHONE. The business telephone number at which the victim may be contacted should be entered here. If the victim is a business organization, enter the telephone number for the firm.

18 - CHECK IF MORE NAMES IN CONTINUATION. This check box is provided as an indicator if names of additional persons are provided in the continuation or detailed report. When more names are in the continuation, use the sequence as in sections 19 and 20.

19 - ADDITIONAL SUBJECTS. (For boxes 19 through 28 and 29 through 38) These entries have been provided for listing on the face sheet of two persons, in addition to the victim, who are involved in the offense. The information requested is the same as that required for the victim. Note that code designations are as follows:

V - Victim	RP - Reporting Party
P - Parent or Guardian	DC - Discovered Crime
W - Witness	

The code designation for the subject is entered in the boxes labeled "Code" and numbered 20 and 30. If more than one victim, parent, etc., designate as V-2, V-3, or P-2, etc.

DETAILED INSTRUCTIONS FOR COMPLETING
MODUS OPERANDI SECTION (ITEMS 39-47)

39 - DESCRIBE CHARACTERISTICS OF PREMISES AND AREA WHERE OFFENSE OCCURRED. The type of premises and location where the offense was committed.

The location of the crime scene has already been described in box 8; however, it is desirable to record the characteristics of the place where the offense was committed. This information should be a description of the size and type of the premises and the general character of the area or district. If the area or neighborhood where the crime was committed has any distinct characteristics, such data may be of value in comparing the report with those cases committed by the same responsables in other jurisdictions. Examples could be:

- a. Residence, one-story, five-room frame dwelling in multiple family zone, older moderate-income district.
- b. Two-story, ten-room residence in single family zone, new high-income district.
- c. Drugstore, outlying business district, in economically depressed area.
- d. Shopping center parking lot, urban area, business district in area populated mainly by Mexicans.
- e. City street, exclusive suburban area.

If a building is used for a number of purposes, first specify the particular purpose for which the room where the offense was committed was used, then describe the principal use of the building. For example:

- a. Dentist office, second floor of medical/dental office building in main business district.
- b. Retail grocery store on main floor of apartment house in racially integrated neighborhood.
- c. Airline ticket office located in first class downtown hotel lobby.

40 - DESCRIBE BRIEFLY HOW OFFENSE WAS COMMITTED. A brief summary of the manner or technique by which the offense was committed.

Examples for various types of crimes are shown below.

ROBBERY CASES: Indicate what induced victim to surrender his property.

- a. Approached victim on the street, choked and beat him.
- b. Entered store at closing time posing as a customer, displayed revolver in waistband.

SEX CASES: Describe method used to commit crime.

- a. Entered residence and raped victim in bed
- b. Forced female adult victim into automobile with knife, drove to remote rural area and committed sex acts.

FRAUD CASES: Record the approach used in making the first contact with victim.

- a. Begins conversation with victim by asking time of day.
- b. Introduces number two suspect to victim as prominent person.
- c. Inserts advertisement in newspaper.

THEFT CASES: In ordinary thefts describe the location of the articles stolen.

- a. Taken from basement of residence.
- b. Taken from mailbox on front porch.
- c. Removed from open garage.

BURGLARY CASES: Include a reference to the point of entry and the manner in which entry was made.

- a. Pried rear kitchen door, first floor.
- b. Broke glass, side window of basement.
- c. Sawed hole through ceiling.

SAFE BURGLARY CASES: Include how both the premises and the safe were attacked - i.e., by drilling, blowing, burning, punching, peeling, etc. - and describe what specific part of the safe was attacked.

- a. Jimmied rear alley door and used torch to burn 4" x 6" rectangular hole in side of type C safe.
- b. Broke window in side porch door. Used 1" bite pry bar to peel front door of class C safe beginning at top hinge corner.

ARSON CASES: Give a brief summary of the technique used, the point of entry, and the area of the origin of the fire.

- a. Broke rear window and used wood shavings to start fire in basement area.
- b. Set fire under wooden steps at rear of building.

FRAUDULENT CHECK CASES: Indicate what parts, if any, of checks were written in victim's presence, identification used, the kind of check, and the reason the document was not honored.

- a. Handwritten, completely filled out personal check with fictitious signature of prominent person. Driver's license for ID. Returned, unable to locate.
- b. Counterfeit company payroll check endorsed in presence of clerk. Social Security card for ID. Returned, unable to locate.
- c. Personal check made out in presence of desk clerk. Known to victim. Returned, account closed.

NARCOTIC CASES: Describe how subject made contact, verified identify of seller or purchaser, passed narcotics, used drugs, etc.

- a. Subject frequents club X daily between 1600 and 2200 hours - responds to offer of cigarette and words "My smoke has gone flat" - marijuana passed in men's room.

- b. Conducts Friday night "Pot Parties" in apartment. Only known users or others with users admitted.
- c. Transports amphetamines in 100 pill containers under front seat. Makes sale in car after driving single buyer to secluded area.

41 - DESCRIBE WEAPON, INSTRUMENT, EQUIPMENT, TRICK, DEVICE OR FORCE USED to attack or induce the victim to part with his money or property.

Give the best possible description of the weapon or tools used. These could be: .38 cal. Colt blue steel revolver, 6" barrel; bodily force using hands and fists; threats; hexagonal 1" shank wrecking bar; offset auto jack handle; 1" flat blade opener, etc.

If the marks left at the scene indicate any oddities or peculiarities of the tools used, such as nicks or unusual characteristics, these factors should also be noted.

Examples for various types of crimes are shown below:

ROBBERY CASES:

- a. Possibly .32 cal. revolver, nickel plated, approximately a 3" barrel.
- b. Metal pry bar about 10" long.
- c. Clenched fist.

SEX CASES:

- a. Threatens to harm children.
- b. Offers money.
- c. Offers to show victim kittens.

FRAUD CASES:

- a. Used money-making machine.
- b. Fictitious title to property.
- c. Loaded dice.

THEFT CASES:

- a. Carries off unattended property.
- b. Booster box 12" x 8" x 30" with trap door.
- c. Distracted victim's attention.

BURGLARY CASES:

- a. Flat plastic strip.

- b. Glass cutter.
- c. Saw.

SAFE BURGLARY CASES: Describe tools used to gain entry and those used to attack safe.

- a. Ladder, wrecking bar, 1" shank.
- b. Hacksaw, acetylene torch.

ARSON CASES:

- a. Matches and excelsior.
- b. Candle and flammable liquid.
- c. Newspapers.

FRAUDULENT CHECK CASES: Show type of document, method used in writing and attach document or facisimile.

- a. Payroll check, checkwriter, copy attached.
- b. Personal check, handwritten, original attached - please copy and return.
- c. Money order, handwritten, copy attached.

NARCOTIC CASES: Describe the narcotics used and the equipment, if any, employed for their use.

- a. Three lids of marijuana and cigarette papers.
- b. Powdered heroin, spoon and candle, and hypodermic kit.
- c. Three vials containing 180 pills believed to be amphetamines.

42 - MOTIVE - TYPE OF PROPERTY TAKEN OR OTHER REASON FOR OFFENSE. The general class of type of property taken or the motive or reason why the offense was committed.

In crimes where property is taken, the motive will be the type of property taken. The specific type of property the offender desired to acquire should be reported. These might include money, jewelry, women's clothing, cigarettes or narcotics.

In this space it is desired to record only the general type of property the thief did steal or intended to steal. The detailed description of the property and any serial numbers should appear on the continuation form.

In fraudulent check cases, describe the type of property obtained, if any, and indicate the amount of cash suspect received. In other types of crimes, the motive might be revenge, insurance, concealment of crime, sexual gratification, ransom, or, in narcotic cases, money from the sale of narcotics or the effects resulting from their use - euphoria.

In some cases, the initial crime may lead to a second offense. For example, a case in which a homicide is committed during a robbery or attempted rape. In such instances, the motive in the homicide case would be robbery or rape.

43 - ESTIMATED LOSS VALUE AND/OR EXTENT OF INJURIES - MINOR, MAJOR. The estimated loss refers to monetary losses occurring as a result of theft, burglary, robbery, bunco, etc. Indicate in the property report the method used to obtain the estimated loss value. This figure may be the victim's estimate of loss, the investigating officer's estimate of loss, etc. In arson cases, also include total value of entire premises.

The extent or degree of injury refers to physical injuries inflicted upon any participant in the offense, including the suspect(s). Be sure the injured party is identified using codes employed in boxes 20 and 30 (add "S" for suspect). A detailed description of the injuries is not necessary; only the general statement of either minor or major is desired (bruises to head and upper torso - broken ribs). If death results, so indicate. If no entry is made, it will be assumed that no injuries were inflicted.

44 - WHAT DID SUSPECT(S) SAY - NOTE PECULIARITIES. A recording of the exact words spoken by the offender. Particular attention should be paid to recording as near as possible the words the offender used. Mispronunciation, unusual or peculiar expressions, mannerisms, accent, etc.

45 - VICTIM'S ACTIVITY JUST PRIOR TO AND/OR DURING OFFENSE. The victim's activity at these times will characterize the kind of person the offender selected as a victim.

When the victim is a business, the victim's activity will be either "closed to business" or "open to business". When "Open for business", then include the natural activity of the attendant or employee just prior to or during the attack.

In the rape case, the victim's activity just prior to the attack might be "waiting at the bus stop", doing laundry in laundromat", "entering car in parking lot" or "in bed asleep". In the robbery case, the victim's activity just prior to the offense might be "walking down dark street", "waiting on customers" or "closing store". With a burglary case, the victim's activity during the offense might be "on vacation", "attending a funeral", "home in bed", "premises closed to business", etc. In theft cases, the victim's activity during the offense might be "watering garden in back yard", or, in the case of a till tap, "picking up dropped change" or "responding to inquiry of accomplice".

46 - TRADEMARK - OTHER DISTINCTIVE ACTION OF SUSPECT(S). Any action by the criminal in the preparation for the commission of, the flight from, or the disposition of the proceeds of the crime, which has not been recorded under another category of the modus operandi report, should be recorded here. The act may be necessary for the successful accomplishment of the crime, but frequently is not.

Preparations for the crime, as well as precautions to avoid apprehension or detection may be necessary, but are not included elsewhere in the report; examples are "cased storeroom the day before", "wiped off fingerprints", "closed Venetian blinds but turned one slat to provide view of front entrance".

Unnecessary acts are "eats food", "changes clothes", "leaves note", "plays stereo", "returns wallet minus money", etc.

All other modus operandi categories are rather limited as to the number of different sub-categories into which they can be divided. For example, there are only a few ways a burglar can enter a dwelling or only a few firearms a robber may use; however, the number of bizarre acts that a person may perform are unlimited.

Contrary to past explanations regarding this category, the trademark act is not most apt to be repeated. It is often due to impulse and unusual circumstances that seldom reoccur. The great value of the actions reported under this category is that they give insight into the criminal's personality as no other actions do. Unusual effort should be made to discover, identify and report trademarks.

OFFENSE CONTINUATION REPORT
OPTIONAL - (NOT FOR PUBLIC RECORD)

The following instructions provide detailed information for completing each block of the Offense Continuation Report.

The numbered boxes are to identify the continuation form with the initial face sheet. These items, therefore, repeat key information contained on the face sheet.

48 - CASE NUMBER. This entry refers to the local agency case number assigned to the initial report. It will be the same number as appears in box 1 on the face sheet.

49 - CODE SECTION. This entry refers to the Criminal Code section or other code section which defines the crime that is being reported. It will be the same code section as appears in box 2 on the face sheet.

50 - CRIME. This entry refers to the crime as defined in the code section referred to in box 49. It will be the same information as appears in box 3 on the face sheet.

51 - CLASSIFICATION. This entry refers to the particular type of crime committed within the general definition contained in box 50 - i.e., if box 40 were 0500 or 21-3175, box 50 Burglary, then box 51 could be Residence. It will be the same information as appears in box 4 on the face sheet.

52 - VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM, IF BUSINESS). This entry refers to the principal victim of the offense and can be either a person or a business entity. It will contain the same information as box 9 on the face sheet.

53 - ADDRESS. If the victim is a person, this entry refers to the address where he can be contacted most easily. It may be either his residence or place of business. Place a check mark in the appropriate box. This entry will contain the same information as either box 10 or 16 on the face sheet.

54 - PHONE. This entry refers to the phone number where the victim, if a person, can be reached most easily. As such, it will correspond to the address given in box 53. It will contain the same information as either box 11 or 17 on the face sheet.

If the victim is a place of business, this entry will contain the phone number of the business. As such, it will contain the same information as box 17 on the face sheet.

55 - SUSPECT (LAST, FIRST, MIDDLE). (For boxes 55 through 64 and 65 through 74.) These entries have been provided for the identification of two suspects and two lines have been provided for identifiers on each suspect. The information required is self-explanatory and includes name, address, race, sex (use the same designations - WM, NF, etc. - as are used in boxes 13 and 24), age, height, weight, hair, eyes, and local ID. number, or if none, date of birth. Boxes 63 and 73 are provided to indicate if the suspects have been arrested.

64 - ADDRESS, CLOTHING AND OTHER IDENTIFYING MARKS OR CHARACTERISTICS. (For box 74 also.) Give suspect's address, if known, and list any other identifying information which might pertain to the suspect, such as a description of clothing worn, KBI number, driver's license number, Social Security number, FBI number, noticeable marks, scars or tattoos, or any other indicator of interest, such as trade or occupation.

75 - CHECK IF MORE NAMES IN CONTINUATION. This check box is provided as an indicator if names of additional suspects are provided in the continuation or detailed report. When more names are in the continuation, use the same sequence as used for Suspect #1 and #2 and identify as Suspect #3, Suspect #4 (S-3, S-4), etc.

The lines portion of the continuation form is for the actual narrative account and should contain details of the offense and the investigation. Many departments have found it a good practice to set off on the left hand margin the date and time of each significant step of the investigation. In this manner, multiple pages can be easily placed in chronological order and references to particular stages of the investigation can be more easily located.

FOR PROPERTY LOSS OR EVIDENCE REPORT

Use a separate continuation form for the listing of any property reported as stolen or missing in the case under investigation. Use a different continuation form for listing any tangible evidence taken. Clearly label the top line of each sheet as either PROPERTY REPORT or EVIDENCE REPORT.

The most convenient way to list property or evidence is to assign item numbers to each article, give the type of article, provide a complete description and give the estimated value. Be sure to indicate the basis for arriving at the estimated value; i.e., owner's estimate, reporting officer's estimate, etc.

In listing property, be sure to give the quantity, kind, serial number, if available (don't confuse model numbers with serial numbers), physical description (model, style, design, shape, size), material (gold, silver, wool, etc.), color, condition or age, unique characteristics (name "Kelly" embroidered in lining), and value. For example: 10 men's suits, various styles and sizes, mostly wool/dacron blends in blues and greys, new, owner's estimate of value \$950.00.

IMPORTANT! Precede each item number with an asterisk (*) if that item has been reported to KBI by teletype, all points bulletin, telephone, or through NCIC. Indicate at the end of each property report the method used to transmit the items to KBI and the date.

Specific information desired on the more common property items reported as stolen appear below.

FIREARMS

Give manufacturer's name and model; type, such as revolver, pistol, rifle or shotgun; the action, such as single shot, automatic, revolver, semi-machine, machine, bolt action, pump, lever action; caliber or gauge; barrel length; serial number; finish, whether nicked or blued; and whether stocks are wood, bone, metal, plastics or have any special material such as pearl or ivory. Indicate any other identifying marks, such as initials or engravings. Several manufacturers produced models similar to established types of Colt and Smith and Wesson guns during wartime. Some manufacturers have a separate series of numbers for each model of gun they make. Hence, duplications of serial numbers do occur and, therefore, the importance of specific information concerning identifying marks or manufacturer cannot be overemphasized. This situation is particularly true with regard to foreign and souvenir guns, many of which were brought to the United States by members of the armed services, or have been sold in this country after World War II by foreign gun dealers in wholesale lots. Frequently, these guns have no serial number and an exact description is necessary for identification. (It is a violation of the law to possess an unnumbered concealable weapon.) The words "Waffen Fabrik" on European guns is of little identification value, as it is merely the German term for "weapons factory" and usually appears in connection with the name of the manufacturer or the particular factory where made.

WATCHES

Show manufacturer's name, movement and/or case numbers, initials, mono-

grams, or other marks. Indicate the type of watch, i.e., wrist, pocket, lapel, etc., the shape, and whether man's or woman's. Also, show the kind of metal or material; number of jewels, whether set with stones, such as diamonds, and the number and color of the stones. As the movement and case numbers are generally the most important features of the description, they should be obtained from the owner or his jeweler. Jewelers and watchmakers ordinarily place "scratch marks" in the case of watches upon which they do repair work. These marks are helpful in identifying such property and also serve to provide background information concerning the watch, since most repairmen keep detailed records of their customers.

RINGS

Indicate whether man's, woman's or child's; kind of metal or other material; type of mounting and setting; jeweler's or manufacturer's code marks; size of the band; engraved initials or inscriptions; kind, number, size and/or weight of stones.

OTHER JEWELRY

State name of article; manufacturer's name or where purchased and date; kind of material; size, color and shape, kind, number, size and color of stones and type of setting and design; initials; engraving or other inscriptions; unusual marks or deep scratches, and general condition.

SILVERWARE

Show kind and number of articles; design: trade name and manufacturer's code marks; whether part of a set; solid or plated; engraving, initials, monograms or inscriptions; and general condition. Also provide a description of the case or container.

CAMERAS

Give name of manufacturer; type and model; size of film used; whether still or movie; serial and model numbers; color and covering material; initials or inscriptions. On many better cameras, the lens is generally the most valuable part and can be removed and sold as a separate unit. Therefore, the serial number, make, size and type of lens, and all other data that usually appears on the lens mount, should be shown when possible. Also describe any accessories on the camera.

CLOTHING

Indicate the kind of clothing, whether suit, dress, hat, undergarments, overcoat, etc.; whether man's, woman's or child's; manufacturer's name and trade name; size, style, material, color, age and condition; and where purchased. Laundry or cleaner's marks are very important and, if their existence is doubtful, the victim's cleaner or laundry should be contacted. Many cleaners now use an invisible dye mark which fluoresces and appears under ultraviolet light, and this possibility should be considered when no cleaner's or laundry marks can be found in the clothing. Also state whether any repairs or alterations have been made.

MISCELLANEOUS

Serial and model numbers of all other articles, such as typewriters, adding machines, bicycles, washing machines, radios, or power tools, should be given if possible. In addition to manufacturer's name, exact description and other special features or identification should be included in the report. Care should be taken that any numbers recorded as serial numbers actually are specific numbers assigned to the particular unit or property, and are not model numbers assigned to a group of units made by a particular manufacturer. This is a major problem in indexing descriptions of tools and household appliances.

KANSAS ARREST/BOOKING REPORT

2.55

DEFENDANT IDENTIFICATION			Arresting Agency Name 1.			NCIC Code 2.			
Name 3.		Last			First		Middle		
Aliases 4.									
Street Address 5.						Phone No. 6.			
City or State 7.							Zip 8.		
Sex 9.	Race 10.				Date of Birth 11.		Place of Birth 12.		
<input type="checkbox"/> M	1	<input type="checkbox"/> White	3	<input type="checkbox"/> Oriental	5	mo.	day	yr.	
<input type="checkbox"/> F	2	<input type="checkbox"/> Negro	4	<input type="checkbox"/> Amer. Indian	6	<input type="checkbox"/> Unknown			
Hair 13.		Eyes 14.		Weight 15.		Height 16.		Scars and Marks 17.	
Complexion 18.				Build 19.			Employer/Occupation 20.		
Name of Nearest Relative 21.							Phone No. 22.		
Street Address 23.					City, State, Zip 24.				
Social Security No. 25.				Driver License No./State 26.			Local I.D. No. 27.		
FBI NO 28.			KBI No. 29.						

ARREST

Place of Arrest 1.					Arresting Officers 2.			
Date of Arrest 3.		Time of Arrest 4.		Complaint No./Offense NO. 5.		Agency Received From 6.		Agency Transferred to 7.
No.	Case/Docket No.	Statute No./Ord.	Counts	Charge Desc.	Law Enforcement Action	Date of Action		
1.	8.	9.	10.	11.	12.	13.		
2.								
3.								
4.								
Facts of Arrest (Explain in Detail if No Offense Report Included) 14.					Fingerprinted? 15. <input type="checkbox"/> FBI <input type="checkbox"/> KBI <input type="checkbox"/> NO			
					Palmed? <input type="checkbox"/> FBI <input type="checkbox"/> KBI <input type="checkbox"/> NO			
					Photographed? <input type="checkbox"/> YES <input type="checkbox"/> NO			
					Bond Amount 16.		Bond Type 17.	
Receiving Officer's Signature 18. (Transfer Cases)				Badge No. 19.	Date 20.	Time 21.	Bond Company	

MEDICAL

Subject under Doctor's care or taking medicine? (Describe if yes) 22.		<input type="checkbox"/> No <input type="checkbox"/> Yes		History of: 23.		NO	YES
610E				Heart Disease	<input type="checkbox"/>	<input type="checkbox"/>	
				Diabetes	<input type="checkbox"/>	<input type="checkbox"/>	
				Epilepsy	<input type="checkbox"/>	<input type="checkbox"/>	
				High Blood Pressure	<input type="checkbox"/>	<input type="checkbox"/>	
				Allergies	<input type="checkbox"/>	<input type="checkbox"/>	

1. Arresting Off. Sig.	2.	3. Prisoner's Sig.	4. Date
5. Jewelry Desc	6.	OTHER PROPERTY	
7. Cigarettes	Lighter		
Comb/Brush	Purse	Knife	
Keys	Pen/Pencil	Checkbook	
Compact	Belt	Shoelaces	
VEHICLE STORAGE 9.			
Make	Model	Lic./State	
VIN No.	10.		
Condition	11.	Prisoner's Sig: 13.	
Where Stored	12.	Releasing Jailer: 14.	
Remarks:	15.	This is to certify that I have received the above described property. (Prisoner's sig.)	
		16.	

2.56

PRISONER CHARGE-OUT RECORD

Date Removed	17.	Time Removed	18.	Case No.	19.	Jailer	20.
Removing Officer's Signature				Remarks			
21.				22.			
Date Returned	23.	Time Returned	24.	Jailer's Signature			
25.							
Date Removed	26.	Time Removed	27.	Case No.	28.	Jailer	
Removing Officer's Signature				Remarks			
29.				30.			
Date Returned	31.	Time Returned	32.	Jailer's Signature			
33.							
Date Removed	34.	Time Removed	35.	Case No.	36.	Jailer	
Removing Officer's Signature				Remarks			
38.				39.			
Date Returned	40.	Time Returned	41.	Jailer's Signature			
42.							

For (Agency)	43.	NOTICE OF DETAINER		PRISONER INJURY RECORD		Date and Time	
		Hospital	52.	Doctor	53.	Returned	
						54.	
Warrant No.	44.	Case No.	45.	Description of Injury			
				55.			
Authorized By							
46.							
Date	47.	Time	48.	Injured Other Than Jail			
				56.			
Officer Taking Report							
49.							
Remarks							
50.							

GENERAL INFORMATION

Releasing Officer	57.	Date	58.	Case No.	59.	Time	60.
Trial Date	61.	Bond By	62.	Amount of Bond	63.	Booking No.	64.

DISPOSITION

<input type="checkbox"/> Guilty	65.	Date	66.	Sentence	67.
<input type="checkbox"/> Not Guilty					
Other:					

KANSAS ARREST BOOKING REPORT

The following information provides detailed instructions for completing each block on the Kansas Arrest Booking Report (610E).

1. ARRESTING AGENCY NAME

Enter the agency name. This should be done with a rubber stamp prior to placement of the form at the booking desk.

2. NCIC CODE

Enter NCIC Code. NCIC Uniform Offense Codes are included in the Appendices at the end of this manual.

DEFENDANT IDENTIFICATION3. NAME

Enter subject's full legal name in sequence of last name, first name, middle name, suffix.

4. ALIASES

Enter all known aliases for the subject. Nicknames should not be included unless the subject has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

5. STREET ADDRESS

Enter the subject's street name and residence number (Do not use a post office box as a street address). If present address is unknown, list subject's last known address.

6. PHONE NO.

Enter the subject's home telephone number. If there is no telephone number at residence, insert telephone number where subject might be reached.

7. CITY & STATE

Enter the subject's city or town of residence or last known residence.

8. ZIP

Enter the appropriate zip code number.

9. SEX10. RACE

Check the appropriate blocks for the race codes.

White - Includes: Mexicans and Latins.

Other - Includes: Asian Indians, Eskimos, Filipinos, Indonesians, Koreans, Polynesians, and other Non-Whites.

11. DATE OF BIRTH

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

12. PLACE OF BIRTH

Enter the city (or county if rural) and state, or foreign country.

13. HAIR

Use only designated code for hair color.

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is to be used when subject has lost most of the hair on head.

14. EYES

Use only designated code for eye color.

<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Blind	000
Unknown	XXX
Mixed	MIX

15. WEIGHT (WGT)

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 ½ -- Use 98

16. HEIGHT

Enter height in three numerics (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600
2. 5 feet, 8 1/2 inches - Enter as 509

17. SCARS & MARKS

All types of marks, tatoos, physical deformities or other information which could be used to identify the subject should be listed in this block. To obtain codes, use scars, marks, tatoos and amputation codes included in the Appendices at the end of this manual.

18. COMPLEXION

Enter the appropriate abbreviations.

Albino	ALB
Black	BLK
Dark	DRK
Dark Brown	DBR
Fair	FAR
Light	LGT
Light Brown	LBR
Medium	MED
Medium Brown	MBR
Olive	OLV
Ruddy	RUD
Sallow	SAL
Yellow	YEL

19. BUILD

Enter the appropriate description.

- THIN - Slight or narrow build
- MEDIUM - Average build for height
- LARGE - Muscular or solid build
- OBESE - Exceptionally fat individual

20. EMPLOYER/OCCUPATION

Insert the actual type of work the subject does. If unemployed at time of arrest, enter (u) and the type(s) of occupation subject has engaged in or is trained to do. Enter subject's present employer and employer's address. If employer is the U.S. Government, specify the agency. If military personnel, list branch of service and serial number.

21. NAME OF NEAREST RELATIVE

Enter the required information for the relative who can be contacted in case of emergency.

22. PHONE NO.

Enter phone number of individual specified in block 21.

23. STREET ADDRESS

Enter street address of individual specified in block 21.

24. CITY, STATE, ZIP

Enter City, State, Zip of individual specified in block 21.

25. SOCIAL SECURITY NO.

Insert the subject's social security number.

26. DRIVER'S LICENSE

Enter the state and number of the subject's driver's license.

27. LOCAL I.D. NO.

If your agency assigns a unique number to this individual, record it in this space.

28. FBI NO.

If your agency has the FBI number for the individual, record it in this space.

29. KBI NO.

If your agency has the KBI number for this individual, record it in this space.

1. PLACE OF ARREST

Enter the most precise description of the arrest location possible. If the location is a house or apartment, give the complete address. In areas where there are no street addresses, the location should be described with reference to cross streets, known landmarks, highway markers or other fixed points.

2. ARRESTING OFFICERS

Enter the name of the officer(s) making the arrest in the following order: first name, middle initial, last name.

3. DATE OF ARREST

Enter the appropriate date in month-day-year order.

4. TIME OF ARREST

Enter the military time of the arrest, i.e. 2:30 p.m. is recorded as 1430.

5. COMPLAINT NO./OFFENSE NO.

Enter the offense number from the offense report or if no offense report was prepared, enter the complaint number from the Complaint/Dispatch card. This number is essential for tying the offense data to the arrest report.

6. AGENCY RECEIVED FROM

If the subject was arrested by another law enforcement agency as a result of a warrant issued by your department, enter the name of the supporting agency.

7. AGENCY TRANSFERRED TO

If the subject was arrested as a result of a warrant issued by another criminal justice agency, record the name of the receiving agency.

8. CASE/DOCKET NO.

For each charge against the subject at the time of arrest, enter the Case/Docket No. This may be left blank if the lower court docket is not maintained by the arresting agency.

9. STATUTE NO./ORD.

For each charge initially placed against the defendant, record the statute or ordinance number applicable.

10. COUNTS

Enter the number of counts of each similar charge.

11. CHARGE DESCRIPTION

Write a brief description of each charge stated.



CONTINUED

1 OF 4

12. LAW ENFORCEMENT ACTION

For each charge initially recorded at the time of arrest, record the final decision made by the law enforcement agency. The following codes should be used. (Remember, this action is the decision of the law enforcement agency. It may not be the decision of the local prosecuting attorney)

<u>CODE</u>	<u>MEANING</u>
DNF	Do Not File
FILE LC	File the charge in lower court for trial or probable cause hearing
FILE DIR	If the charge is a felony and is to be filed in district or county court without a probable cause hearing.
FILE LCR	If the arrest charge was a felony and the decision is made to file the charge in lower court as a misdemeanor.
OTHER	Processing of the charge is terminated without prosecution for an unusual reason (i.e. defendant dies)

13. DATE OF ACTION

For each decision on each charge, record in DATE OF ACTION, when it was made.

14. FACTS OF ARREST

Record any significant items concerning the events about the arrest which are not covered in the offense report.

15. FINGERPRINTED

If fingerprints are prepared and submitted to the FBI or KBI, check the appropriate box. Otherwise check the NO block. Do likewise for the palmprint section.

If the subject is photographed, check the YES block. Otherwise check NO.

16. BOND AMOUNT

Enter the dollar amount of bond set for the subject.

17. BOND TYPE

Enter the type of bond established:

CASH - If the bond can be made in money only.

PROPERTY - If collateral can be pledged as bond.

OWN RECOG - If the subject can be released without the need for payment.

NONE - If the subject is not to be released, indicate no bond is set.

18. RECEIVING OFFICER'S SIGNATURE

This blank, at the bottom of the arrest segment is signed by the officer representing the warrant issuing agency upon acceptance of custody of the subject.

19. DATE

Officer representing the warrant issuing agency must date the form at the time of signature.

20. TIME

Officer representing the warrant issuing agency must enter the time upon acceptance of custody of subject.

21. BOND COMPANY

Enter the name of the company paying the bond if applicable.

MEDICAL22. SUBJECT UNDER DOCTOR'S OR TAKING MEDICINE

Prior to placing the subject in jail, investigate the possibility of illness by questioning. If the subject indicates that he or she is under a doctor's care, obtain the doctor's name and telephone number and the nature of the illness and record it in the space provided. Also, indicate the name of any medication and how frequently it is required.

23. HISTORY OF

Ask the prisoner if he has suffered from one of the listed illnesses. If the answer is affirmative, follow local procedures in notifying a physician and increase monitoring.

PROPERTY RECORD

1. BADGE NO.
Enter Badge Number of Arresting Officer.
2. ARRESTING OFFICER'S SIGNATURE
Arresting Officer must sign as witness of articles removed from subject.
3. JAILER'S SIGNATURE
Jailer must also sign as witness of articles removed from subject.
4. DATE
Enter date of signatures.
5. BILLS/CHANGE/CHECKS
Enter amounts under each category.
6. JEWELRY DESCRIPTION
Enter description of jewelry of subject.
7. WALLET, CIGARETTES, ETC.
Enter number under each category taken from subject.
8. OTHER PROPERTY
Enter number and description of each additional item taken from subject not covered in block 7.
9. VEHICLE STORAGE
Enter description of vehicle owned by subject if kept in storage.
10. VIN NO.
Enter vehicle identification number on vehicle described in block 9.
11. CONDITION
Enter description of condition of vehicle described in block 9.
12. WHERE STORED
Enter place where vehicle described in block 9 is stored.

13. PRISONER'S SIGNATURE

Prisoner must sign as witness of articles removed.

14. RELEASING JAILER

Jailer must sign at time of release as witness that items described in blocks 5-12 have been returned to subject.

15. REMARKS

Enter any qualifying remarks; i.e. missing articles, condition of articles.

16. PRISONER'S SIGNATURE

Prisoner must sign when property is returned signifying that articles described in blocks 5-12 have been returned in good condition.

PRISONER CHARGE-OUT RECORD

17. DATE REMOVED

Enter time prisoner is removed from cell for count or interrogation.

18. TIME REMOVED

Enter time prisoner is removed from cell for count or interrogation.

19. CASE NO.

Enter case number.

20. JAILER

Enter name of jailer on duty.

21. REMOVING OFFICER'S SIGNATURE

Receiving officer must sign each time subject is removed.

22. REMARKS

Officer taking report may enter any appropriate remarks.

23. DATE RETURNED

Enter date subject is returned to cell.

24. TIME RETURNED

Enter time subject is returned to cell.

25. JAILER'S SIGNATURE

Jailer on duty must sign upon return of prisoner to cell.

26-42. These blocks provide for additional occasions for removal of prisoner from cell.

NOTICE OF DETAINER

43. FOR (AGENCY)

Enter name of agency issuing detainer.

44. WARRANT NO.

Enter warrant number on detainer.

45. CASE NO.

Enter case number.

46. AUTHORIZED BY

Enter name of official authorizing detainer.

47. DATE

Enter date detainer received.

48. TIME

Enter time detainer received.

49. OFFICER TAKING REPORT

Enter name of officer who records retainer.

50. REMARKS

Officer taking report may enter any appropriate remarks.

PRISONER INJURY RECORD

51. DATE AND TIME

Enter date and time subject is removed from cell.

52. HOSPITAL

Enter name of hospital where subject is treated.

53. DOCTOR

Enter name of doctor who treated patient.

54. RETURNED

Enter date and time patient is returned to cell.

55. DESCRIPTION OF INJURY

Enter description of injury for which subject has been treated.

56. INJURED OTHER THAN JAIL

Enter description of injuries subject has received prior to entering jail.

GENERAL INFORMATION

57. RELEASING OFFICER

Enter name of officer assigned to release of subject.

58. DATE

Enter date subject is released.

59. CASE NO.

Enter case number.

60. TIME

Enter time subject is released.

61. TRIAL DATE

Enter date subject was brought to trial.

62. BOND BY

Enter name of individual, not firm, paying the required bond.

63. AMOUNT OF BOND

Enter amount of bond.

64. BOOKING NO.

Enter booking number.

DISPOSITION

65. GUILTY, NOT GUILTY, ETC.

Enter final disposition.

66. DATE

Enter date of final disposition.

67. SENTENCE

Enter sentence received on each charge.

**DISSEMINATION OF
CRIMINAL HISTORY
RECORDS INFORMATION**



II. DISSEMINATION OF CRIMINAL HISTORY RECORDS INFORMATION

This section of the manual describes procedures and forms for the dissemination of criminal history records information (CHRI). For the purposes of this manual, "dissemination" is interpreted to mean the release of CHRI to individuals or agencies other than the criminal justice agency which maintains the CHRI. Use of the information by an employee or officer of the agency maintaining the record does not constitute dissemination. Reporting the occurrence of a criminal justice transaction is likewise not dissemination. Thus, reporting an arrest to the KBI and the FBI or delivering an arrest report to a prosecutor are not considered to be dissemination. On the other hand, confirming the existence or non-existence of CHRI is dissemination.

This section is divided into two parts:

- II.1 Categories of Dissemination
- II.2 Dissemination Agreements

The first part describes two categories of information, conviction data and non-conviction data, and the regulations regarding the dissemination of information under each category. In particular, this section discusses what agencies or individuals have access to the information and what circumstances qualify an agency or individual to gain access to the information.

The second part describes the procedures that an agency or individual must follow to obtain access to CHRI. Also discussed are four forms, the User Agreement (612C), Access Request (612A), the Non-Disclosure Agreement (612B) and Dissemination Log (612D) which support these procedures. Samples of each are on pages at the end of this section.

II.1 CATEGORIES OF DISSEMINATION

CONVICTION DATA

No limits have been placed on the dissemination of conviction data. Similarly, no limits have been imposed on the release of information concerning cases that are pending in some stage of processing or prosecution. All such information may be freely disseminated to both criminal justice and non-criminal justice agencies.

NON-CONVICTION DATA

Dissemination of non-conviction data is permitted to the following:

- (1) Criminal justice agencies for purposes of the administration of criminal justice and for criminal justice agency employment.
- (2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate state or local officials or agencies.

(Thus, for example, CHRI may be distributed pursuant to a licensing statute or ordinance which requires license applicants to be of good moral character, if the statute or ordinance has been construed by the appropriate authority to require or permit a review of non-conviction records in making the determination of good moral character.

10 U.S.C. Section 504 states that, except with special permission, no person who has been convicted of a felony may be enlisted in the armed forces. This statute does not fulfill the requirements for CHRI non-conviction data dissemination. Since the statute expressly provides that persons convicted of felonies will be excluded from the armed services, it is not adequate authority for the dissemination of non-conviction data. Thus, military recruiters may have access to conviction records but may not have access to non-conviction data.)

- (3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, ensure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violations thereof.

This category of dissemination would permit, for example, private consulting firms to have access to the necessary information when assisting a criminal justice agency in the development and implementation of an information system.

- (4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data; limit the use of data to research, evaluative, or statistical purposes; ensure the confidentiality and security of the data consistent with these regulations and with Section 524 (a) of the Act and any regulations implementing Section 524(a); and provide sanctions for the violation thereof.

Under this category of dissemination, good faith researchers, including private individuals, would be permitted to use CHRI for research purposes. Access should only be granted if the research design shows a clear need for CHRI.

- (5) Appropriate authorities upon request for the purpose of issuing visas and granting of citizenship.

THIS PAGE IS RESERVED FOR LATER USE

II.2 DISSEMINATION AGREEMENTS

CRIMINAL JUSTICE AGENCY USER AGREEMENT

To ensure that the sharing of information complies with CHRI dissemination requirements, all dissemination of non-conviction data to criminal justice agencies is governed by a statewide user agreement. This agreement must be made between the KBI and each criminal justice agency. That is, both an agency requesting CHRI from another Agency or the KBI and an Agency providing information to either a criminal justice agency or non-criminal justice agency must sign a State of Kansas User's Agreement For Criminal History Records Information and send it to the KBI for signature. This agreement requires that the Agency providing CHRI, the Agency receiving CHRI and the KBI meet certain responsibilities regarding the dissemination of the information.

The Agency providing CHRI assures that a query has been made to the KBI and that information is current, restrictions on the dissemination are posted on the information, and a log will be kept to record any further dissemination of the information. In addition, the receiving Agency agrees to keep the information secure, assure the reliability of information in the event of further dissemination, and destroy the information at the first reasonably opportunity. The KBI also agrees to abide by the regulations governing CHRI and give an Agency thirty days notice of any changes in the rules and regulations.

On the other hand, this agreement also protects either the agency or the KBI by enabling them to suspend furnishing CHRI if any rule, regulation or policy governing the dissemination of CHRI is not being followed.

A sample statewide User Agreement (612C) is at the end of this section.

NON-CRIMINAL JUSTICE
DISSEMINATION
AGREEMENTS

For non-criminal justice agencies and individuals to obtain CHRI, an Access Request (612A) must be completed and a Non-Disclosure Agreement (612B) must be signed.

Access Request
(612A)

A non-criminal justice agency or individual requesting CHRI must identify the specific data requested, the period the CHRI is requested for and the statement describing the regulation supporting the request on an Access Request (612A). This request must then be sent to the agency maintaining the record for approval.

A sample Access Request is at the end of this section.

Non-Disclosure
Agreement
(612B)

The Non-Disclosure Agreement (612B) covers the provisions required by Section 20.21(b) (2,3 and 4) under Title 28, Chapter 1, Part 20 of the Code of Federal Regulations.

A non-criminal justice agency or individual makes an agreement with the Agency maintaining CHRI when requesting information identified on an Action Request. The non-criminal justice agency or individual agrees to disseminate information only to those individuals or agencies identified on the form, assure the security of the information and abide by all rules and regulations governing CHRI.

NOTICE REQUIRED
ON CHRI

Before any dissemination of CHRI, the following notice shall be placed on or attached to the information by the providing agency:

THIS INFORMATION IS RESTRICTED AS
TO USE AND DISSEMINATION. CIVIL
AND CRIMINAL PENALTIES EXIST FOR
MISUSE.

(Providing Agency)

(Date)

DISSEMINATION LOG
(612D)

All dissemination of CHRI must be recorded in a dissemination log. Logs will provide the basis for audit and notification of agencies when erroneous CHRI has been disseminated.

The dissemination log sheet (612D) included at the end of this section should be maintained in a log book. Instructions on its completion are also included following the sample log. The sample provided is appropriate for agencies having a small volume of disseminations. Agencies having a substantial volume of disseminations should maintain a log on each case jacket as well as the chronological log shown.

STATE OF KANSAS

USER AGREEMENT

FOR CRIMINAL HISTORY RECORD INFORMATION

This agreement is made and entered into by and between the Kansas Bureau of Investigation, hereinafter referred to as KBI, and _____, an authorized criminal justice agency in the State of Kansas, hereinafter referred to as Agency.

Definitions

1. The term criminal justice agency has the same meaning as contained in Title 28 of the Code of Federal Regulations or subsequent federal or state law or regulation which may supersede Title 28.
 2. The term criminal history records information has the same meaning as contained in Title 28 or the Code of Federal Regulations or subsequent federal or state law or regulation which may supersede Title 28.
 3. The term designated agency refers to all criminal justice agencies regarding their collection, storage, or dissemination of criminal history records information.
 4. The term central repository refers to the KBI which has been designated to provide the services of a central state repository in the maintenance and dissemination of complete criminal history records information.
- I. With respect to the Kansas Security and Privacy Plan and criminal history records information, it is agreed that:
1. Agency, in signing this agreement, signifies knowledge and agreement with the provisions of the Kansas Criminal History Records Information Plan.
 2. Agency will disseminate information - including confirmation of the existence or non-existence of records - only to: (i) Kansas criminal justice agencies that have signed a Kansas User Agreement; (ii) other criminal justice agencies that have signed comparable agreements; or (iii) non-criminal justice agencies and individuals that have an approved Access Request and Non-Disclosure Agreement.
 3. Agency shall not furnish to another criminal justice agency information from its own files of a class maintained by the central repository without first querying the central repository for the most recent information; provided this section shall not apply to: (i) automated access if the central repository notifies Agency that it is technically incapable of responding; (ii) non-automated access if the response time is more than 24 hours; or, (iii) secondary dissemination of record information received within the previous 48 hours.

4. Agency shall not furnish to a non-criminal justice agency information from its own files of a class maintained by the central repository without first querying the central repository for the most recent information.
5. Information disseminated will contain a written notice of the restrictions to which the information is subject.
6. All primary and secondary dissemination of the information shall be noted in a dissemination log which shall contain at a minimum, the agency or individual to which information was released, date or release, the individual to whom the information relates, and the items of information released. The logs shall be maintained for at least 12 months. Where a terminal agency requests information for a non-terminal agency, the terminal agency is not required to re-log the dissemination.
7. Agency receiving information from the central repository or any designated agency shall maintain it in a secure location and then destroy it at the first reasonable opportunity.
8. The completeness and accuracy of criminal history records information is paramount. Agency receiving information will cooperate with regular internal and external auditing by GCCA or KBI to assure the reliability of exchanged information.
9. The above requirements do not apply to: (i) the furnishing of information for the purpose of processing a charge through the criminal justice system when it is clear under the circumstances that no disposition has occurred and the information which is furnished relates only to the charge in process; (ii) verbal discussion of an individual's criminal record among representatives of criminal justice agencies for purposes of administration of justice where there is no written or printed exchange of criminal history records information, updating of an agency's criminal history records information files, or creation of a new file based on the discussions.

II. With respect to the use or dissemination of criminal history records information in general, it is agreed that:

1. KBI and Agency will abide by all present and future rules, policies, and procedures adopted by KBI; adopted by the NLETS Board of Directors; or approved by the NCIC Policy Board and adopted by NCIC.

KBI will propose no changes in the rules, procedures, and policies adopted by it without notice to Agency and provision of a thirty-day period in which Agency can submit written comment to KBI.
2. KBI and Agency will abide by the laws or regulations of this state or the federal government applicable to the security and privacy of information.

3. Any Agency with terminal access to an automated system of the central repository or a designated agency shall conform to the standards established by the central repository or designated agency providing information as to computer interface configuration, volume of terminal usage, equipment location, equipment and personnel measures, and operational policies.
 4. KBI or any Agency reserves the right to immediately suspend furnishing criminal history records information when any rule, policy, or procedure adopted by it or adopted by NLETS Board of Directors, or approved by the NCIC Policy Board and adopted by NCIC, or any law or regulation of this state of the federal government applicable to the security and privacy of information is violated or appears to be violated. KBI or Agency may reinstate the furnishing of such information upon receipt of satisfactory assurances that such violations did not occur or were corrected.
 5. Agency agrees to indemnify and save harmless the State of Kansas, KBI, Kansas criminal justice agencies, and their employees from and against all liability to others, including any liabilities or damages by reason of or arising out of any files, arrest, or imprisonment or any cause of action whatsoever, and against any loss, cost, expense, and damage resulting therefrom, arising out of or involving any negligence on the part of the Agency in the exercise or enjoyment of this agreement.
- III.
1. KBI or Agency may, upon 30 days notice in writing, terminate this agreement.
 2. In addition to any civil or criminal penalties applicable to the use of this information under Kansas or Federal law, Agency agrees to be subject to fines as provided in the Code of Federal Regulations Title 28, Chapter 1, Part 20, or the Omnibus Crime Control and Safe Streets Act for knowing violation of the Code of Federal Regulations Title 28, Chapter 1, Part 20. It is understood that fines under Title 28 may not exceed \$10,000.
 3. This agreement shall become effective on _____ and shall continue in force until and unless terminated in accordance with Section III.1) of this agreement.

Signature of Criminal Justice Agency
Representative

Date

Signature of Kansas Bureau of
Investigation Representative

Date

STATE OF KANSAS
NON-DISCLOSURE AGREEMENT
FOR CRIMINAL HISTORY RECORDS INFORMATION

This agreement is made and entered into by and between _____,
an authorized criminal justice agency in the State of Kansas hereinafter
called Agency; and _____, hereinafter called Recipient.

- A. Agency agrees to provide recipient with the criminal history records information requested in the approved access request.
- B. Recipient agrees to limit the use of this information to the purpose for which it was provided and to destroy the information when it is no longer needed for the purposes for which it was provided.
- C. Recipient agrees that the only persons allowed access to this information are: _____
and not to disseminate the information to any other agency or person.
- D. Recipient agrees to implement reasonable procedures to insure the confidentiality and security of this information.
- E. Recipient agrees to abide by the laws or regulations of this state and the federal government, any present or future rules, policies, or procedures adopted by the Agency or approved by the NCIC Policy Board and adopted by NCIC to the extent that they are applicable to the information provided under this agreement.
- F. If this agreement is to provide criminal history records information on a continuing basis, the Agency reserves the right to immediately suspend furnishing information under this agreement and to demand return of information already furnished under this agreement when any rule, policy, procedure, regulation, or law described in Section E is violated or appears to be violated.
- G. Recipient agrees to indemnify and save harmless the State of Kansas, Agency, other signatory agencies at Non-Disclosure Agreements, and their employees from and against any and all causes of actions, demands, suits, and other proceedings of whatsoever nature, against all liability to others, including any liabilities or damages by reason of or arising out of any files, arrest, or imprisonment or any cause of action whatsoever, and against any loss, cost, expense, and damage resulting therefrom, arising out of or involving any negligence on the part of the agency receiving information in the exercise or enjoyment of this agreement.
- H. In addition to any civil or criminal history penalties applicable to the use of this information under Kansas or federal law, Recipient agrees to be subject to fines as provided in The Code of Federal Regulations Title 28, Chapter 1, Part 20, or the Omnibus Crime Control and Safe Streets Act for knowing violation of The Code of Federal Regulations Title 28, Chapter 1, Part 20. It is understood that fines

under Title 28 may not exceed \$10,000.

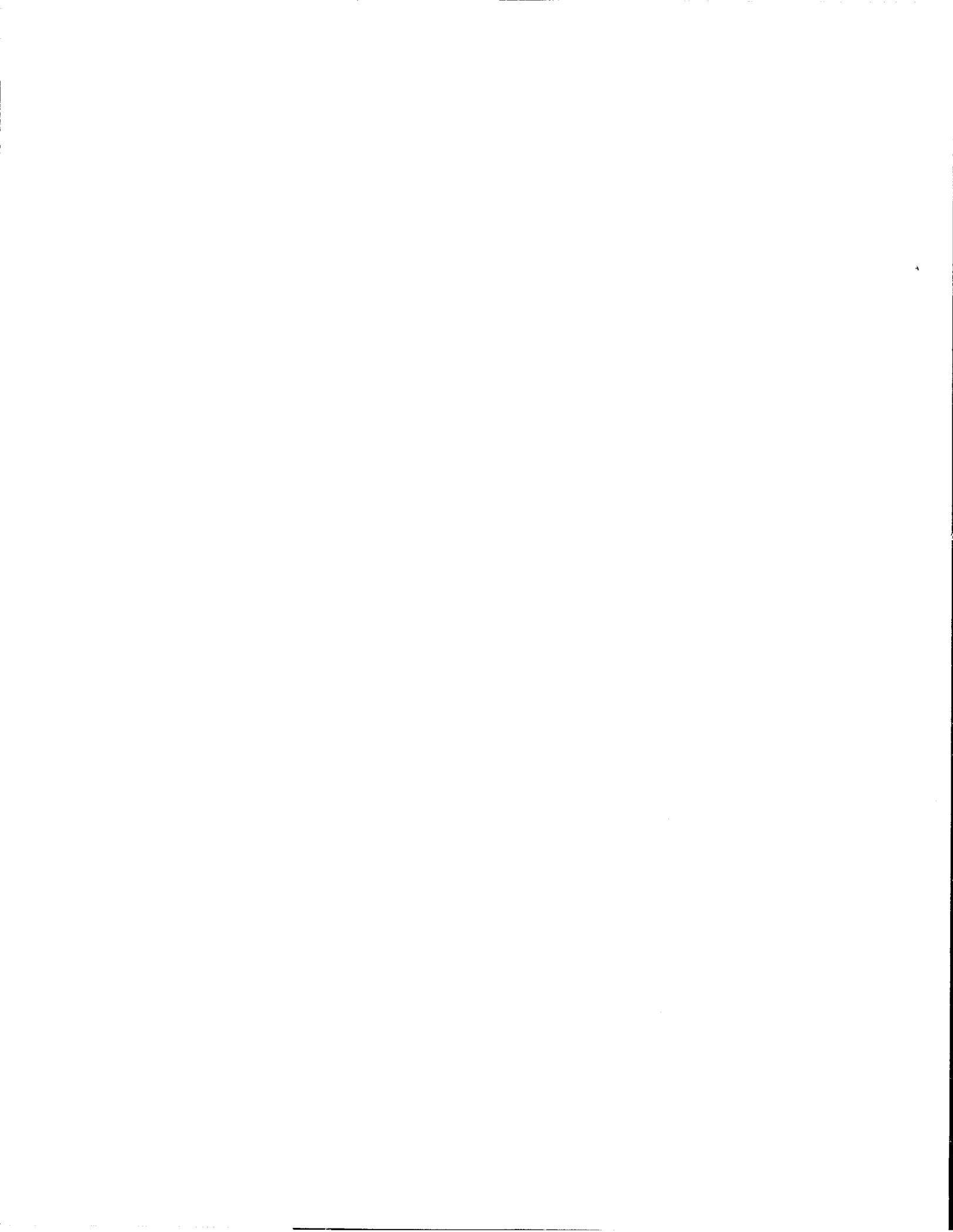
- I. If this agreement is to provide criminal history records information on a continuing basis, then either Agency or Recipient may, upon 30 days notice in writing, terminate this agreement.

Date

Signature of Recipient Representative

Date

Signature of Agency Representative



DISSEMINATION LOG

Agencies MUST keep a record of what CHRI information is disseminated, and to whom it is disseminated. A suggested log format is provided below:

1. DATE

Enter the date CHRI is disseminated.

2. REQUESTOR AGENCY

Print the name(s) of agency(cies) requesting the receipt of CHRI. If requestor is an individual, print first and middle initial and last name of individual(s) requesting the receipt of CHRI.

3. SUBJECT NAME

Print the record subject's full legal name (John Henry Smith, III).

4. ID NO.

Enter the subject's FBI, KBI, or local ID number if known.

5. UA

Insert an "x" in block if there is an approved user agreement with the agency or individual requesting CHRI. The law requires a user agreement for both criminal justice and non-criminal justice disseminations (A non-criminal justice agency user agreement is called a non-disclosure agreement).

6. IDF

Insert an "x" in block if subject's identity was verified through the matching of fingerprints or fingerprint classifications. Fingerprints are the preferred way to verify that that record subject and the subject under inquiry are the same.

7. CPQ

Insert an "x" in block if query has been made of the KBI central repository for dispositions. This query MUST be performed. It protects the agency from revealing, for example, information which may have been sealed by court order.

8. DD

Enter the appropriate code to indicate method by which information was disseminated:

Requestor Appeared In Person	P
Telephone Call-back	TCB
Mail-back	MB
Teletypewriter	TT

9. INFO RELEASED

Specify information which was released, for example, subject's arrest record.

10. INITIALS

Officer releasing CHRI to user agency or individual should initial the log here.

SECURITY OF RECORDS



III. SECURITY OF RECORDS

Requirements for the security and confidentiality are prescribed by the LEAA in Title 28, Chapter 1, Part 20 of the Code of Federal Regulations. Suggested procedures to comply with these requirements are discussed in the following four sections:

1. Access Control
2. Computerized Systems Requirements
3. Employee Access to CHRI
4. Physical Security of Facilities

Each of these sections describe the type of precautions which must be taken and suggested procedures for ensuring that these precautions are covered. Procedures will differ according to the size of the facility maintaining CHRI. Whenever a facility is a non-criminal justice agency, the criminal justice agency with jurisdiction over the area must approve and monitor security procedures for the non-criminal justice agency.

III.1 ACCESS CONTROL

"Access control," broadly defined, is authorizing and knowing who goes where, and when. It is accomplished by either opening or keeping closed a specific door, entrance, or other access to a computer, terminal, telephone line, or other sensitive area, and by admitting or denying access to individuals through control or checking procedures. Access control provides the ability to selectively grant access to certain people at certain times and deny access to all others at all times.

ELEMENTS OF ACCESS CONTROL

Elements for developing successful access control for either a manual or automated record keeping system include:

- Determine the total area for which access is to be controlled. Normally, this will include EDP office space, programmer areas, data preparation areas and storage areas as well as computer operations and tape libraries.
- Establish a perimeter around the controlled area such that visitors must pass by a manual entrance control point for identification. This entrance point may be a receptionist desk, data control desk or some other convenient entrance control point.
- Any employee not involved in processing CHRI passing beyond the control point should be required to sign a visitor's log.
- Eliminate or block any doors in the records center not essential to safe emergency evacuation of employees.
- Visitors should either be escorted at all times or display an ID badge indicating their "Visitor" status. This rule should apply to employees as well as vendor representatives, building maintenance personnel, auditors, and other outside visitors.
- Do not make the records room a showcase for visitors!

- Make the records center as inconspicuous as possible. Do not put up door or direction signs internally or externally to identify the records center location.
- Minimize the use of "display" windows in the records room.
- Avoid exterior windows. If exterior windows exist, cover them with wire mesh or install "bullet proof" glass. External windows should be alarmed if the area is not normally manned 24 hours a day, 7 days a week.
- Remove all outside door knob hardware on all doors in the perimeter that are not to be used as manually controlled entrance points.
- All external exits and fire evacuation routes should be equipped with "Panic" opening devices utilizing dead bolt locking and audible alarm features.

The above points represent the desirable elements of a well-secured installation. The extent to which these precautions should be implemented depends on several factors, such as the sensitivity of information and equipment being protected and the likelihood of an external threat being generated. In addition, the cost of security protection and the availability of alternative security controls within the environment, such as security patrols, building guards, 24-hour operations, or facility location must be considered.

Although visual control of personnel is essential to sound security, experience has shown that such controls often break down unless supplemented by automatic control devices. These can be used to control internal access to sensitive areas and to provide after hours protection.

Below are described some of the mechanical and electronic access control aids available for criminal records facilities:

Mechanical Locks

These provide the most economical form of access control. However, they have several disadvantages for records center use. First, for high access areas, key and lock systems are slow and cumbersome. Keys must be given to a number of employees and are hard to control. Keys can be duplicated, and periodic changing of locks is difficult and costly. As a result, key and lock systems should only be considered for low traffic areas where a very few individuals must be given keys. Examples are storage rooms, offices, and emergency or delivery exits.

When key and lock systems are utilized, they should be mortise-type locks with dead bolts at least one inch long. Keys should be tightly controlled, numbered, and stamped "Do Not Duplicate."

Electronic Locks

Remote-controlled electronic locks can be used to control entrances to the records center itself or high-traffic areas such as a computer room. Such devices still rely on visual recognition of personnel and require someone to be near the entrance at all times to operate the controls. These devices offer no after-hours protection, but do provide low-cost visitor or room control during normal working hours. Typical electronic locks with remote, pushbutton control cost from \$75 to \$175 each.

Digital Locks

Digital locks (also called keyboard or cypher locks) are a fairly new innovation. Although used in military installations for some years, they are now gaining acceptance as access control devices in commercial environments. Basically, the lock requires a person to "key in" on a pushbutton keyboard from four to seven numbers in proper sequence. When the proper sequence is entered, the door can be opened. The advantages of digital locks are that they eliminate the need for keys and their attendant control problems. Further, they are easy to operate and the combinations are relatively easy to change. Digital locks come in two types, mechanical and electronic.

Mechanical Digital Locks

These types of locks are purely mechanical. Pressing the correct combination allows the user to release a lock and open the door. Combinations can be changed in several ways. One of the most common is through the use of combination bars or slides which must be physically replaced to change the combination. Generally, mechanical digital locks can be supplemented with time delays and electronic solenoids to operate locks automatically.

Electronic Digital Locks

These locks are solid-state versions of the mechanical lock. The main advantages are higher reliability, more secure and versatile operation, and the ability to instantly change combinations. Since the lock controller is solid-state there are fewer moving parts to fail or wear out. The systems generally have built-in timers to control input and the correct combination must be entered in the allotted time-span. The devices can be used to activate a variety of locks and can even be used to control lights, equipment, or automatic doors. If extra security is required, optional card key operation, monitoring devices and alarm systems can be added. Finally, combinations can usually be changed very easily by resetting switches in the control unit.

The primary disadvantage over the mechanical version is cost. Electronic models run from \$250 up depending on the accessories. A lesser problem is that the devices may need power backup or some other means of operation in a power failure.

Card Key Systems

These systems employ some form of magnetically encoded card which is read by a card-reader unit. If the reader recognizes the card code, it activates the door lock to allow entry. As with the digital locks, the reader can activate a variety of manual and automatic locks. Card systems range in complexity from simple mechanical models to complex on-line systems controlled by mini-computers.

Card systems offer the advantage of limiting access to specified areas by individual cardholder and in some cases time zones. For example, cards issued to control clerks could allow them access to the tape vault but not the computer room. Furthermore, cards issued to day shift people could be coded to work only during normal working hours. Other advantages are that cards can double as ID badges, and they are more difficult to copy than keys.

Disadvantages include the cost and difficulty of keeping track of the cards, the inconvenience of carrying the cards around and keeping them handy, and the cost and difficulty of changing the card "code" if cards are lost or stolen. In that event, the code matrix in each reader must be changed and new cards issued to all personnel.

Costs of typical off-line solid-state readers are \$150 to \$400 per unit not including lock mechanisms. Cards generally sell for \$1.00 - \$1.50 a piece with a minimum purchase requirement of 25 - 100 cards.

III.2 COMPUTERIZED SYSTEMS REQUIREMENTS

If the computer facility is under the control of a criminal justice agency, then that agency is responsible for developing and implementing security procedures. If the facility is under the control of a non-criminal justice agency, then the procedures must be developed or approved by a criminal justice agency. The criminal justice agency must also have management control to ascertain compliance with the procedures.

Because security procedures will necessarily differ for each installation based upon the manufacturer's hardware and software capability and the specific configuration which is installed, no attempt is being made here to specifically identify procedures other than to note that they must satisfy the following requirements:

- (1) CHRI must be stored by the computer in such a manner that it cannot be modified, destroyed, accessed, changed, purged, or overlaid in any fashion by a non-criminal justice terminal.
- (2) The combination of hardware and system software features must prohibit inquiry modification, or deletion of file records from any terminal other than the designated criminal justice terminal. All criminal justice users may not be permitted access to all of the information contained in the data base and this feature restricts access to the authorized criminal justice terminal.
- (3) The deletion or destruction of a record must be limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing CHRI.
- (4) The combination of hardware and system software features must detect and record all unauthorized attempts to penetrate any CHRI system, program, or file. The recorded information regarding the attempt will be available only to the designated criminal justice agency personnel. It would also be desirable if the computer system operator is alerted at the time of the attempted penetration so that immediate action may be taken, such as disconnecting or disabling the violating terminal.
- (5) The hardware and system software features specified in items (2) and (4) above shall be known only to limited individuals who are responsible for the system control. If the individual is not an employee of a criminal justice agency, an agreement must be executed so as to provide maximum security. All documentation regarding the hardware and system software features must be kept continuously under maximum security conditions.

III.3 EMPLOYEE ACCESS TO CRIMINAL HISTORY RECORDS INFORMATION

Whether an individual employed by a criminal justice agency will be given access to CHRI will be determined by the employee's duties and need for access.

When CHRI is located at a non-criminal justice agency facility, a criminal justice agency must be given the final decision as to the acceptability of any employee working with the CHRI.

Procedures pertaining to the selection and removal of employees are subject to audit.

III.4 PHYSICAL SECURITY OF FACILITIES

Underlying the importance of physical safeguards is the concept that data cannot be manipulated or sabotaged if the potential perpetrator is denied access. Of primary concern are the measures taken to deny access to all but authorized persons, and the appropriate control of those authorizations.

The other aspect of physical security has to do with the measures taken to prevent or minimize loss of data, programs, documentation, systems, and personnel through natural disasters such as fire, flood, wind. Appropriate steps in this regard may include:

- Storage of the information in appropriate cabinets or containers.
- Utilization of detection and warning devices; such as fire, smoke and burglar alarms.
- Incorporating construction safeguards.

The procedures will differ for each location where CHRI is stored. If the information is stored at a non-criminal justice facility, a criminal justice agency must have final authority regarding the procedures. The criminal justice agency must approve the procedures and periodically monitor the operation to make certain they are being followed.

SPECIAL CONSIDERATIONS FOR COMPUTER FACILITIES

Fire, Flood Prevention and Control

There are several common fire detectors. One is a heat detector, usually a fusible link to a sprinkler system, which detects heat. Often, however, such a device doesn't detect electrical fires in time to prevent severe equipment damage. Another type detects smoke and is much more sensitive and therefore, more prone to false alarms. This type of device usually is recommended when an operator is present to override the system manually if necessary. A third type of device detects combustion. Some systems use a combination of sensors to prevent accidental discharge. This can be important, because accidental discharge of water systems can cause as much damage as fire.

Many different types of fire extinguishers are available. The portable or manual are normally carbon dioxide (CO₂), although others are available. This agent is preferred over water in electrical fires. Automatic extinguishing equipment is available in several different types of systems. One is the sprinkler system, of which there are two basic types of arrangements. The first is the "wet-pipe" arrangement - water already in the pipes releases as soon as the sprinkler heads are opened. The second is the "dry-pipe" arrangement - no water is in the pipes, upon sufficient detection water will be released through the pipes for long periods. It is cleaner than in "wet-pipe" arrangements, where water may be in the pipes for months or even years. Chemical deposits and rust that release with the water in a "wet-pipe" system may cause more damage to the computer equipment than the fire itself.

Both types of sprinkler systems can be released by heat or smoke detectors.

Another extinguishing system available is the carbon dioxide (CO₂) flooding system, very effective for quick "flooding" of an area to extinguish a fire, especially an electrical fire. However, a CO₂ system must have an audible alarm and a delay arrangement to allow personnel to evacuate the facility before "flooding" occurs, because the CO₂ removes oxygen from the air.

Another system available, but not yet approved by the State Fire Marshall, is called Halon 1301, an extinguishing agent developed by the DuPont Company. This system, like CO₂, is excellent for extinguishing electrical fires without harming equipment. But, unlike CO₂, Halon 1301 can extinguish fires with very low concentrations of the agents, and, in small amounts, it is not harmful to people. Personnel should still be evacuated, however, because a buildup in concentration could prove harmful or fatal. Halon is the most expensive of all extinguishing systems, but it is also the most effective. With both Halon and CO₂, provisions should be made for oxygen, life lines and portable lights, in case anyone should have to re-enter the complex. Also, before either system is activated, all air-circulating equipment should be shut down to prevent gas from escaping into other areas not affected by the fire. Escaping gas could harm unaware personnel in unaffected areas.

More insurance claims by DP installations result from water damage than from any other cause. Underground installations may be flooded by broken water mains, severe storms or backed-up sewer lines. If the computer installation must be below ground, adequate provisions for drainage systems and pumps should be designed. Also, often through additions of new equipment such as telephones, holes are drilled into the computer facility, degrading the integrity of the installation. Periodic checks should be made to ensure that holes are sealed properly. Finally, if the computer facility is in an older building with overhead water pipes, plastic covers are worthwhile as standby equipment for protecting computer hardware from flooding.



**INDIVIDUAL
RIGHT TO ACCESS**



IV. INDIVIDUAL RIGHT TO ACCESS

This section describes the procedures pertaining to an individual's right to access and review the criminal history records maintained about him and to challenge the accuracy and completeness of such information. Specifically, this section covers the six steps to gain access to CHRI and review, initiate a challenge and administrative review and provide for the dissemination of corrected information. Each step is discussed separately in sections appropriately titled as follows:

- IV.1 Verification of Identity
- IV.2 Method of Review
- IV.3 Obtaining a Copy
- IV.4 Challenging a Record
- IV.5 Administrative Review
- IV.6 Notification of Error

Four forms, Request for Review (611A), Challenge of Criminal History Records Information (611B), Request for Administrative Review (611C), and Notification of Error (611D) which support steps 2, 4, 5, and 6 are discussed in the narrative. Samples of these forms and accompanying instructions where necessary at the end of this section.

IV.1 VERIFICATION OF IDENTITY

In the State of Kansas, the only satisfactory methods of identification for the purposes of access, review, and challenge are: (1) fingerprint or visual recognition attested to by the criminal justice agency handling the inquiry; or (2) a written statement made on oath before a notary public or other person authorized to administer oaths.

IV.2 METHOD OF REVIEW

The federal regulations require that CHRI be available for individual review without undue burden on the criminal justice agency or the individual. As the central repository, the KBI maintains a complete criminal history record. Therefore, it is advisable for the individual to review his or her record maintained by the KBI. An individual should contact KBI Headquarters or one of its regional offices to request access. Records may be reviewed between the hours of 9am and noon, and 1pm and 4pm on regular working days.

If an individual is unable because of a physical handicap, remoteness of his or her residence, or incarceration, to appear at KBI Headquarters or one of its regional offices, he or she should contact the closest sheriff's office or a correctional officer for assistance.

A Request For Review statement is required of each individual seeking access to his CHRI record. A sample Request For Review (611A) is at the end of this section.

IV.3 OBTAINING A COPY

The federal regulations state that "a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge." A fee may be charged for making the copy. It shall not exceed \$10.00 nor be less than \$3.00.

IV.4 CHALLENGING A RECORD

An individual may challenge the accuracy or completeness of his record. The individual is required to give a correct version of his record and explain why he believes his version to be correct.

A sample Challenge of Criminal History Record (611B) and instructions for its completion are at the end of this section.

IV.5 ADMINISTRATIVE REVIEW

An individual wishing to appeal a challenge decision must submit copies of the forms entitled Challenge of Criminal History Record and a Request for Administrative Review of Challenged Criminal History Records Information to the head of the agency who has custody of the information in dispute (normally the KBI). The individual will be notified within thirty (30) days of the date of his challenge, of the results of his challenge. If the challenge is denied, the individual is entitled to appeal the decision.

IV.6 NOTIFICATION OF ERROR

If, after a Challenge or Administrative Review, it is determined that the CHRI in question is erroneous, the Agency maintaining the CHRI must send a Notification of Error (611D) to every other criminal justice agency having copies of the record. This Notification of Error identifies the incorrect CHRI and provides the corrected entry. A sample Notification of Error and instructions for its completion are at the end of this section.

REQUEST FOR REVIEW
OF
CRIMINAL HISTORY RECORD INFORMATION

I hereby request the Kansas Bureau of Investigation to provide for my review of any criminal history record information which the KBI has attributed to me. I hereby provide identification elements as required to enable the KBI to check their files conclusively for possible data relating to me. I am providing fingerprint impressions as required by the KBI to effect a complete identification. I further affirm that this request is for my personal review, and is not being made in order to provide the received information to any prospective employer or licensing authority.

MY FULL LEGAL NAME _____ DOB _____

SEX _____ RACE _____ HEIGHT _____ WEIGHT _____

EYE COLOR _____ HAIR COLOR _____

<small>RIGHT THUMB</small>	
<small>LEFT THUMB</small>	

Signature of Individual

Address

City and State

Zip

() - -

Phone Number

REQUEST RECEIVED BY: _____ DATE: _____

My signature here acknowledges that I have viewed the records provided by the KBI, that I do not find an error, and do not wish to exercise my right to challenge the record at this time:

Signature of Individual

Date

CHALLENGE
OF INDIVIDUAL'S CRIMINAL HISTORY RECORD;
REQUEST FOR ERROR CORRECTION

NAME _____

KBI# _____ FBI# _____

Indicate what is believed to be inaccurate or incomplete and describe what is believed to be the correct information, providing as much factual data as is available.

I, the undersigned, hereby certify that the statements made on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I also agree that any criminal history record information given to me is to be used for challenge purposes only.

Signature of Individual Date

Signature of Employee Acknowledge Receipt

The Agency will respond in writing to the above request. The response will be sent to the address shown on the completed "Request for Review."

REQUEST FOR ADMINISTRATIVE REVIEW
OF CHALLENGED CRIMINAL HISTORY RECORDS
INFORMATION

REQUEST FOR ADMINISTRATIVE REVIEW OF CHALLENGED
CRIMINAL HISTORY RECORDS INFORMATION

Agency to which Request Directed: _____

Address: _____

I, the undersigned, having reviewed and challenged my criminal history record information do hereby request an administrative review of the record items described by me on the attached challenge form. The agency receiving my challenge has not responded appropriately to my request and I have exhausted all appeals at that level.

Signature of Individual

Date

Result of Administrative Review:

Criminal History Records Information Not Changed

Reasons: _____

Criminal History Records Information Changes

Criminal justice agencies which are known to have your history information have been advised of the change. A copy of new record information is enclosed, along with a list of non-criminal justice agencies which are known to have your record (if requested).

Signature of Agency Administrator

Date: ____/____/____

NOTIFICATION OF ERROR IN
CRIMINAL HISTORY RECORDS INFORMATION

NOTIFICATION OF ERROR IN
CRIMINAL HISTORY RECORDS INFORMATION

DATE: 1.

TO: 2. _____

This is to advise you that criminal history records information (CHRI) sent to you on the individual listed below was in error:

NAME 3. _____ DOB 4. _____

AKA 5. _____

SEX 6. _____ RACE 7. _____ HEIGHT 8. _____ WEIGHT 9. _____ EYES 10. _____ HAIR 11. _____

FBI NO. 12. _____ KBI NO. 13. _____

14. The CHRI in error is:

15. The correct entry should be:

Please correct your record and inform any other criminal justice agencies to which you disseminated the above erroneous information.

16. _____
Signature of Agency Official

17. _____
Name of Agency

NOTIFICATION OF ERROR IN
CRIMINAL HISTORY RECORDS INFORMATION

5.8

1. DATE

Enter current date.

2. TO

Enter name of agency to whom this form is to be sent.

3. NAME

Enter the individual's full legal name.

4. DOB

Enter individual's date of birth (month-day-year) as it appears in CHRI.

5. AKA

Enter any aliases by which this individual is known.

6. SEX

Enter individual sex: male (M) or female (F).

7. RACE

Use only a one-character alpha code, as follows:

<u>Race</u>	<u>Enter As:</u>
*White	W
Negro	N
Indians	i
Chinese	C
Japanese	J
**All Others	O

*Includes: Mexicans and Latins.

**Includes: Asians, Indians, Eskimos, Filipinos, Indonesians,
Koreans, Polynesians, and other Non-Whites.

8. HEIGHT (HGT)

Enter height in three numerics (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600

2. 5 feet, 8 1/2 inches - Enter as 509

9. WEIGHT (WGT)

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98

10. EYES

Use only designated code for eye color.

<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Blind	000
Unknown	XXX

11. HAIR

Use only designated code for hair color.

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is to be used when subject has lost most of the hair on head.

12. FBI NO.

Insert FBI number of individual if known.

13. KBI NO.

Insert KBI number of individual if known.

14. THE CHRI IN ERROR IS

List all CHRI in error.

15. THE CORRECT ENTRY SHOULD BE

Enter the corrected CHRI.

16. SIGNATURE OF AGENCY OFFICIAL

An authorized official of the agency MUST sign this form.

17. NAME OF AGENCY

Enter the name of the agency sending out this notification.

**CODE OF
FEDERAL REGULATIONS**



Federal Register

FRIDAY, MARCH 19, 1976



PART III:

DEPARTMENT OF JUSTICE

Law Enforcement Assistance
Administration



CRIMINAL HISTORY RECORDS

Collection, Storage, and Dissemination
of Information

Title 28—Judicial Administration
CHAPTER I—DEPARTMENT OF JUSTICE
PART 20—CRIMINAL JUSTICE
INFORMATION SYSTEMS

On May 20, 1975, regulations were published in the FEDERAL REGISTER (40 FR 22114) relating to the collection, storage, and dissemination of criminal history record information. Amendments to these regulations were proposed October 24, 1975 (40 FR 49789) based upon a re-evaluation of the dedication requirement contained in § 20.21(f). Hearings on the proposed changes were held November 17, 18, 21 and December 4, 1975. In addition, hearings were held to consider changes to the dissemination provisions of the regulations (40 FR 52846). These hearings were held December 11, 12 and 15, 1975, to consider comments from interested parties on the limitations placed on dissemination of criminal history record information to non-criminal justice agencies. The purpose of the hearings was to determine whether the regulations, as they were drafted, appropriately made the balance between the public's right to know such information with the individual's right of privacy.

As a result of these hearings modifications to the regulations have now been made to better draw this balance. The regulations are based upon section 524 (b) of the Crime Control Act of 1973 which provides in relevant part:

"All criminal history information collected, stored or disseminated through support under this title shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage, and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Administration shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an individual who believes that criminal history information concerning him contained in an automated system is inaccurate, incomplete, or maintained in violation of this title, shall, upon satisfactory verification of his identity, be entitled to review such information and to obtain a copy of it for the purpose of challenge or correction."

The regulations, as now amended, provide that conviction data may be disseminated without limitation; that criminal history record information relating to the offense for which an individual is currently within the criminal justice system may be disseminated without limitations. Insofar as nonconviction record information is concerned (nonconviction data is defined in § 20.20(k)), the regulations require that after December 31, 1977, most non-criminal justice access would require authorization pursuant to a statute, ordinance, executive order or court rule, decision or order. The regulations no longer require express authority, that is specific language in the authorizing statute or order requiring access to

such information, but only that such dissemination is pursuant to and can be construed from the general requirement in the statute or order. Such statutes include State public record laws which have been interpreted by a State to require that criminal history record information, including nonconviction information, be made available to the public. Determinations as to the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order will be made by the appropriate State or local officials. The deadline of December 31, 1977, will permit States to obtain the authority, as they believe necessary, to disseminate nonconviction data.

The regulations, as now amended, remove the prohibition that criminal history record information in court records of public judicial proceedings can only be accessed on a chronological basis. § 20.20(b)(3) deletes the words "compiled chronologically". Therefore, court records of public judicial proceedings whether accessed on a chronological basis or on an alphabetical basis are not covered by the regulations.

In addition, the regulations would not prohibit the dissemination of criminal history record information for purposes of international travel (issuance of visas and granting of citizenship). The commentary on selected portions of the regulations have been amended to conform to the changes.

Pursuant to the authority vested in the Law Enforcement Assistance Administration by sections 501 and 524 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, Pub. L. 93-83, 87 Stat. 197 (42 U.S.C. 3701 *et seq.*) (Aug. 6, 1973), these amendments to Chapter I of Title 28 of the Code of Federal Regulations are hereby adopted to become final on April 19, 1976. These amendments only amend subparts A and B. Subpart C remains the same.

Subpart A—General Provisions

- Sec.
20.1 Purpose.
20.2 Authority.
20.3 Definitions.

Subpart B—State and Local Criminal History Record Information Systems

- 20.20 Applicability.
20.21 Preparation and submission of a Criminal History Record Information Plan.
20.22 Certification of Compliance.
20.23 Documentation: Approval by LEAA.
20.24 State laws on privacy and security.
20.25 Penalties.

Subpart C—Federal System and Interstate Exchange of Criminal History Record Information

- 20.30 Applicability.
20.31 Responsibilities.
20.32 Includable offenses.
20.33 Dissemination of criminal history record information.
20.34 Individual's right to access criminal history record information.
20.35 National Crime Information Center Advisory Policy Board.
20.36 Participation in the Computerized Criminal History Program.

- Sec.
20.37 Responsibility for accuracy, completeness, currency.
20.38 Sanction for noncompliance.

AUTHORITY: Pub. L. 93-83, 87 Stat. 197 (42 USC 3701, *et seq.*; 28 USC 534), Pub. L. 92-544, 86 Stat. 1115.

Subpart A—General Provisions

§ 20.1 Purpose.

It is the purpose of these regulations to assure that criminal history record information wherever it appears is collected, stored, and disseminated in a manner to insure the completeness, integrity, accuracy and security of such information and to protect individual privacy.

§ 20.2 Authority.

These regulations are issued pursuant to sections 501 and 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, Pub. L. 93-83, 87 Stat. 197, 42 USC 3701, *et seq.* (Act), 28 USC 534, and Pub. L. 92-544, 86 Stat. 1115.

§ 20.3 Definitions.

As used in these regulations:

(a) "Criminal history record information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation or dissemination of criminal history record information.

(b) "Criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom; sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system.

(c) "Criminal justice agency" means: (1) courts; (2) a government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(d) The "administration of criminal justice" means performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(e) "Disposition" means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to com-

mence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reason for such postponement. Dispositions shall include, but not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed—civil action, found insane, found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial—defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(f) "Statute" means an Act of Congress or State legislature of a provision of the Constitution of the United States or of a State.

(g) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(h) An "executive order" means an order of the President of the United States or the Chief Executive of a State which has the force of law and which is published in a manner permitting regular public access thereto.

(i) "Act" means the Omnibus Crime Control and Safe Streets Act, 42 USC 3701, *et seq.*, as amended.

(j) "Department of Justice criminal history record information system" means the Identification Division and the Computerized Criminal History File systems operated by the Federal Bureau of Investigation.

(k) "Nonconviction data" means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

(l) "Direct access" means having the authority to access the criminal history record data base, whether by manual or automated methods.

Subpart B—State and Local Criminal History Record Information Systems

§ 20.20 Applicability.

(a) The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds

made available by the Law Enforcement Assistance Administration subsequent to July 1, 1973, pursuant to Title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in Subpart C.

(b) The regulations in this subpart shall not apply to criminal history record information contained in: (1) posters, announcements, or lists for identifying or apprehending fugitives or wanted persons; (2) original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis; (3) court records of public judicial proceedings; (4) published court or administrative opinions or public judicial, administrative or legislative proceedings; (5) records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operators' licenses; (6) announcements of executive clemency.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person, upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship.

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to LEAA by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a) *Completeness and accuracy.* Insure that criminal history record information is complete and accurate.

(1) Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must contain information of any dispositions occurring within the State within 90 days after the disposi-

tion has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information to assure that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2) To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end, criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b) *Limitations on dissemination.* By December 31, 1977, insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

(1) Criminal justice agencies, for purposes of the administration of criminal justice and criminal justice agency employment;

(2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;

(3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;

(4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the violation thereof.

These dissemination limitations do not apply to conviction data.

(c) *General policies on use and dissemination.* (1) Use of criminal history record information disseminated to non-criminal justice agencies shall be limited to the purpose for which it was given.

(2) No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.

(3) Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d) *Juvenile records.* Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need or supervision (or the equivalent) to non-criminal justice agencies is prohibited, unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in § 20.21(b) (3) and (4).

(e) *Audit.* Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f) *Security.* Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

(1) Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.

(2) Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when stored in a media library, and system documentation is restricted to authorized organizations and personnel.

(3) (A) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

(i) Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged or overlaid in any fashion by non-criminal justice terminals.

(ii) Operation programs are used that will prohibit inquiry, record updates, or destruction of records, from any terminal other than criminal justice system terminals which are so designated.

(iii) The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or stor-

ing the criminal history record information.

(iv) Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file.

(v) The programs specified in (ii) and (iv) of this subsection are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.

(vi) Procedures are instituted to assure that an individual or agency authorized direct access is responsible for A the physical security of criminal history record information under its control or in its custody and B the protection of such information from unauthorized access, disclosure or dissemination.

(vii) Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(B) A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.

(4) The criminal justice agency will:

(A) Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct access to criminal history record information.

(B) Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.

(C) Institute procedures, where computer processing is not utilized, to assure that an individual or agency authorized direct access is responsible for (i) the physical security of criminal history record information under its control or in its custody and (ii) the protection of such information from unauthorized access, disclosure, or dissemination.

(D) Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or manmade disasters.

(E) Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.

(5) Each employee working with or having access to criminal history record

information shall be made familiar with the substance and intent of these regulations.

(g) *Access and review.* Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—

(1) Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

(2) Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

(3) The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4) Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5) The correcting agency shall notify all criminal justice recipients of corrected information; and

(6) The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

§ 20.22 Certification of Compliance.

(a) Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b) The certification shall include—

(1) An outline of the action which has been instituted. At a minimum, the requirements of access and review under § 20.21(g) must be completely operational;

(2) A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

(3) A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4) A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5) A listing setting forth categories of non-criminal justice dissemination. See § 20.21(b).

§ 20.23 Documentation: Approval by LEAA.

Within 90 days of the receipt of the plan, LEAA shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by LEAA will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be fully operational and implemented by December 31, 1977. A final certification shall be submitted in December 1977.

§ 20.21 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties.

Any agency or individual violating subpart B of these regulations shall be subject to a fine not to exceed \$10,000. In addition, LEAA may initiate fund cur-off procedures against recipients of LEAA assistance.

RICHARD W. VELDE,
Administrator.

APPENDIX—COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

Subpart A—§ 20.3(b). The definition of criminal history record information is intended to include the basic offender-based transaction statistics/computerized criminal history (OBT/CC) data elements. If notations of an arrest, disposition, or other formal criminal justice transactions occur in records other than the traditional "rap sheet" such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition, however, does not extend to other information contained in criminal justice agency reports. Intelligence or investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(c). The definitions of criminal justice agency and administration of criminal justice of 20.3(c) must be considered together. Included as criminal justice agencies would be traditional police, courts, and corrections agencies as well as subunits of non-criminal justice agencies performing a function of the administration of criminal justice pursuant to Federal or State statute or

executive order. The above subunits of non-criminal justice agencies would include for example, the Office of Investigation of the U.S. Department of Agriculture which has as its principal function the collection of evidence for criminal prosecutions of fraud. Also included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services such as New York's Division of Criminal Justice Services.

§ 20.3(e). Disposition is a key concept in section 524(b) of the Act and in 20.21(a)(1) and 20.21(b). It, therefore, is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(k). The different kinds of acquittals and dismissals as delineated in 20.3(e) are all considered examples of nonconviction data.

Subpart B—§ 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973. In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *."

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in Subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank

potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus, announcements of arrest, convictions, new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in 20.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering 20.21(b) and 20.21(f).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is, however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(a)(1) is written with a centralized State criminal history repository in mind. The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive; it suggests but does not mandate a central State repository.

The regulations do require that States establish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently, comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most non-criminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitted written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission. Section 3(a) of 10450 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories

where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information systems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

The drafters of the regulations expressly rejected a suggestion which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states:

"Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations pursuant to Section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of

juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 20.21(e). Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

§ 20.21(g)(1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 20.21(g)(5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(g)(6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals, Report on the Criminal Justice System; Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems, Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information, Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

[FR Doc.76-7889 Filed 3-18-76; 8:45 am]

KANSAS STATUTES



Summary of Kansas Statutes Affecting Record Keeping

<u>Statute</u>	<u>Synopsis</u>
12-4515	Certain corrections treated as not existing
19-1904	Calendar of prisoners committed to the county jail.
19-1905	Copies of calendar provided to judges.
21-2501	Officers to take fingerprints of suspected law violators; identification data to national bureau of investigation.
21-2501-a	Maintenance of records of felony offenses and certain misdemeanors by law enforcement agencies; reports to bureau of investigation; form.
21-2503	Finger-print records admissable in evidence.
21-2504	Attorney General may call upon designated officers for information; forms.
21-2505	Penalties for non-performance of KSA 21-2504 requirements.
21-3827	Unlawful disclosure of a warrant.
21-4604	Presentence investigation and report.
21-4605	Availability of report to defendant and others.
21-4616	Annulment of certain convictions; effect.
21-4617	Expungement of record; offender over twenty-one; effect.
38-805	Records kept by juvenile court; privileged information.
38-815a	Restrictions on fingerprints, photographs and records of child, expungement.
45-201	Official public records open to inspection; exceptions.
45-202	Control over photographic records.
45-203	Penalties for violating 45-202.
50-712	Public records information for employment purposes.
75-712	Same; powers and duties; reports of investigations.
75-5218	Sentenced to custody of secretary of corrections; notice to secretary; copy of record; female offenders.
75-5221	Record of inmates.
75-5266	Psychiatric evaluation reports privileged.

12-4515. Certain convictions treated as not existing. In every city in this state every person convicted of a violation of a city ordinance who has satisfied the sentence imposed, or who has fulfilled the conditions of his or her parole or suspension of sentence for the entire period thereof, may at any time thereafter be permitted by the court to withdraw his or her plea of guilty and enter a plea of not guilty; or if he or she has been convicted after a plea of not guilty, the court may set aside the judgment of guilty; and in either case, the court shall thereupon dismiss the complaint against such person, who shall thereupon be released from the penalties and disabilities resulting from the offense of which he or she has been convicted, and he or she shall in all respects be treated as not having been convicted, except that upon conviction of any subsequent offense such conviction may be considered as a prior conviction in determining the sentence to be imposed. The person shall be informed of this privilege when placed on probation or suspended sentence.

In any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose conviction of an offense has been annulled under this statute may state that he or she has never been convicted of such offense. [L. 1976, ch. 84, § 1; July 1.]

19-1904. Calendar. The sheriff of each county must keep a true and exact calendar of all prisoners committed to the county jail, which calendar must contain the names of all persons who are committed, their place of abode, the time of their commitment, the time of their discharge, the cause of their commitment, the authority that committed them, and the description of their persons; and when any person is liberated, such calendar must state the time when and the authority by which such liberation took place; and if any person escape, it must state particularly the time and manner of such escape. [G. S. 1868, ch. 53, § 4; Oct. 31; R. S. 1923, 19-1904.]

19-1905. Copies of calendar for judges. At the opening of each term of the district or criminal court within his county, the sheriff must return a copy of such calendar, under his hand, to the judge of such court; and if any sheriff neglect or refuse so to do, he shall be punished by fine not exceeding five hundred dollars. [G. S. 1868, ch. 53, § 5; Oct. 31; R. S. 1923, 19-1905.]

21-2501. Officers to take fingerprints of suspected law violators; identification data to national bureau of identification and to the state bureau of investigation. It is hereby made the duty of every sheriff and police department in the state, immediately upon the arrest of any person or persons wanted for the commission of a felony or believed to be a fugitive from justice, or upon the arrest of any person or persons who may be in the possession at the time of arrest of any goods or property reasonably believed to have been stolen by such person or persons, or in whose possession may be found firearms or other concealed weapons, burglary tools, high explosives, or other appliances believed to be used solely for criminal purposes, or who may be known to be vagrants, or who are wanted for any offense which involves sexual conduct prohibited by law, or for violation of article 25 (uniform narcotic drug act) or article 26 (hypnotic, somnifacient or stimulating drugs) of chapter 65 of the Kansas statutes annotated, or suspected of being or known to be habitual criminals or violators of the intoxicating liquor law, to cause two sets of fingerprint impressions to be made of such person or persons, on the forms provided by the department of justice of the United States or the bureau of investigation of the state of Kansas, and forward one set of such impressions to the national bureau of identification and investigation, department of justice, at Washington, D. C., and forward one set of such impressions to the bureau of investigation of the state of Kansas at Topeka, Kansas, together with a comprehensive description of such individual or individuals and such other data and information as to the identification of such person or persons arrested as the department of justice and bureau of investigation may require; and such sheriff and police department as aforesaid may take and retain copies of such fingerprint impressions for their own use, together with a comprehensive description and such other data and information as may be necessary to properly identify such person or persons. This section shall not be construed

to include violators of any city, town or local ordinance. [L. 1931, ch. 178, § 1; L. 1959, ch. 165, § 1; L. 1969, ch. 183, § 1; July 1.]

Research and Practice Aids:

Criminal Law ⇨ 1222.

C. J. S. Criminal Law § 2008 et seq.

Law Review and Bar Journal References:

Amendment of 1959 mentioned in survey of criminal law and procedure, Paul E. Wilson, 8 K. L. R. 244, 256 (1959).

21-2501a. Maintenance of records of felony offenses and certain misdemeanors by law enforcement agencies; reports to bureau of investigation; form. (a) All law enforcement agencies having responsibility for law enforcement in any political subdivision of this state shall maintain, on forms approved by the attorney general, a permanent record of all felony offenses reported or known to have been committed within their respective jurisdictions, and of all misdemeanors or other offenses which involve the violation of article 25 (uniform narcotic drug act and) or article 26 (hypnotic, somnifacient or stimulating drugs) of chapter 65 of the Kansas statutes annotated.

(b) All law enforcement agencies having the responsibility of maintaining a permanent record of offenses shall file with the bureau of investigation, on a form approved by the attorney general, a report on each offense for which a permanent record is required within seventy-two (72) hours after such offense is reported or known to have been committed. [L. 1969, ch. 183, § 2; July 1.]

21-2503. Finger-print records admissible in evidence. A photostatic copy of the finger-print impression of any person convicted of a felony or misdemeanor that has been filed and kept according to law, and duly certified as a true and correct copy by the director or other person having charge of such records, shall be admissible in evidence and received in evidence in any subsequent prosecution of that person for the purpose of identification where otherwise competent. [L. 1931, ch. 178, § 3; March 16.]

21-2504. Attorney general may call upon designated officers for information; forms. (a) For the purpose of controlling crime and obtaining reliable statistics about crime and criminals, the attorney general may call upon and obtain from the clerks of district courts, sheriffs, police departments and county attorneys all information that said attorney general may deem necessary in ascertaining the true condition of the crime situation; and it shall be the duty of the above-mentioned officers to furnish the information so requested by the attorney general.

(b) The attorney general shall provide, upon request, forms for fingerprint impressions, for the permanent record of offenses, and for the reports of offenses required by K. S. A. 21-2501 and 21-2501a. [K. S. A. 21-2504; L. 1976, ch. 156, § 1; Jan. 10, 1977.]

21-2505. Same; nonperformance of duties; penalty. Neglect or refusal of the officers herein mentioned to furnish the information herein required or to do or perform any other act or duty on his part to be done or performed shall constitute a misdemeanor, and such officer shall, upon conviction thereof, be punished by a fine of not less than five dollars (\$5) nor more than twenty-five dollars (\$25), or by imprisonment in the county jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment, at the discretion of the court. Such neglect or refusal shall also constitute nonfeasance in office and subject the officer to removal from office. [L. 1931, ch. 178, § 5; March 16.]

21-3827. Unlawful disclosure of a warrant. An unlawful disclosure of a warrant is revealing or making public in any way, not necessary for the execution of such warrant, the fact that a search warrant or warrant for arrest has been applied for or issued or the contents of the affidavit or testimony on which such warrant is based, prior to the execution thereof.

An unlawful disclosure of a warrant is a class B misdemeanor. [L. 1969, ch. 180, § 21-3827; July 1, 1970.]

21-4604. Presentence investigation and report. Whenever a defendant is convicted of a crime or offense, the court before whom the conviction is had may request a presentence investigation by a probation officer. Whenever an investigation is requested, the probation officer shall promptly inquire into the circumstances of the offense; the attitude of the complainant or victim, and of the victim's immediate family, where possible, in cases of homicide; and the criminal record, social history, and present condition of the defendant. All local and state police agencies shall furnish to the probation officer such criminal records as the probation officer may request. Where in the opinion of the court it is desirable, the investigation shall include a physical and mental examination of the defendant. If a defendant is committed to any institution, the investigating agency shall send a report of its investigation to the institution at the time of commitment. [L. 1969, ch. 180, § 21-4604; L. 1970, ch. 124, § 12; July 1.]

Revisor's Note:

For Source or Prior Law and Judicial Council comment, see 21-4605.

Law Review and Bar Journal References:

Effects of the legislature's failure to provide for mandatory presentence investigation discussed in an article on sentencing policy, Raymond W. Baker, 10 W. L. J. 267, 279 (1971).

Cited in "The Kansas State Reception and Diagnostic Center: An Empirical Study," 19 K. L. R. 821, 822, 827 (1971).

21-4605. Availability of report to defendants and others. The judge shall make available the presentence report, any report that may be received from the diagnostic center, and other diagnostic reports to the attorney

for the state and to the counsel for the defendant when requested by them, or either of them. Such reports shall be part of the record but shall be sealed and opened only on order of the court.

If a defendant is committed to a state institution or to the custody of the secretary of corrections such reports shall be sent to the secretary of corrections and to the superintendent of such state institution. [L. 1969, ch. 180, § 21-4605; L. 1972, ch. 317, § 98; L. 1973, ch. 339, § 70; July 1, 1974.]

Source or prior law: 62-2238.

Judicial Council, 1968: The former law relating to pre-sentencing investigations was found in former K. S. A. 62-2238. The sections differ from former law in that they provide standards for disclosure of information not found in the former law.

Law Review and Bar Journal References:

Cited; imposition of a minimum term restricts parole authorities in achieving rehabilitation goals, Raymond W. Baker, 10 W. L. J. 267, 278 (1971).

Mentioned; classification committee and board of probation and parole utilize report in making decisions, "The Kansas State Reception and Diagnostic Center: An Empirical Study," 19 K. L. R. 821, 827 (1971).

21-4616. Annulment of certain convictions; effect; disclosure of existence of records relating thereto prohibited; exceptions. (a) Every defendant who had not attained the age of twenty-one (21) years at the time of the commission of the crime for which he or she was convicted, and who has served the sentence imposed or who has fulfilled the conditions of his or her probation or suspension of sentence for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, may at any time thereafter be permitted by the court to withdraw his or her plea of guilty and enter a plea of not guilty; or if such defendant has been convicted after a plea of not guilty, the court may set aside the verdict of guilty; and in either case, the court shall thereupon dismiss the complaint, information or indictment against such defendant, who shall thereafter be released from all penalties and disabilities resulting from the crime of which he or she has been convicted, and such defendant shall in all respects be treated as not having been convicted, except that upon conviction of any subsequent crime such conviction may be considered as a prior conviction in determining the sentence to be imposed. The defendant shall be informed of this privilege when he or she is placed on probation or suspended sentence.

(b) In any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose conviction of crime has been annulled under this statute may state that he or she has never been convicted of such crime.

(c) Whenever any conviction of an individual for the commission of a crime has been annulled under the provisions of this section, the custodian of the records of arrest, conviction and incarceration relating to that crime shall not disclose the existence of such records upon inquiry from any source unless such inquiry be that of the individual whose conviction was annulled or that of a sentencing court following the conviction of the individual, whose conviction was annulled, for

the commission of a subsequent crime. Such custodian shall release such records to the sentencing court upon a showing of the conviction of such individual of a subsequent crime and a statement that the information is necessary in determining the sentence to be imposed for the subsequent crime. The individual whose conviction of a crime has been annulled shall be given access to examine such records relating to that crime. [K. S. A. 21-4616; L. 1976, ch. 161, § 1; July 1.]

Cross References to Related Sections:

Certain convictions under city ordinances treated as not existing, see 12-4515.

CASE ANNOTATIONS

1. Section not unconstitutional; abuse of discretion in not granting an annulment of conviction hereunder. *State v. Miller*, 214 K. 538, 539, 541, 542, 545, 546, 520 P.2d 1248.

2. Applied in determining 21-3611 not unconstitutional denial of equal protection of laws. *State v. Sherk*, 217 K. 726, 732, 733, 538 P.2d 1399.

21-4617. Expungement of record of conviction; offender over twenty-one; effect; disclosure of records relating thereto prohibited; exceptions. (a) Every offender who was twenty-one (21) years of age or older at the time of the commission of the crime for which he or she was committed and who has served the sentence imposed or who has fulfilled the conditions of his or her probation, suspension of sentence, conditional release or parole for the entire period thereof, or who shall have been discharged from probation, conditional release or parole prior to the termination of the period thereof, may petition the court five (5) years after the end of such sentence, the fulfilling of such conditions of probation, suspension of sentence, conditional release or parole or such discharge from probation, conditional release or parole and may request that his or her record be expunged of such conviction if during such five (5) year period such person has exhibited good moral character and has not been convicted of a felony. In considering any such request for expungement, the court shall have access to any records or reports relating to such offender, including records or reports of a confidential nature, on file with the secretary of corrections or the Kansas adult authority.

(b) Any person having his or her record so expunged shall thereafter be released from all penalties and disabilities resulting from the crime of which he or she has been convicted, and such person shall in all respects be treated as not having been convicted, except that upon conviction of any subsequent crime such conviction may be considered as a prior conviction in determining the sentence to be imposed. The offender shall be informed of this privilege when he or she is placed on probation, suspended sentence, conditional release or parole.

(c) In any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose conviction of crime has been expunged under this statute may state that he or she has never been convicted of such crime.

(d) Whenever the record of any conviction of an individual for the commission of a crime has been expunged under the provisions of this section, the custodian of the records of arrest, conviction and incarceration relating to that crime shall not disclose the existence of such records upon inquiry from any source unless such inquiry be that of the individual whose record was expunged or that of a sentencing court following the conviction of the individual, whose record was expunged, for the commission of a subsequent crime. Such custodian shall release such records to the sentencing court upon a showing of the conviction of such individual of a subsequent crime and a statement that the information is necessary in determining the sentence to

be imposed for the subsequent crime. The individual whose record of conviction of a crime has been expunged shall be given access to examine the records of arrest, conviction and incarceration relating to that crime. [K. S. A. 21-4617; L. 1976, ch. 161, § 2; July 1.]

Cross References to Related Sections:

Certain convictions under city ordinances treated as not existing, see 12-4515.

CASE ANNOTATIONS

1. Referred to in holding abuse of discretion in not granting annulment under 21-4616; section not unconstitutional. *State v. Miller*, 214 K. 538, 542, 520 P.2d 1248.

38-805. Record in proceedings under juvenile code; privileged information. (a) The record in the district court for proceedings pursuant to the Kansas juvenile code shall consist of the petition, process and the service thereof, orders and writs, and such documents shall be recorded and kept by the court, separate from other records of the court.

(b) The official records of the district court for proceedings pursuant to the Kansas juvenile code shall be open to inspection only by consent of the judge of the district court, or upon order of a judge of the court of appeals, or upon order of the supreme court.

(c) All information obtained and records prepared by any employee of the district court for proceedings under the Kansas juvenile code shall be privileged and shall not be disclosed, directly or indirectly, to anyone other than the judge of the district court or others entitled under this act to receive such information, unless and until otherwise ordered by such judge. [K. S. A. 38-805; L. 1976, ch. 207, § 5; Jan. 10, 1977.]

Law Review and Bar Journal References:

Cited in "Children's Liberation—Reforming Juvenile Justice," J. Douglas Irmen, 21 K. L. R. 177, 179, 185 (1973).

Mentioned in comment concerning impeachment of juvenile witness, 14 W. L. J. 345, 346 (1975).

38-815a. Restrictions on fingerprints, photographs and records of child; expungement. (a) Neither the fingerprints nor a photograph shall be taken of any child less than eighteen (18) years of age, taken into custody for any purposes, without the consent of the judge of the district court having jurisdiction. When the judge permits the fingerprinting of any such child, the prints shall be taken as a civilian and not as a criminal record.

(b) All records in this state concerning a public offense committed or alleged to have been committed by a child less than eighteen (18) years of age, shall be kept separate from criminal or other records, and shall not be open to inspection, except by order of the district court. It shall be the duty of any peace officer, judge or other similar officer, making or causing to be made any such record, to at once report to the judge of the district court of the district of such officer or judge the fact that such record has been made and the substance thereof together with all of the information in the possession of the officer or judge pertaining to the making of such record.

(c) When a record has been made by or at the instance of any peace officer, judge or other similar officer, concerning a public offense committed or alleged to have been committed by a child less than eighteen (18) years of age, the judge of the district court of the district in which such record is made shall have the power to order such record expunged. If the person to whom such order is directed shall refuse or fail to do so within a reasonable time after receiving such order, such person may be adjudged in contempt of court and punished accordingly.

(d) This section shall be construed as supplemental to and a part of the Kansas juvenile code. [L. 1974, ch. 178, § 3; L. 1976, ch. 207, § 14; Jan. 10, 1977.]

45-201. Official public records open to inspection; exceptions. All official public records of the state, counties, municipalities, townships, school districts, commissions, agencies and legislative bodies, which records by law are required to be kept and maintained, except those of the juvenile court which shall be open unless specifically closed by the judge or by law, adoption records, records of the birth of illegitimate children, and records specifically closed by law or by directive authorized by law, shall at all times be open for a personal inspection by any citizen, and those in charge of such records shall not refuse this privilege to any citizen. [L. 1957, ch. 455, § 1; June 29.]

Research and Practice Aids:

Records 14.

Hatcher's Digest, Records and Recording Laws § 2.
C. J. S. Records § 35 et seq.

Law Review and Bar Journal References:

Application to registration books provided under 12-906, considered, opinion of attorney general, 11 K. L. R. 579 (1962).

Cited in note discussing disclosure of information from agency records concerning chemical pesticide use, 20 K. L. R. 525, 537 (1972).

45-202. Same; photographing records, when; rules. In all cases where the public or any person interested has a right to inspect or take extracts or make copies from any such public records, instruments or documents, any such person shall have the right of access to said records, documents or instruments for the purpose of making photographs of the same while in the possession, custody and control of the lawful custodian thereof, or his authorized deputy. Such work shall be done under the supervision of the lawful custodian of the said records who shall have the right to adopt and enforce reasonable rules governing the said work. Said work shall, where possible, be done in the room where the said records, documents or instruments are by law kept, but if the same in the judgment of the lawful custodian of the said records, documents or instruments be impossible or impracticable, then the said work shall be done in such other room or place as nearly adjacent as may be available. [L. 1957, ch. 455, § 2; June 29.]

Research and Practice Aids:

Hatcher's Digest, Records and Recording Laws § 2.

Law Review and Bar Journal References:

Application to registration books provided under 12-906, considered, opinion of attorney general, 11 K. L. R. 579 (1962).

45-203. Same; penalties for violations. Any official who shall violate the provisions of this act shall be subject to removal from office and in addition shall be deemed guilty of a misdemeanor. [L. 1957, ch. 455, § 3; June 29.]

50-712. Public record information for employment purposes. A consumer reporting agency which furnishes a consumer report for employment purposes and which for that purpose compiles and reports items of information on consumers which are matters of public record and are likely to have an adverse effect upon a consumer's ability to obtain employment shall

(a) at the time such public record information is reported to the user of such consumer report, notify the consumer of the fact that public record information is being reported by the consumer reporting agency, together with the name and address of the person to whom such information is being reported; or

(b) maintain strict procedures designed to insure that whenever public record information which is likely to have an adverse effect on a consumer's ability to obtain employment is reported it is complete and up to date. For purposes of this paragraph, items of public record relating to arrests, indictments, convictions, suits, tax liens, and outstanding judgments shall be considered up to date if the current public record status of the item at the time of the report is reported. [L. 1973, ch. 85, § 147; Jan. 1, 1974.]

75-712. Same; powers and duties; reports of investigations. It shall be the duty of the members of the bureau to make full and complete investigations at the direction of the attorney general. Each member of the bureau shall possess all powers and privileges which are now or may be hereafter given to the sheriffs of the state of Kansas. The bureau shall be vested with the duty of acquiring, collecting, classifying, and preserving criminal identification and other crime records, and the exchanging of said criminal identification records with the duly authorized officials of governmental agencies, of states, cities and penal institutions. Reports of all investigations made by the members of the bureau shall be made to the attorney general of the state of Kansas. [L. 1939, ch. 310, § 2; April 8.]

CASE ANNOTATIONS

1. Mentioned; murder prosecution; no instructions given on second degree manslaughter; no error. *State v. Noble*, 175 K. 398, 400, 264 P. 2d 479.

75-5218. Sentenced to custody of secretary of corrections; notice to secretary; copy of record; female offenders. When any person is sentenced to the custody of the secretary of corrections pursuant to the provisions of K. S. A. 1972 Supp. 21-4609, as amended, the clerk of the court wherein said conviction was had shall within three (3) days notify the secretary of corrections. Said clerk shall also deliver to the officer having said offender in charge a record containing a copy of the indictment or information, the verdict of the jury, the name and residence of the officer before whom the preliminary trial was had, the judge presiding at the trial, and of the witnesses sworn on said trial, together with the commitment to the Kansas reception and diagnostic center; which record shall be

delivered to the officers conveying said offender to the Kansas reception and diagnostic center. Any female offender sentenced according to the provisions of section 75 [75-5229] of this act shall not be committed to the Kansas reception and diagnostic center but shall be conveyed directly to the Kansas correctional institution for women. [L. 1973, ch. 339, § 27; July 1, 1974.]

Source or prior law: 76-2307, 76-2507.

Revisor's Note:

Section referred to in 75-5220.

75-5221. Record of inmates. The secretary shall keep a record of each inmate sentenced to his custody with the date of his admission, place of residence, the county which he is from; if transferred, the institution from which he was transferred, crime for which convicted, age, education and such other facts pertaining to his early social influences, habits and former life and character as will aid in determining his natural tendencies and the best plan of treatment; also records showing each inmate's progress and standing in the institutions, date of his parole, his final discharge and any facts of personal history obtainable subsequent to parole; also a record showing all punishment inflicted and the purpose therefor, and such other records and information as the secretary may direct. [L. 1973, ch. 339, § 30; July 1, 1974.]

Source or prior law: 76-2312, 76-2421, 76-2511.

75-5266. Psychiatric evaluation reports privileged. Psychiatric evaluation reports of the reception and diagnostic center shall be privileged and shall not be disclosed directly or indirectly to anyone except as provided herein. The court, the county attorney, the attorney for the defendant or inmate, the Kansas adult authority and its staff, the classification committees of the state correctional institutions and those persons authorized by the secretary shall have access to such reports. Such reports may be disclosed to the defendant or inmate, the members of his family or his friends or the superintendent of any other state institution when authorized by the director of the Kansas reception and diagnostic center. Employees of the institutions under the supervision of the secretary are expressly forbidden from disclosing the contents of such reports to anyone except as provided herein. [L. 1973, ch. 339, § 57; July 1, 1974.]

Source or prior law: 76-24a10.



FINGERPRINTING



FINGERPRINTING

The following are some general procedures and methods for the recording of fingerprints that have been employed by experienced technicians to assure clear and complete inked impressions. They are submitted as recommendations only, particularly for those agencies having new officers or technicians.

- Step 1 Spread printer's ink in a thin even coat on a small inking plate (A small roller similar to that used by printers in making galley proofs makes a good spreader. An inking plate may be a piece of glass or a hard, scratch resistant metal plate).
- Step 2 Take a test print of one finger to insure that the plate is properly inked.
- Step 3 The subject should wash his hands. Soap and water are usually sufficient.
- Step 4 Place fingerprint card in a card holder.
- Step 5 Subject should stand in front of and at forearm's length from the inking plate.
- Step 6 Ink and print each finger separately beginning with the right thumb and then, in order, the index, middle, ring, and little finger. In taking the rolled impressions, the side of the bulb of the finger is placed upon the inking plate and the finger is rolled to the other side until it faces the other direction. Thumbs should be rolled toward and fingers away from the center of the subject's body)
- Step 7 After the rolled prints of both hands have been taken, the ink should again be rolled smooth with a spreader.
- Step 8 To obtain "plain" impressions, all the fingers of the hand should be pressed lightly upon the inking plate, then pressed simultaneously upon the fingerprint card in the space provided.

In order to take good fingerprints, the necessary equipment should be maintained in a neat and orderly manner at all times.

Poor impressions are usually caused by one of the following faults:

1. The use of poor, thin, or colored ink, resulting in impressions which are too light and faint, or in which the ink has run, obliterating the ridges. The best results will be obtained by using heavy black printer's ink, a paste which should not be thinned before using. This ink will dry quickly and will not blur or smear with handling.

2. Failure to clean thoroughly the inking apparatus and the fingers of foreign substances and perspiration, causing the appearance of false markings and the disappearance of characteristics. Windshield cleaner, gasoline, benzine, and alcohol are good cleansing agents, but any fluid may be used. In warm weather each finger should be wiped dry of perspiration before printing.
3. Failure to roll the fingers fully from one side to the other and to ink the whole area from tip to below the first fissure. The result of this is that the focal points of the impressions (the deltas or cores) do not appear. The whole finger surface from joint to tip and from side to side should appear.
4. The use of too much ink, obliterating or obscuring the ridges. If printer's ink is used, just a touch of the tube end to the inking plate will suffice for several sets of prints. It should be spread to a thin, even film by rolling.
5. Insufficient ink, resulting in ridges too light and faint to be counted or traced.
6. Allowing the fingers to slip or twist, resulting in smears, blurs, and false-appearing patterns. The fingers should be held lightly without too much pressure. The subject should be warned not to try to help but to remain passive.

Additional, more detailed information about the taking and using of fingerprints may be found in the FBI publication, The Science of Fingerprints. Copies of this publication are available without charge, through any KBI or FBI office.

APPENDIX A

**STANDARD ARREST
ABBREVIATIONS**



The following list of arrest abbreviations is included for reference. These abbreviations may appear in criminal records. However, whenever possible, any description of an arrest or charge should also include the NCIC Uniform Offense Classification Code as well.

- A -

Abandoning child-----	abndn child
Abandoning wife-----	abndn wife
Abandonment-----	abndnt
Abduction-----	abd
Abduction and compelling to marry-----	abd & comp to marry
Abduction for purposes of prostitution-----	abd for prost
Abortion-----	abrtn
Absent without leave-----	AWOL
Abstraction-----	abst
Abusive language-----	abus lang
Accepting a bribe-----	acct brb
Accepting earnings of a prostitute-----	acct earn of prost
Accessory-----	acc
Accessory after abortion-----	acc aft abrtn
Accessory after the fact, receiving-----	acc aft fact rec
Accessory to burglary-----	acc to burg
Accessory to issuing checks-----	acc to iss chks
Accessory to jail breaking-----	acc to jl brk
Accessory to larceny-----	acc to L
Accessory to murder-----	acc to mur
Accessory to robbery-----	acc to rob
Accompanying drunken driver-----	accomp DD
Accomplice-----	accpl
Accosting-----	accost
Adultery-----	adlty
Affidavit-----	afdvt
Affray-----	affr
Affray with deadly weapon-----	affr WDW
Aggravated assault-----	agg A
Agitator-----	agtr
Aiding a prisoner to escape-----	aid pr to esc
Aiding and abetting crime-----	aid & abet crime
Aiding and abetting lottery-----	aid & abet lott
Aiding and harboring an escaped prisoner-----	aid & har esc pr
Alien Firearms Act-----	AFA
Alien in possession of firearms-----	alien poss firearms
Alimony-----	alimy
Allowing one to drive without a permit-----	allow dr w/o prmt
Altering-----	alt
Altering Government obligations-----	alt Govt obli
Annoying and soliciting-----	annoy & sol
Anti-Racketeering-----	AR
Antiriot Laws-----	ARL
Antiriot Laws - State Firearms Control Assistance Act-----	ARL - SFCAA
Anti-Trust Law-----	ATL
Appropriating-----	approp
Appropriating property in possession of common carrier-----	APIPOCC

Armed with a dangerous weapon-----armed WDW
Arson of personal property-----arson of pers prop
Article of War-----AW
Assault-----aslt (or A)
Assault and battery-----A & B
Assault and battery with intent to kill-----ABWIK
Assault and robbery-----A & rob
Assault and robbery, armed-----A & rob armed
Assault, armed-----A armed
Assault on Government reservation-----A on Govt res
Assault to kill-----A to K
Assault to maim-----A to maim
Assault to murder-----A to mur
Assault to rape-----A to rape
Assault to rob-----A to rob
Assault with deadly weapon-----ADW
Assault with intent to maim-----A int maim
Assaulting Federal officer-----AFO
Assembling-----asmb
Assisting-----asst
Assisting and procuring marriage of
insane person-----asst & proc mar of ins per
Assisting in attempt to commit rape-----asst att to rape
Assisting in keeping a gaming place-----asst keep gam pl
Assisting prostitution-----asst prost
Atomic Energy Act-----AEA
Atrocious assault-----atroc A
Atrocious assault with intent to kill-----atroc AWIK
Atrocious robbery, armed-----atroc rob armed
Atrocious robbery, unarmed-----atroc rob unarmed
Attempt to commit crime-----att to comm crime
Attempt to influence witness-----att to infl wit
Attempt to pass counterfeit money-----att to pass ctft money
Attempt to rape-----att to rape
Attempted-----att
Attempted abortion-----att abrtn
Attempted arson-----att arson
Attempted assault-----att A
Attempted assault and battery-----att A & B
Attempted burglary-----att burg
Attempted extortion-----att ext
Attempted grand larceny-----att GL
Attempted larceny-----att L
Attempted larceny by impersonation-----att L by imp
Attempted robbery, armed-----att rob armed
Attempted robbery, unarmed-----att rob unarmed
Attempted sodomy-----att sod
Attempted suicide-----att suicide
Auto - hit and run-----auto H & R
Auto - no license-----auto no lic
Auto theft-----auto T
Automobile Information Disclosure Act-----AIDA

Bad check or bogus check-----BC
Bail jumping-----bail jmpg
Bank burglary-----BB
Bank larceny-----BL
Bank robbery-----BR
Bankruptcy-----bkcty
Barratry-----barr
Bastardy-----bast
Battery-----batt (or B)
Beating-----btg
Beating hotel bill-----btg hotel bill
Beating way on train-----btg way on train
Begging-----beg
Begging on streets-----beg on st
Bills of Lading Act-----BLA
Blackmail-----blkm1
Blasphemy-----blsmly
Blue Sky Laws-----BSL
Board bill beating-----brd bill btg
Bomb Threats-----BT
Bond forfeiture-----bond forf
Bookmaking-----bkmkg
Box car burglary-----box car burg
Breach of peace-----B of P
Breaking-----B
Breaking and entering-----B & E
Breaking and entering by use of explosives-----B & E by explsv
Breaking and entering dwelling, daytime-----B & E dw DT
Breaking and entering in nighttime and petty larceny---B & E NT & PL
Breaking and entering railroad car-----B & E rr car
Breaking and entering showcase-----B & E showcase
Breaking and entering U. S. mailbox-----B & E US mlbx
Breaking and entering with intent to assault-----B & E int aslt
Breaking and entering with intent to kill-----B & E int kill
Breaking and entering with intent to rape-----B & E int rape
Breaking and entering with intent to rob-----B & E int rob
Breaking and entering with intent to steal-----B & E int steal
Breaking into dwelling, nighttime-----B dw NT
Breaking into post office-----B into PO
Breaking into store, nighttime-----B store NT
Breaking quarantine-----B quar
Bribery-----brby
Bribery of athletes-----brby of ath
Bribery of officials or officers-----brby of ofc
Bribing-----brbg
Bucket shops-----bkt sh
Building code violation-----bldg code vio
Burglary-----burg
Burglary and grand larceny-----burg & GL
Burglary and larceny-----burg & L
Burning-----burn
Burning, destroying, etc., insured property-----burn dest ins prop
Burning, intent to injure insurer-----burn int inj ins
Buying U. S. property-----buy US prop

California Vehicle Act-----CVA
Car breaking-----car B
Car prowling-----car prowl
Careless driving-----crless dr
Carnal-----crnl
Carnal abuse-----crnl ab
Carnal knowledge-----crnl knldg (or CK)
Carnal knowledge of female child-----CK of FC
Carnal knowledge of idiot-----CK idiot
Carrying concealed deadly weapon-----CCDW
Carrying concealed weapon-----CCW
Carrying firearms without license-----C firearms w/o lic
Carrying weapon without permit or license-----CW w/o prmt or lic
Cheating and swindling-----cht & swd
Child desertion-----child deser
Child neglect-----child neg
Chinese Exclusion Act-----CEA
Civil rights-----CR
Civil Rights Act, 1964-----CRA-64
Climbing on railroad cars-----cl on rr cars
Cohabitation-----cohab
Coin matching-----coin match
Committing indecent act-----comm ind act
Common assault-----comn aslt
Common cheat-----comn cht
Common drunk-----comn drk
Common night walker-----comn night wlkr
Common nuisance-----comn nuis
Common prostitute-----comn prost
Common tramp and pickpocket-----comn tramp & PP
Communitic-----commu
Communitic activities-----commu activ
Compounding a felony-----comp fel
Concealed weapons-----CW
Concealing evidence-----conc evid
Concealing mortgaged property-----conc mtg prop
Concealing stolen U. S. property-----conc stln US prop
Conditional release violator-----CRV
Conducting lottery-----cond lott
Confidence game-----con game
Conflict of Interest-----COI
Conscientious objector-----CO
Consorting with prostitute-----consort w prost
Conspiracy-----consp
Conspiracy to commit offense against U. S.-----consp to comm off v. US
Conspiracy to kidnap-----consp to kid
Conspiracy to murder-----consp to mur
Conspiracy to rob-----consp to rob
Conspiracy to violate Election Laws-----consp to vio Elec L
Conspiracy to violate Inter-Freight Law-----consp to vio Inter-Freight L
Contempt-----cmpt

Contempt of court-----COC
Contributing to delinquency of minor-----C to D of M
Conversion-----conv
Converting property of another to own use--conv prop another own use
Copyright-----cpyrt
Copyright Laws-----Cpyrt L
Corruption-----corrupt
Counterfeiting - counterfeit-----ctfg - ctft
Counterfeiting dies for U. S. coins-----ctfg dies US coins
Counterfeiting license plates-----ctfg lic plates
Counterfeiting minor coins-----ctfg minor coins
Counterfeiting securities of U. S.-----ctfg sec of US
Counterfeiting signature of payee-----ctfg sig
Counterfeiting U. S. currency and obligations----ctfg US curr & obli
Crime aboard aircraft-----CAA
Crime on Government reservation-----CGR
Crime on high seas-----CHS
Crime on Indian reservation-----CIR
Criminal carelessness-----crim crless
Criminal Code-----Crim Code
Criminal conspiracy-----crim consp
Criminal homicide-----crim hom
Criminal libel-----crim lib
Criminal negligence-----crim neg
Criminal registration-----crim reg
Criminally receiving stolen property-----CRSP
Criminally uttering and publishing false instrument--CU & P fls inst
Criminally uttering and publishing false (or forged) check--CU & PFC
Criminally uttering and publishing forged warrant---CU & P fgd warr
Cruelty to animals-----cr to ani
Cruelty to children-----cr to chdn
Custodian of a bet-----cust bet
Customs Laws-----Customs L
Cutting-----cut
Cutting with intent to kill-----CWIK

Damaging personal property-----dam pers prop
Damaging railroad property-----dam rr prop
Dangerous-----dang
Dangerous and suspicious-----D & S
Dangerous weapon-----DW
Deadly Weapon Act-----DWA
Dealing in lottery policy-----deal in lott pol
Defacing building-----def bldg
Defacing Government bonds-----def Govt bonds
Defacing or destroying personal property-----def or dest pers prop
Defacing or destroying public property-----def or dest pub prop
Defective brakes-----def brakes
Defrauding-----defr
Defrauding innkeeper-----defr innkpr
Defrauding livery keeper-----defr liv kpr

Defrauding the mails-----defr mails
Delinquent-----delin
Dependents Assistance Act of 1950-----DAA-50
Deportation-----dep
Deportation proceedings-----dep proc
Depositing in U. S. post office threat to injure person
or property of addressee-----depos in US PO thrt
Desecration of the Flag-----DOF
Desecration of Sabbath-----desc Sab
Desertion of wife and children-----deser wife & chdn
Desertion or deserter-----deser
Destruction of aircraft or motor vehicle-----DAMV
Destruction of Government property-----DGP
Destruction of interstate property-----DIP
Discharging firearms-----disch firearms
Disorderly-----dis
Disorderly conduct-----DC
Disorderly house-----DH
Disorderly person-----DP
Displaying void operator's license-----dsply void op lic
Disposing of mortgaged property-----disp mtg prop
Disposing of stolen property-----disp stln prop
Distilling-----distil
Distributing communistic literature-----distr commu lit
Disturbance-----dist
Disturbing regular worship-----dist reg wshp
Disturbing the peace-----dist peace
Diverting-----div
Diverting electricity-----div elec
Diverting gas-----div gas
Dope on person-----dope on per
Drawing checks without funds-----drw chk w/o fds
Drawing or exhibiting firearms-----drw or exh firearms
Driving away auto without owner's permission-----DAA w/o OP
Driving car intoxicated-----DCI
Driving while drunk-----DWD
Driving without permit-----dr w/o prmt
Drunk-----drk
Drunk and disorderly-----D & D
Drunk and disorderly conduct-----D & DC
Dwelling-----dwlg
Dyer Act-----Dyer A
Dynamiting-----dyn
Dynamiting inhabited building-----dyn inh bldg

Eavesdropping-----evsdrp
Election Laws-----EL
Elimination-----elim
Embezzlement of Government property-----EGP

Embezzlement or embezzling-----embz
Embracery-----embrcy
Endangering-----endang
Endangering life or health of child-----endang L or H of child
Entering-----ent (or E)
Enticing-----entic
Enticing females under age-----entic fem u age
Enticing into immoral place-----entic into imm place
Escape and rescue-----EAR
Escaped-----esc
Escaped convict-----esc conv
Escaped Federal prisoner-----EFP
Escaping Federal custody-----esc Fed cust
Espionage-----esp
Evading railroad fare-----ev rr fare
Evasion of Tax Laws-----ev Tax L
Evasion or evading-----ev
Examination-----exam
Exhibiting-----exh
Explosives-----explsv
Explosives and Incendiary Devices-----EID
Exposing-----expos
Exposing his person-----expos per
Extortion-----ext
Extortionate Credit Transactions-----ECT

Failure-----fail
Failure to answer summons-----fail ans sum
Failure to assist after causing wreck-----fail asst aft caus wrk
Failure to obtain license or permit (parading, peddling,
transportation passengers, barbers, merchants,
pawn shops, pool room, etc.)-----fail to obt lic or prmt
Failure to provide-----fail to prov
Failure to provide for child-----fail prov for child
Failure to provide for wife-----fail prov for wife
Failure to report an accident-----fail rpt acc
Failure to report a felony-----fail rpt fel
Failure to serve legal process-----fail srv leg proc
Failure to stop and render aid-----fail to aid
False-----fls
False advertising-----fls adv
False claims-----fls cl
False entries in records of interstate carriers-----FERIC
False fire alarm-----fls fire ala
False police alarm-----fls pol ala
False pretenses-----FP
False weights and measures-----fls wgts & msurs
Falsely claiming U. S. citizenship-----FCC
Federal Firearms Act-----FFA
Federal Housing Administration matters-----FHAM

Federal Juvenile Delinquency Matters-----FJDM
Federal Regulation of Lobbying Act-----FRLA
Federal Reserve Act-----FRA
Federal Tort Claims Act-----FTCA
Federal Train Wreck Statute-----FTWS
Felonious assault-----fel A
Felonious driving-----fel dr
Felonious or felony-----fel
Felonious theft-----fel T
Felony warrant-----fel warr
Fictitious-----fict
Fictitious checks-----fict chks
Fictitious license plates-----fict lic pl
Fighting-----fight
Firearms Act-----Firearms A
Flourishing deadly weapon-----fl DW
Forcible entry-----forc ent
Forfeiture or forfeited-----forf
Forged or forgery-----forg
Forgery U. S. money orders-----forg USMO
Forging and passing-----forg & pass
Forging doctor's prescription-----forg Dr presc
Forging U. S. obligations-----forg US obli
Fornication-----forn
Fraud - fraudulent-----frd
Fraud against the Government-----FAG
Fraudulent instruments-----frd inst
Fraudulent negotiable instrument-----frd neg inst
Fradulent removal of leased property-----frd rem lsd prop
Fraudulent voting-----frd voting
Fraudulently obtaining signature-----frd obt sig
Frequenting house of ill fame-----FHIF
Fugitive other authorities-----FOA

Gambling-----gamb
Gambling - cards-----gamb cds
Gambling devices-----gamb dev
Gambling - dice-----gamb dice
Game Laws-----Game L
General principles-----GP
Grand larceny-----GL
Grand theft-----GT
Great bodily injury-----gr bod inj
Gross cheat-----gross cht
Gross indecency-----gross ind

Habitual-----hab
Habitual drunkard-----hab drk
Harboring criminals-----harb crim
Harrison Narcotic Act-----HNA
Hatch Act-----HA
Health Law-----Hlth L
Highway robbery-----hwy rob
Hijacking-----hijack
Holdup-----hldp
Holdup with deadly weapon-----hldp DW
Housebreaking-----HB
House of ill fame-----H of IF
House of prostitution-----H of prost

Illegal business-----illeg busn
Illegal cohabitation-----illeg cohab
Illegal dentistry-----illeg dent
Illegal entry to U. S.-----illeg ent US
Illegal fishing-----illeg fish
Illegal Gambling Business-----IGB
Illegal possession of Government property-----IPGP
Illegal practice of medicine-----illeg prac med
Illegal trapping-----illeg trap
Illegal wearing of lodge emblem-----illeg wear lodge emb
Illegal wearing of uniform-----IWU
Illicit-----illic
Illicit distilling-----illic distil
Immoral-----imm
Immoral entertainment-----imm entmnt
Impersonating an officer-----imp ofc
Impersonating or impersonation-----IMP
Improper state license-----impr st lic
Incendiarism-----incend
Incorrigible or incorrigibility-----incorr
Indecent-----ind
Indecent conduct-----ind cond
Indecent exposure-----ind exp
Indecent liberties-----ind lib
Indecent liberties with minor child-----ind lib min child
Indefinite-----indef
Indians-----Ind
Infamous-----inf
Infamous crime against nature-----inf cr agst nat
Influence-----infl
Injunction-----injt
Inmate disorderly house-----inm DH
Instrument-----inst
Insufficient funds-----insuf fds
Intent-----int

- I -

Interception of Communications-----IOC
Intercourse with a child-----intcrse with child
Interfering-----interf
Internal Revenue Act-----IRA
Interstate gambling activities-----IGA
Interstate theft-----IT
Interstate transmission of wagering information-----ITWI
Interstate transportation in aid of racketeering-----ITAR
Interstate transportation of fireworks-----ITF
Interstate transportation of gambling devices-----ITGD
Interstate transportation of lottery tickets-----ITLT
Interstate transportation of obscene matter-----ITOM
Interstate transportation of prison-made goods-----ITPMG
Interstate transportation of prize fight films-----ITPFF
Interstate transportation of stolen aircraft-----ITSA
Interstate transportation of stolen cattle-----ITSC
Interstate transportation of stolen motor vehicle-----ITSMV
Interstate transportation of stolen property-----ITSP
Interstate transportation of strikebreakers-----ITSB
Interstate transportation of unsafe refrigerators-----ITUR
Interstate transportation of wagering paraphernalia-----ITWP
Intimidating Government witness-----intim Govt wit
Intimidation or intimidating-----intim
Intoxication or intoxicated-----intox
Investigation-----inv
Inveterate vagrancy-----invet vag
Involuntary manslaughter-----invol mansl
Involuntary servitude and slavery-----ISS
Issuing fraudulent instruments-----iss frd inst

- J -

Jail breaking-----jl B
Joy riding-----joy rid
Juvenile delinquency-----JD
Juvenile Delinquency Act-----JDA

- K -

Keeping house of ill fame-----KHIF
Kickback Racket Act-----KRA
Kidnaping-----kid
Killing deer at nighttime-----kill deer NT
Killing Federal officer-----KFO

Labor Management Relations Act, 1947-----LMRA
Labor-Management Reporting and Disclosure Act of 1959 -
Investigative Matter-----LMRDA - IM
Larceny-----larc (or L)
Larceny after trust-----L aft trust
Larceny and receiving-----L & R
Larceny by bailee-----L by bailee
Larceny by embezzlement-----L by embz
Larceny by impersonation-----L by imp
Larceny by trick-----L by tr
Larceny from automobile-----L fr auto
Larceny from house-----L fr hse
Larceny from interstate shipment-----L fr IS
Larceny from person-----L fr pers
Larceny from store-----L fr store
Larceny of automobile-----L of auto
Larceny on reservation-----L on resvn
Lascivious-----lascv
Leaving accident without reporting name-----lv acci w/o RN
Leaving scene of accident-----lv acci
Lewd and dissolute-----lewd & dissol
Lewd and indecent act-----lewd & ind act
Lewd and lascivious-----L & L
Lewd and lascivious cohabitation-----L & L cohab
Liquor-----liq
Liquor Law-----LL
Liquor nuisance-----liq nuis
Loitering-----loit
Lottery-----lott
Lottery policy writing-----lott pol wrtg
Lottery tickets-----lott tkts
Lunacy-----lncy

Mail Fraud-----MF
Maintaining bawdy house-----main bawdy H
Maintaining disorderly house-----main DH
Maintaining liquor nuisance-----main liq nuis
Making false affidavit-----mkg fls affi
Making, forging, counterfeiting or altering deeds or
powers of attorney-----mkg forg ctfg or alt deeds or pwr atty
Making, forging, counterfeiting or altering
letters patent-----mkg forg ctfg or alt ltrs pat
Making official contract with member
of Congress-----mkg offcl contr w memb of Cong
Making, passing or uttering fictitious bills-----mkg pass utt fict bills
Malicious-----mal
Malicious assault-----mal A
Malicious conversion-----mal convrsn
Malicious cutting or maliciously cutting-----mal cut

- M -

Malicious destruction of property-----mal dest prop
Malicious injury-----mal inj
Malicious maiming-----mal maim
Malicious mischief-----mal misch
Malicious shooting-----mal shoot
Malicious tampering-----mal tamp
Malicious trespassing-----mal tresp
Mann Act-----Mann A
Manslaughter-----mansl
Manslaughter with auto-----mansl w auto
Manufacturing-----mfg
Manufacturing liquor-----mfg liq
Manufacturing of gambling devices-----mfg gamb dev
Marijuana-----marij
Material witness-----mat wit
Migratory Bird Act-----MBA
Minimum Wage Law-----Min Wage L
Misappropriation by public officer-----misap by pub ofc
Miscegenation-----misceg
Misconduct-----miscond
Misdemeanor-----misd
Misprision of felony-----mispr of fel
Misprision of treason-----mispr of treason
Molesting-----mol
Molesting auto-----mol auto
Moving mortgaged auto from state-----mov mtgd auto fr st
Murder-----mur
Murder by abortion-----mur by abrtm
Murder, 1st degree-----mur 1st deg
Murder, 2nd degree-----mur 2nd deg
Mutilating-----mutil
Mutilating U. S. currency-----mutil US curr

- N -

Narcotics-----narc
National Bankruptcy Act-----NBA
National Cattle Theft Act-----NCTA
National Defense Act-----NDA
National Firearms Act-----NFA
National Motor Vehicle Theft Act-----NMVTA
National Prohibition Act-----NPA
National Science Foundation Act-----NSFA
National Stolen Property-----NSP
Naturalization Act-----Nat A
Neglect-----neg
Neglect of aged parent-----neg aged parent
Neglecting minor children-----neg minor chdn
Neglecting pregnant woman-----neg preg wom
Negligent collision-----neg collis

Night hunting-----nt hunt
No chauffeur's license-----no chauf lic
No driver's license-----no dr lic
No immigration visa-----no immi visa
No motorcycle license-----no mtrcyl lic
No visible means of support-----no vis means sup
Nonpayment-----nonpmt
Nonpayment of alimony-----nonpmt alimy
Nonpayment of wages-----nonpmt wages
Nonsupport-----nonsup
Nonsupport child-----nonsup child
Nonsupport wife-----nonsup wife
Not granting right of way-----not gr rt of way
Not sufficient funds-----NSF
Nuisance-----nuis
Number writer-----numb wrtr

Obligation-----oblig
Obscene literature-----obs lit
Obscene pictures-----obs pict
Obstruction of justice-----OOJ
Obtaining goods by false pretense-----OGFP
Obtaining money by false pretense-----OMFP
Occupying room for immoral purposes-----occ room imm pur
Operating badger game-----op badg game
Operating blind tiger-----op bl tiger
Operating Chinese lottery-----op Ch lott
Operating gambling game-----op gamb game
Operating house of ill repute-----OHIR
Operating lottery and slot machine-----op lott & sl mach
Operating motor vehicle after permit suspended-----OMV prmt susp
Operating motor vehicle while intoxicated-----OMVWI
Operating motor vehicle without license plates-----OMV w/o lic pl
Operating motor vehicle without owner's consent-----OMV w/o OC
Operating motor vehicle without permit-----OMV w/o prmt
Operating still-----op still
Operating vehicle under influence of liquor or
narcotic drugs-----OVUIL or narc
Operating vehicle while drunk-----OVWD
Opium resorts-----opium res
Ordinance-----ord

Pandering-----pand
Panhandling-----panh
Parading without a permit-----para w/o prmt
Parked vehicle on highway-----parked veh on hwy
Parole violator-----PV



CONTINUED

2 OF 4

Passing bad checks-----pass bad chks
Passing counterfeit currency-----pass ctft curr
Passing forged post office money orders-----pass forg PO MO
Passing raised money orders-----pass raised MO
Passing worthless checks-----pass wrthls chks
Peddler or peddling-----ped
Perjury-----perj
Pervert or perverted-----perv
Perverted practice-----perv prac
Petty larceny-----PL
Petty theft-----PT
Pickpocket-----PP
Pimping-----pimp
Pistol Law-----Pist L
Pointing gun at another-----point gun
Poisoning-----pois
Poisoning animals-----pois ani
Polygamy-----poly
Possession automobile with mutilated motor
 numbers-----poss auto with mut mtr nmbrs
Possession burglary tools-----poss burg tools
Possession counterfeit foreign securities-----poss ctft foreign sec
Possession counterfeit money-----poss ctft mon
Possession dangerous weapon-----poss DW
Possession deer meat-----poss deer meat
Possession drugs-----poss drugs
Possession intoxicating liquor-----poss intox liq
Possession lottery tickets-----poss lott tkts
Possession marijuana-----poss marij
Possession mash-----poss mash
Possession metal knuckles-----poss met knuckles
Possession morphine-----poss morph
Possession narcotics-----poss narc
Possession obscene literature-----poss obs lit
Possession of Implement of Crime-----PIC
Possession opium-----poss opium
Possession slot machines-----poss sl mach
Possession still-----poss still
Possession stolen goods-----poss SG
Possession stolen property-----poss stln prop
Possession unregistered revolver-----poss unreg revlvr
Postal Laws-----Post L
Presence in Illegal Establishment-----PIE
Presenting false claims-----pres fls cl
Probation-----prob
Probation Violator-----PBV
Procuring-----proc
Procuring females for house of ill fame-----proc fem for H of IF
Procuring person to commit arson-----proc to comm arson
Profanity-----prof
Prohibition-----proh

- P -

Prostitute or prostitution-----prost
Prowling-----prowl
Public Health Law-----PHL
Public intoxication-----pub intox
Public nuisance-----pub nuis
Purse snatching-----purse snatch

- Q -

Quarantine-----quar

- R -

Rape of minor-----rape mnr
Receiving-----rec
Receiving and concealing-----rec & conc
Receiving money from prostitute-----rec mon fr prost
Receiving post office money orders-----rec PO MO
Receiving stolen goods-----RSG
Receiving stolen property-----RSP
Reckless driving-----reck dr
Reconstruction Finance Corporation Act-----RFCA
Recording wagers-----recdg wgrs
Red Cross Act-----RCA
Registration Act-----RA
Removal or concealment of spirits contrary to law--rem or conc sprts
Removing identification on gun-----rem ident on gun
Renting lewd books-----rent lewd bks
Resisting an officer-----resist ofc
Resisting arrest-----resist arr
Rifling U. S. mails-----rif US mails
Rioting-----riot
Robbery-----rob
Robbery, armed-----rob armed
Robbery, unarmed-----rob unarmed
Robbing U. S. mails-----rob US mails

- S -

Sabotage-----sab
Safecracking-----safecrk
Sale indecent literature-----sale ind lit
Sale liquor-----sale liq
Sale mortgaged property-----sale mtgd prop
Sale narcotics-----sale narc
Sale of liquor to Indians-----sale liq to Ind
Sale securities without being registered-----sale sec w/o reg
Sedition-----sed

Seduction-----seduct
Seining fish, improper net-----sng fish impr net
Selective Service Act-----SSA
Selling adulterated food-----sell adlt food
Selling game illegally-----sell game illeg
Selling lottery tickets-----sell lott tkts
Selling marijuana-----sell marij
Selling morphine-----sell morph
Selling opium-----sell opium
Selling securities no license-----sell sec no lic
Selling unregistered revolver-----sell unreg revlvr
Sentence suspended-----SS
Servicemen's Dependents Allowance Act of 1942-----SDAA
Servicemen's Readjustment Act of 1944-----SRA
Setting spring gun-----set spring gun
Setting up lottery-----set up lott
Sexual perversion-----sex perv
Shooting-----sh
Shooting deer out of season-----sh deer out seas
Shooting to wound-----sh to wound
Shooting with intent to kill-----sh with int kill
Shoplifting-----shpftg
Shortchanging-----shortchg
Simple assault-----simp aslt
Simple larceny-----simp larc
Skipping bail-----skip bl
Slander or slanderous-----slan
Sleeping public place-----sleep pub pl
Smuggling-----smug
Sodomy-----sod
Solicitation of bribery-----sol of brby
Soliciting-----sol
Soliciting alms-----sol alms
Soliciting for immoral purpose-----sol imm purp
Soliciting to commit sodomy-----sol comm sod
Soliciting without license-----sol w/o lic
Speeding-----speed
Sports bribery-----SB
Stabbing-----stab
Stabbing with intent to kill-----stab with int kill
State Firearms Control Assistance Act-----SFCAA
State Narcotic Law-----SNL
State Poison Act-----St Pois A
State prohibition-----st proh
State Wage Law-----St Wage L
Statutory rape-----stat rape
Stealing-----steal
Stealing from common carrier-----steal fr comn carrier
Stealing, secreting or embezzling
mail matter-----steal secr or embz mail

- S -

Stolen property-----stln prop
Storebreaking-----store B
Storehouse breaking-----storehse B
Subornation-----suborn
Subversive activity-----subv activ
Sunday Law-----Sun L
Support-----sup
Suspicion-----susp
Suspicious person-----SP
Swindling over \$50-----sw over \$50
Swindling under \$50-----sw under \$50
Switchblade Knife Act-----SKA
Switching license plates-----swit lic pl

- T -

Tampering-----+amp
Tampering with auto-----tamp auto
Tampering with U. S. mail-----tamp US mail
Tariff Act-----TA
Theft-----T
Theft by bailee-----T by bail
Theft from interstate shipment-----TFIS
Theft from Interstate Shipment - Armed Hijacking-----TFIS - AH
Theft of Government property-----TGP
Theft over \$50-----T over \$50
Theft under \$50-----T under \$50
Threat or threatening-----thrt
Threat to kill-----thrt to kill
Threatened breach of the peace-----thrt B of P
Threats to extort-----thrt to ext
Trading with the Enemy Act-----TWEA
Traffic Act-----Traf A
Traffic Ordinance-----Traf Ord
Traffic signals (running signal light)-----traf sig
Train rider-----tr rider
Transporting-----transp
Transporting liquor-----transp liq
Transporting narcotics-----transp narc
Trespassing-----tresp
Trespassing on railroad property-----tresp on rr prop
Truancy-----tru

- U -

Unauthorized publication or use of communications-----UPUC
Uniform Firearms Act-----UFA
Uniform Narcotics Act-----UNA
U. S. Criminal Code or U. S. Criminal Court-----USCC
Unlawful assembling-----unl asm

Wandering-----wand
Welfare and Pension Plans Disclosure Act-----WPPDA
White Slave Traffic Act-----WSTA
Window peeping-----wind peep
Workmen's Compensation Act-----WCA
Worthless instrument-----wrthls inst
Wounding-----wound
Wrong license plates-----wrong lic pl

APPENDIX B

**STATES AND
TERRITORIAL POSSESSIONS**



STATES AND TERRITORIAL POSSESSIONS

Alabama	AL	Montana	MT
Alaska	AK		
Arizona	AZ	Nebraska	NB
Arkansas	AR	Nevada	NV
		New Hampshire	NH
California	CA	New Jersey	NJ
Colorado	CO	New Mexico	NM
Connecticut	CT	New York	NY
		North Carolina	NC
Delaware	DE	North Dakota	ND
District of Columbia	DC		
		Ohio	OH
Florida	FL	Oklahoma	OK
		Oregon	OR
Georgia	GA		
		Pennsylvania	PA
Hawaii	HI		
		Rhode Island	RI
Idaho	ID		
Illinois	IL	South Carolina	SC
Indiana	IN	South Dakota	SD
Iowa	IA		
		Tennessee	TN
Kansas	KS	Texas	TX
Kentucky	KY		
		* (See Note Below)	US
Louisiana	LA	Utah	UT
Maine	ME	Vermont	VT
Maryland	MD	Virginia	VA
Massachusetts	MA		
Michigan	MI	Washington	WA
Minnesota	MN	West Virginia	WV
Mississippi	MS	Wisconsin	WI
Missouri	MO	Wyoming	WY

American Samoa (Islands)	AM	Marshall Islands	MH
Canal Zone	CZ	Midway Islands	MW
Caroline Islands	CG	Puerto Rico	PR
Guam	GM	Virgin Islands of the	
		U.S.	VI
Marianas Islands	MK	Wake Island	WK

* Enter code US for Nationality of Native Americans when State of Birth unknown.

FOREIGN
COUNTRIES/DEPENDENCIES/TERRITORIES

Afghanistan	AF	Dahomey	DH
Africa	AC	Denmark	DK
Albania	AA	Dominica	DM
Algeria	AN	Dominican Republic	DR
Andorra	AD		
Angola	AO	East Germany	
Antarctica	AY	(Includes East Berlin)	EM
Antigua	AI	Ecuador	EU
Argentina	AT	Egypt	EY
Australia	AS	El Salvador	EL
Austria	AU	England	EN
		Equatorial Guinea	EK
Bahama Islands	BD	Estonia	ES
Bahrain/Bahrein Islands	BE	Ethiopia	EO
Barbados	BB		
Belgium	BG	Fiji Islands	FJ
Bermuda	BM	Finland	FD
Bhutan	BN	France	FN
Bolivia	BV		
Botswana	BT	Gabon	GB
Brazil	BZ	Gambia	GK
British Honduras	BH	Germany	
Brunei	BX	(Also see EM and WG)	GE
Bulgaria	BU	Ghana	GG
Burma	BR	Great Britain	
Burundi	BI	(See EN, SS, and WL)	
		Greece	GC
Cambodia	CJ	Greenland	GN
Cameroon	CM	Grenada	GJ
Canada*	CD	Guadeloupe	GP
Cape Verde	CV	Guatemala	GT
Cayman Islands	CP	Guinea	GI
Central African Republic	CW	Guiana/Guyana	GY
Ceylon	CY		
Chad	CF	Haiti	HT
Chile	CQ	Holland (See NE)	NE
China	CN	Honduras	HD
Colombia	CB	Hong Kong	HK
Congo (Brazzaville or Kinshasa)	CX	Hungary	HU
Costa Rica	CR		
Cuba	CC	Iceland	IC
Cyprus	CS	India	II
Czechoslovakia	CK	Indonesia	IO
		Iran	IR

* See separate list of Canadian Provinces.

FOREIGN COUNTRIES/DEPENDENCIES/TERRITORIES (continued)

Iraq	IQ	Nigeria	NG
Ireland	IE	Northern Ireland	NI
Israel	IS	Norway	NW
Italy			
(Includes Sicily)	IT	Pakistan	PK
Ivory Coast	IY	Panama	PM
		Paraguay	PV
Jamaica	JM	Peru	PU
Japan	JA	Philippines	PI
Jordan	JO	Pitcairn Island	PC
		Poland	PO
Kenya	KE	Portugal	PT
Korea	KR		
Kuwait	KU	Qatar	QA
Laos	LS	Reunion	RE
Latvia	LT	Rhodesia	RH
Lebanon	LN	Rumania (Romainia or Roumania)	RU
Lesotho	LE		
Liberia	LB	Russia (See USSR)	SX
Libya	LY	Rwanda	RW
Liechtenstein	LI		
Lithuania	LH	San Marino	SH
Luxembourg	LX	Saudi Arabia	SB
		Scotland	SS
Malagasy Republic		Senegal	SG
(Includes Madagascar)	MP	Seychelles	SE
Malawi	MF	Sierra Leone	SA
Malaysia	MZ	Sikkim	SK
Maldives	MV	Singapore	SR
Mali	ML	Somalia	SM
Malta	MY	South Africa	SF
Martinique	ZB	Southern Yemen	ST
Mauritania	MU	South-West Africa	SJ
Mexico**	MM	Soviet Union	SX
Monaco	MJ	Spain	SP
Mongolia	MG	Sudan	SU
Morocco	MQ	Surinam	ZC
		Svalbard	SV
Namibia (See SJ)	SJ	Swaziland	SW
Nauru	NR	Sweden	SO
Nepal	NP	Switzerland	SZ
Netherlands	NE	Syria	SY
Netherlands Antilles	NX		
New Caledonia	NQ	Tanzania	TZ
New Guinea	NO	Thailand	TH
New Zealand	NZ	Togo	TO
Nicaragua	NU	Tonga	TG
Niger	NN	Trinidad & Tobago	TT

**See separate list of Mexican States.

FOREIGN COUNTRIES/DEPENDENCIES/TERRITORIES (continued)

Trucial States	TC	Wales	WL
Tunisia	TU	West Germany	
Turkey	TY	(Includes 3 western sectors of Berlin)	WG
Uganda	UG	West Indies	WN
United Arab Republic	UA	Western Samoa	WS
United Kingdom (See EN, SS, WL and NI)		Yemen	YE
Upper Volta	UV	Yugoslavia	YG
Uruguay	UY		
USSR/Soviet Union	SX	(See Martinique)	ZB
		(See Surinam)	ZC
Venezuela	VZ	Zambia	ZM
Viet Nam	VM		
		All Others ***	YY

*** Any foreign countries not included in above abbreviation list are to be designated by code YY.

CANADIAN PROVINCES

Alberta	AB	Ontario	ON
British Columbia	BC	Prince Edward Island	PE
Manitoba	MB	Quebec	PO
New Brunswick	NK	Saskatchewan	SN
New Foundland (includes Labrador)	NF	Yukon (Territory)	YT
Nova Scotia	NS	Northwest Territories	NT

MEXICAN STATES

Border States

Baja California (Northern Section)	BA
Baja California Sur (Southern Section)	BJ
Chihuahua	CH
Coahuila	CU
Nuevo Leon	NL
Sonora	SO
Tamaulipas	TA

Other States

Aguascalientes	AG
Campeche	CE
Chiapas	CI
Colima	CL
Distrito Federal (Mexico, D. F.)	DF
Guanajuato	GU
Guerrero	GR
Hidalgo	HL
Jalisco	JL
Mexico (State)	MX
Michoacan	MC
Morelos	MR
Nayarit	NA
Oaxaca	OA
Puebla	PB
Queretaro	QU
Quintana Roo	QR
Tabasco	TB
Tlaxcala	TL
Yucatan	YU

Next Layer of States

Durango	DO
San Luis Potosi	SL
Sinaloa	SI
Veracruz	VC
Zacatecas	ZA



APPENDIX C

**SCARS, MARKS, TATOOS
AND AMPUTATION CODES**



Artificial (ART) Body Parts and Aids

<u>Item/Location</u>	<u>Code</u>
Arm, left, artificial	ART L ARM
Arm, right, artificial	ART R ARM
Contact lenses	CON LENSES
Denture, lower	DENT LOW
Denture, upper	DENT UP
Denture, upper and lower	DENT UP LO
Eye, left, artificial	ART L EYE
Eye, right, artificial	ART R EYE
Foot, left, artificial	ART L FT
Foot, right, artificial	ART R FT
Glasses (prescription)	GLASSES
Hand, left, artificial	ART L HND
Hand, right, artificial	ART R HND
Hearing aid	HEAR AID
Leg, left, artificial	ART L LEG
Leg, right, artificial	ART R LEG

Blindness (BLND)

Cataract, left eye	CATA L EYE
Cataract, right eye	CATA R EYE
Eye, left	BLND L EYE
Eye, right	BLND R EYE
Eye, left and right	BLIND

Deafness

Deaf, left ear	DEAF L EAR
Deaf, right ear	DEAF R EAR
Deaf, left and right ears	DEAF
Deaf-mute	DEAF MUTE

Deformities

Cataract, left eye	CATA L EYE
Cataract, right eye	CATA R EYE
Cauliflower ear, left	CAUL L EAR
Cauliflower ear, right	CAUL R EAR
Crippled arm, left	CRIP L ARM
Crippled arm, right	CRIP R ARM
Crippled finger(s), left hand*	CRIP L FGR
Crippled finger(s), right hand*	CRIP R FGR

*Includes webbed fingers

Deformities (Continued)

<u>Item/Location</u>	<u>Code</u>
Crippled foot, left*	CRIP L FT
Crippled foot, right*	CRIP R FT
Crippled hand, left	CRIP L HND
Crippled hand, right	CRIP R HND
Crippled leg, left	CRIP L LEG
Crippled leg, right	CRIP R LEG
Cross-eyed	CROSSEYED
Deaf-mute	DEAF MUTE
Extra finger(s), left hand	EXTR L FGR
Extra finger(s), right hand	EXTR R FGR
Harelip	HARELIP
Humpbacked	HUMPBACKED
Mute**	MUTE
Shorter left leg	SHRT L LEG
Shorter right leg	SHRT R LEG

Missing (MISS) Body Parts

Arm, left	MISS L ARM
Arm, right	MISS R ARM
Arm, lower left	MISS LLARM
Arm, lower right	MISS LRARM
Ear, left	MISS L EAR
Ear, right	MISS R EAR
Eye, left	MISS L EYE
Eye, right	MISS R EYE

*Includes clubfoot.

**To be used if person is mute but not deaf.

Missing (MISS) Body Parts (Continued)

<u>Item/Location</u>	<u>Code</u>
Finger(s), left hand	MISS L FGR
Finger(s), right hand	MISS R FGR
Finger joint(s), left hand	MISS L FJT
Finger joint(s), right hand	MISS R FJT
Foot, left	MISS L FT
Foot, right	MISS R FT
Hand, left	MISS L HND
Hand, right	MISS R HND
Leg, left	MISS L LEG
Leg, right	MISS R LEG
Leg, lower left	MISS LLLEG
Leg, lower right	MISS LRLEG
Nose	MISS NOSE
Toe(s), left foot	MISS L TOE
Toe(s), right foot	MISS R TOE

Moles (MOLE)

Arm, left	MOLE L ARM
Arm, right	MOLE R ARM
Cheek (face), left	MOLE L CHK
Cheek (face), right	MOLE R CHK
Chin	MOLE CHIN
Ear, left	MOLE L EAR
Ear, right	MOLE R EAR
Eyebrow, left/left eye area	MOLE L EYE
Eyebrow, right/right eye area	MOLE R EYE
Finger(s), left hand	MOLE L FGR
Finger(s), right hand	MOLE R FGR

Moles (MOLE) (Continued)

<u>Item/Location</u>	<u>Code</u>
Forehead	MOLE FHD
Hand, left	MOLE L HND
Hand, right	MOLE R HND
Lip, lower	MOLE L LIP
Lip, upper	MOLE U LIP
Neck	MOLE NECK
Nose	MOLE NOSE
Wrist, left	MOLE L WRS
Wrist, right	MOLE R WRS

Needle ("Track") Marks (NM)

Arm, left	NM L ARM
Arm, right	NM R ARM
Finger(s), left hand	NM L FGR
Finger(s), right hand	NM R FGR
Hand, left	NM L HND
Hand, right	NM R HND
Leg, left	NM L LEG
Leg, right	NM R LEG
Wrist, left	NM L WRIST
Wrist, right	NM R WRIST

Other Physical Characteristics

Cleft chin	CLEFT CHIN
Freckles	FRECKLES

Scars (SC)

Abdomen	SC ABDOM
Ankle, left	SC L ANKL
Ankle, right	SC R ANKL

Scars (SC) (Continued)

<u>Item/Location</u>	<u>Code</u>
Arm, left (nonspecific)	SC L ARM
Arm, right (nonspecific)	SC R ARM
(Be more specific regarding location if possible.)	
Arm, left upper	SC UL ARM
Arm, right upper	SC UR ARM
Back	SC BACK
Breast	SC BREAST
Buttocks	SC BUTTK
Calf, left	SC L CALF
Calf, right	SC R CALF
Cheek (face), left	SC L CHK
Cheek (face), right	SC R CHK
Chest	SC CHEST
Chin	SC CHIN
Ear, left	SC L EAR
Ear, right	SC R EAR
Elbow, left	SC L ELB
Elbow, right	SC R ELB
Eyebrow, left/left eye area	SC L EYE
Eyebrow, right/right eye area	SC R EYE
Face (nonspecific)	SC FACE
(Be more specific regarding location if possible.)	
Finger(s), left hand	SC L FGR
Finger(s), right hand	SC R FGR
Foot, left	SC L FT
Foot, right	SC R FT

Scars (SC) (Continued)

<u>Item/Location</u>	<u>Code</u>
Forearm, left	SC LF ARM
Forearm, right	SC RF ARM
Forehead	SC FHD
Hand, left	SC L HND
Hand, right	SC R HND
Head (nonspecific) (Be more specific regarding location if possible.)	SC HEAD
Knee, left	SC L KNEE
Knee, right	SC R KNEE
Leg, left (nonspecific)	SC L LEG
Leg, right (nonspecific) (Be more specific regarding location if possible.)	SC R LEG
Lip, lower	SC LOW LIP
Lip, upper	SC UP LIP
Neck	SC NECK
Nose	SC NOSE
Pockmarks	POCKMARKS
Shoulder, left	SC L SHLD
Shoulder, right	SC R SHLD
Thigh, left	SC L THGH
Thigh, right	SC R THGH
Wrist, left	SC L WRIST
Wrist, right	SC R WRIST

Skin Discolorations (including birthmarks) (DISC)

<u>Item/Location</u>	<u>Code</u>
Abdomen	DISC ABDOM
Ankle, left	DISC L ANK
Ankle, right	DISC R ANK
Arm, left	DISC L ARM
Arm, right	DISC R ARM
Back	DISC BACK
Cheek (face), left	DISC L CHK
Cheek (face), right	DISC R CHK
Chin	DISC CHIN
Ear, left	DISC L EAR
Ear, right	DISC R EAR
Eyebrow, left/left eye area	DISC L EYE
Eyebrow, right/right eye area	DISC R EYE
Finger(s), left hand	DISC L FGR
Finger(s), right hand	DISC R FGR
Foot, left	DISC L FT
Foot, right	DISC R FT
Forehead	DISC FHD
Freckles	FRECKLES
Hand, left	DISC L HND
Hand, right	DISC R HND
Leg, left	DISC L LEG
Leg, right	DISC R LEG
Lip, lower	DISC L LIP
Lip, upper	DISC U LIP
Neck	DISC NECK
Nose	DISC NOSE
Wrist, left	DISC L WRS
Wrist, right	DISC R WRS

Tattoos (TAT)

<u>Item/Location</u>	<u>Code</u>
Abdomen	TAT ABDOM
Ankle, left	TAT L ANKL
Ankle, right	TAT R ANKL
Arm, left (nonspecific)	TAT L ARM
Arm, right (nonspecific)	TAT R ARM
(Be more specific regarding location if possible.)	
Arm, left upper	TAT UL ARM
Arm, right upper	TAT UR ARM
Back	TAT BACK
Breast	TAT BREAST
Buttocks	TAT BUTTK
Calf, left	TAT L CALF
Calf, right	TAT R CALF
Cheek (face), left	TAT L CHK
Cheek (face), right	TAT R CHK
Chest	TAT CHEST
Chin	TAT CHIN
Ear, left	TAT L EAR
Ear, right	TAT R EAR
Face (nonspecific)	TAT FACE
(Be more specific regarding location if possible.)	
Finger(s), left hand	TAT L FGR
Finger(s), right hand	TAT R FGR
Forearm, left	TAT LF ARM
Forearm, right	TAT RF ARM

Tattoos (TAT) (Continued)

<u>Item/Location</u>	<u>Code</u>
Forehead	TAT FHD
Hand, left	TAT L HND
Hand, right	TAT R HND
Head (nonspecific) (Be more specific regarding location if possible.)	TAT HEAD
Knee, left	TAT L KNEE
Knee, right	TAT R KNEE
Leg, left (nonspecific)	TAT L LEG
Leg, right (nonspecific) (Be more specific regarding location if possible.)	TAT R LEG
Neck	TAT NECK
Nose	TAT NOSE
Shoulder, left	TAT L SHLD
Shoulder, right	TAT R SHLD
Thigh, left	TAT L THGH
Thigh, right	TAT R THGH
Wrist, left	TAT L WRS
Wrist, right	TAT R WRS

ATTACHMENT

COMPLEXION

SKIN TONE

CODE

Albino
Black
Dark
Dark Brown
Fair
Light
Light Brown
Medium
Medium Brown
Olive
Ruddy
Sallow
Yellow

ALB
BLK
DRK
DBR
FAR
LGT
LBR
MED
MBR
OLV
RUD
SAL
YEL

APPENDIX D

**NCIC UNIFORM
OFFENSE CLASSIFICATIONS**



NATIONAL CRIME INFORMATION CENTER
UNIFORM OFFENSE CLASSIFICATIONS

SOVEREIGNTY

Treason-	0101
Treason Misprison-	0102
Espionage-	0103
Sabotage-	0104
Sedition-	0105
Selective Service-	0106
(free text)	0199

MILITARY

Desertion-	0201
(free text)	0299

IMMIGRATION

Illegal Entry-	0301
False Citizenship-	0302
Smuggling Aliens-	0303
(free text)	0399

HOMICIDE

Homicide-Wilful Kill-Family-Gun-	0901
Homicide-Wilful Kill-Family-(identify weapon)	0902
Homicide-Wilful Kill-Nonfamily-Gun-	0903
Homicide-Wilful Kill-Nonfamily-(identify weapon)	0904
Homicide-Wilful Kill-Pub Off-Gun-	0905
Homicide-Wilful Kill-Pub Off-(identify weapon)	0906
Homicide-Wilful Kill-Pol Off-Gun	0907
Homicide-Wilful Kill-Pol Off-(identify weapon)	0908
Homicide-Neglig Mansl-Veh-	0909
Homicide-Neglig Mansl-(identify weapon)	0910
Homicide-Wilful Kill-Gun-	0911
Homicide-Wilful Kill-(identify weapon)	0912
Homicide-(free text)	0999

KIDNAPPING

Kidnap Minor For Ransom-	1001
Kidnap Adult For Ransom-	1002
Kidnap Minor To Sexually Asslt-	1003
Kidnap Adult To Sexually Asslt-	1004
Kidnap Minor-	1005
Kidnap Adult-	1006
Kidnap Hostage For Escape-	1007
Abduct-No Ransom Or Asslt-	1008
Kidnap-Hijack Aircraft-	1009
Kidnap-(free text)	1099

SEXUAL ASSAULT

Rape-Gun-	1101
Rape With-(identify weapon)	1102
Rape-Strongarm-	1103
Sex Asslt-Sodomy-Boy-Gun-	1104
Sex Asslt-Sodomy-Man-Gun-	1105
Sex Asslt-Sodomy-Girl-Gun-	1106
Sex Asslt-Sodomy-Woman-Gun-	1107
Sex Asslt-Sodomy-Boy-(identify weapon)	1108
Sex Asslt-Sodomy-Man-(identify weapon)	1109
Sex Asslt-Sodomy-Girl-(identify weapon)	1110
Sex Asslt-Sodomy-Woman-(identify weapon)	1111
Sex Asslt-Sodomy-Boy-Stgarm-	1112
Sex Asslt-Sodomy-Man-Stgarm-	1113
Sex Asslt-Sodomy-Girl-Stgarm-	1114
Sex Asslt-Sodomy-Woman-Stgarm-	1115
Stat Rape-No Force-	1116
Sex Asslt-Carnal Abuse-	1117
Sex Asslt-(free text)	1199

ROBBERY

Robbery-Business-Gun-	1201
Robbery-Business-(identify weapon)	1202
Robbery-Business-Stgarm-	1203
Robbery-Street-Gun-	1204
Robbery-Street-(identify weapon)	1205
Robbery-Street-Stgarm-	1206
Robbery-Resid-Gun-	1207
Robbery-Resid-(identify weapon)	1208
Robbery-Resid-Stgarm-	1209
Forcible Purse Snatching-	1210
Robbery-Banking-Type Inst-	1211
Robbery-(free text)	1299

ASSAULT

Aggrav Asslt-Family-Gun-	1301
Aggrav Asslt-Family-(identify weapon)	1302
Aggrav Asslt-Family-Stgarm-	1303
Aggrav Asslt-Nonfamily-Gun-	1304
Aggrav Asslt-Nonfamily-(identify weapon)	1305
Aggrav Asslt-Nonfamily-Stgarm-	1306
Aggrav Asslt-Pub Off-Gun-	1307
Aggrav Asslt-Pub Off-(identify weapon)	1308
Aggrav Asslt-Pub Off-Stgarm-	1309
Aggrav Asslt-Pol Off-Gun	1310
Aggrav Asslt-Pol Off-(identify weapon)	1311
Aggrav Asslt-Pol Off-Stgarm-	1312
Simple Asslt-	1313
Aggrav Asslt-Gun-	1314
Aggrav Asslt-(identify weapon)	1315
Intimidation-	1316
Asslt-(free text)	1399

ABORTION

Abortional Act On Other-_____	1401
Abortional Act On Self-_____	1402
Submission To Abortional Act-_____	1403
Abortifacient-(selling, mfg., delivering, etc.)_____	1404
Abortion-(free text)_____	1499

ARSON

Arson-Business-Endangered Life-_____	2001
Arson-Resid-Endangered Life-_____	2002
Arson-Business-Defraud Insurer-_____	2003
Arson-Resid-Defraud Insurer-_____	2004
Arson-Business-_____	2005
Arson-Resid-_____	2006
Burning Of-_____	2007
Arson-Pub-Bldg-Endangered Life-_____	2008
Arson-Pub Bldg.-_____	2009
Arson-(free text)_____	2099

EXTORTION

Extort-Threat Injure Person-_____	2101
Extort-Threat Damage Prop-_____	2102
Extort-Threat Injure Reputation-_____	2103
Extort-Threat Accuse Person of Crime-_____	2104
Extort-Threat Of Informing OF Vio-_____	2105
Extort-(free text)_____	2199

BURGLARY

Burgl-Safe-Vault-_____	2201
Burgl-Forced Entry-Resid-_____	2202
Burgl-Forced Entry-Nonresid-_____	2203
Burgl-No Forced Entry-Resid-_____	2204
Burgl-No Forced Entry-Nonresid-_____	2205
Burgl Tools-Possess-_____	2206
Burgl-Banking-Type Inst-_____	2207
Burgl-(free text)_____	2299

LARCENY

Pocketpicking-_____	2301
Purse Snatching-No Force-_____	2302
Shoplifting-_____	2303
Larc-Parts From Veh-_____	2304
Larc-From Auto-_____	2305
Larc-From Shipment-_____	2306
Larc-From Coin Machine-_____	2307
Larc-From Bldg-_____	2308
Larc-From Yards-_____	2309

LARCENY (continued)

Larc-From Mails-_____	2310
Larc-From Banking-Type Inst-_____	2311
Larc-From Interstate Shipment-_____	2312
Obstruct Correspondence-(postal violation)_____	2313
Theft Of US Govt Prop-_____	2314
Larc On US Govt Reserv-_____	2315
Larc-Postal-_____	2316
Larc-(free text)_____	2399

STOLEN VEHICLE (theft, sale, receipt, etc.)

Theft And Sale Veh-_____	2401
Theft And Strip Veh-_____	2402
Theft And Use Veh Other Crime-_____	2403
Veh Theft-_____	2404
Theft Veh By Bailee-_____	2405
Receiv Stolen Veh-_____	2406
Strip Stolen Veh-_____	2407
Possess Stolen Veh-_____	2408
Interstate Transp Stolen Veh-_____	2409
Aircraft Theft-_____	2410
Unauth Use Of Veh-(includes joy-riding)_____	2411
Stolen Vehicle-(free text)_____	2499

FORGERY (COUNTERFEITING)

Forgery Of Checks-_____	2501
Forgery Of-(identify object)_____	2502
Counterfeiting Of-(identify object)_____	2503
Pass Forged-(use "pass" for "utter" and/or "distribute")-(identify object)_____	2504
Pass Counterfeited-(use "pass" for "utter" and/or "distribute")-(identify object)_____	2505
Possess Forged-(identify object)_____	2506
Possess Counterfeited-(identify object)_____	2507
Possess Tools For-("forgery" or "counterfeiting")_____	2508
Transport Forged-(identify object)_____	2509
Transport Counterfeited-(identify object)_____	2510
Transport Tools For-("forgery" or "counterfeiting")_____	2511
Forgery-(free text)_____	2589
Counterfeiting-(free text)_____	2599

FRAUDULENT ACTIVITIES

Fraud-Confidence Game-_____	2601
Fraud-Swindle-_____	2602
Mail Fraud-_____	2603
Fraud-Imperson-_____	2604
Fraud-Illeg Use Credit Cards-_____	2605
Fraud-Insuff Funds Check-_____	2606
Fraud-False Statement-_____	2607
Fraud By Wire-_____	2608
Fraud-(free text)_____	2699

EMBEZZLEMENT

Embezzel-Business Prop-_____	2701
Embezzle-Interstate Shipment-_____	2702
Embezzle-Banking-Type Inst-_____	2703
Embezzle-Public Prop-(U.S., state, city prop.)_____	2704
Embezzle-Postal-_____	2705
Embezzle-(free text)_____	2799

STOLEN PROPERTY

Sale Of Stolen Prop-_____	2801
Transport Interstate Stolen Prop-_____	2802
Receiv Stolen Prop-_____	2803
Possess Stolen Prop-_____	2804
Conceal Stolen Prop-_____	2805
Stolen Prop-(free text)_____	2899

DAMAGE PROPERTY

Damage Prop-Business-_____	2901
Damage Prop-Private-_____	2902
Damage Prop-Public-_____	2903
Damage Prop-Business-With Explosive_____	2904
Damage Prop-Private With Explosive-_____	2905
Damage Prop-Public-With Explosive-_____	2906
Damage Prop-(free text)_____	2999

DANGEROUS DRUGS

*Hallucinogen-Mfr-_____	3501
*Hallucinogen-Distrib-_____	3502
*Hallucinogen-Sell-_____	3503
*Hallucinogen-Possess-_____	3504
*Hallucinogen-(free text)_____	3505

*-Not to include marijuana

Heroin-Sell-_____	3510
Heroin-Smuggl-_____	3511
Heroin-Possess-_____	3512
Heroin-(free text)_____	3513
Opium Or Deriv-Sell_____	3520
Opium Or Deriv-Smuggl-_____	3521
Opium Or Deriv-Possess-_____	3522
Opium Or Deriv-(free text)_____	3523
Cocaine-Sell-_____	3530
Cocaine-Smuggl-_____	3531
Cocaine-Possess-_____	3532
Cocaine-(free text)_____	3533
Synth Narcotic-Sell-_____	3540
Synth Narcotic-Smuggl-_____	3541
Synth Narcotic-Possess-_____	3542
Synth Narcotic-(free text)_____	3543

DANGEROUS DRUGS (continued)

Narcotic Equip-Possess-_____	3550
Marijuana-Sell-_____	3560
Marijuana-Smuggl-_____	3561
Marijuana-Possess-_____	3562
Marijuana-Producing-_____	3563
Marijuana-(free text)_____	3564
Amphetamine-Mfr-_____	3570
Amphetamine-Sell-_____	3571
Amphet' ine-Possess_____	3572
Amphetamine-(free text)_____	3573
Barbiturate-Mfr-_____	3580
Barbiturate-Sell-_____	3581
Barbiturate-Possess-_____	3582
Barbiturate-(free text)_____	3583
Dangerous Drugs-(free text)_____	3599

SEX OFFENSES (Not involving sexual assault or
commercialized sex)

Sex Offense-Against Child-Fondling-_____	3601
Homosexual Act With Girl-_____	3602
Homosexual Act With Boy-_____	3603
Incest With Minor-_____	3604
Indecent Exposure-_____	3605
Bestiality-_____	3606
Incest With Adult-_____	3607
Seduction Of Adult-_____	3708
Homosexual Act With Woman-_____	3509
Homosexual Act With Man-_____	3610
Peeping Tom-_____	3611
Sex Offense-(free text)_____	3699

OBSCENITY

Obscene Material-Mfr-_____	3701
Obscene Material-Sell-_____	3702
Obscene Material-Mailing-_____	3703
Obscene Material-Possess-_____	3704
Obscene Material-Distrib-_____	3705
Obscene Material-Transport-_____	3706
Obscene Communication-_____	3707
Obscenity-(free text)_____	3799

FAMILY OFFENSES

Neglect Family-_____	3801
Cruelty Toward Child-_____	3802
Cruelty Toward Wife-_____	3803
Bigamy-_____	3804
Contrib Delinq Minor_____	3805
Neglect Child-_____	3806

FAMILY OFFENSES (continued)

Nonpayment Of Alimony-_____	3807
Nonsupport Of Parent-_____	3808
Family Offense-(free text)_____	3899

GAMBLING

Bookmaking-_____	3901
Card Game-Operating-_____	3902
Card Game-Playing-_____	3903
Card Game-_____	3904
Dice Game-Operating-_____	3905
Dice Game-Playing-_____	3906
Dice Game-_____	3907
Gambling Device-Possess-_____	3908
Gambling Device-Transport-_____	3909
Gambling Device-Not Registered-_____	3910
Gambling Device-_____	3911
Gambling Goods-Possess-_____	3912
Gambling Goods-Transport-_____	3913
Gambling Goods-_____	3914
Lottery-Operating-_____	3915
Lottery-Runner-_____	3916
Lottery-Playing-_____	3917
Lottery-_____	3918
Sports Tampering-_____	3919
Transmit Wager Information-_____	3920
Establish Gambling Place-_____	3921
Gambling-(free text)_____	3922

COMMERCIALIZED SEXUAL OFFENSES

Keeping House Ill Fame-_____	4001
Procure For Prostitute-(pimping)_____	4002
Commercial Sex-Homosexual Prostitution-_____	4003
Prostitution-_____	4004
Frequent House Ill Fame-_____	4005
Trnsp Female Interstate For Immoral Purp-_____	4006
Commercial Sex-(free text)_____	4099

LIQUOR (Not to include tax and revenue matters or driving
under the influence of liquor)

Liquor-Mfr-_____	4101
Liquor-Sell-_____	4102
Liquor Transport-_____	4103
Liquor-Possess-_____	4104
Misrepresenting Age-Minor-_____	4105
Liquor-(free text)_____	4199

DRUNKENNESS

Drunkenness-(free text)_____	4299
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OBSTRUCTING THE POLICE

Resisting Officer-_____	4801
Obstruct Criminal Invest-_____	4802
Making False Report-_____	4803
Evidence-Destroying-_____	4804
Witness-Dissuading-_____	4805
Witness-Deceiving-_____	4806
Refusing To Aid Officer-_____	4807
Compounding Crime-_____	4808
Unauth Communication With Prisoner-_____	4809
Illegal Arrest-_____	4810
Crossing Police Lines-_____	4811
Failure Report Crime-_____	4812
Failing To Move On-_____	4813
Obstruct Police-(free text)_____	4899

FLIGHT-ESCAPE

Escape-(identify type institution)_____	4901
Flight To Avoid-(prosecution, confinement, etc.)_____	4902
Aiding Prisoner Escape-(identify type institution)_____	4903
Harboring-(escapee or fugitive)_____	4904
Flight-Escape-(free text)_____	4999

OBSTRUCTING JUDICIARY, CONGRESS,
LEGISLATURE, OR A COMMISSION

Bail-Secured Bond-_____	5001
Bail-Personal Recog-_____	5002
Perjury-_____	5003
Perjury-Subornation Of-_____	5004
Contemp Of Court-_____	5005
Obstructing Justice-_____	5006
Obstructing Court Order-_____	5007
Misconduct-Judic Officer-_____	5008
Contempt Of Congress-_____	5009
Contempt Of Legislature-_____	5010
Parole Violation-_____	5011
Prob Violation-_____	5012
Condit Release Violation-_____	5013
Mandatory Release Violation-_____	5014
Failure To Appear-_____	5015
Obstruct-(specify Judic, Congr, Legis, Commsn) (free text)_____	5099

BRIBERY

Bribe-Giving-_____	5101
Bribe-Offering-_____	5102
Bribe-Receiving-_____	5103
Bribe-(free text)_____	5104
Conflict Of Interest-_____	5105
Gratuity-Giving-_____	5106

BRIBERY (continued)

Gratuity-Offering-	5107
Gratuity-Receiving-	5108
Gratuity-(free text)	5109
Kickback-Giving-	5110
Kickback-Offering-	5111
Kickback-Receiving-	5112
Kickback-(free text)	5113
Bribery-(free text)	5199

WEAPON OFFENSES

Altering Identification On-(specify wpn)	5201
Carrying Concealed-(specify weapon)	5202
Carrying Prohibited-(specify weapon)	5203
Explosives-Teaching Use-(specify)	5204
Explosives-Transporting-(specify)	5205
Explosives-Using-(specify)	5206
Incendiary Device-Possess(specify)	5207
Incendiary Device-Using-(specify)	5208
Incendiary Device-Teaching Use-(specify)	5209
(Do not use if ARSON)	
Licensing-Registration-(specify wpn)	5210
Explosives-Possessing-(specify)	5211
Possession Of-(specify)	5212
Firing-(specify weapon)	5213
Selling-(specify weapon)	5214
Threat To Bomb-(specify)	5215
Weapon Offense-(free text)	5299

PUBLIC PEACE

Anarchism-	5301
Riot-Inciting-	5302
Riot-Engaging In-	5303
Riot-Interfere Firemen-	5304
Riot-Interfere Officer-	5305
Riot-(free text)	5306
Assembly-Unlawful-	5307
False Fire Alarm-	5308
Harassing Communication-	5309
Desecrating Flag-	5310
Discord Conduct-(specify conduct)	5311
Disturb Peace-(specify conduct)	5312
Curfew-	5313
Loitering-	5314
Public Peace-(free text)	5399

TRAFFIC OFFENSE

Hit And Run-_____	5401
Transp Dangerous Material-_____	5402
Driving Under Influence Drugs-_____	5403
Driving Under Influence Liquor-_____	5404
Moving Traffic Viol-_____	5405
Nonmoving Traffic Viol-_____	5406
Traffic Offense-(free text)_____	5499

HEALTH-SAFETY

Drugs-Adulterated-_____	5501
Drugs-Misbranded-_____	5502
Drugs-(free text)_____	5503
Food-Adulterated-_____	5504
Food-Misbranded-_____	5511
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INVASION OF PRIVACY

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SMUGGLING

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Election Laws-(free text to further describe)_____	5999
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Antitrust-(free text
to further describe) 6099

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further describe) 6199

CONSERVATION

Conservation-Animals-
(describe offense further) 6201
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offense further) 6202
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(describe offense further) 6203
Conservation-License-Stamp-
(describe offense) 6204
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(describe offense) 6205
Conservation-(free text) 6299

VAGRANCY

Vagrancy-(free text to
describe further) 6399

CRIMES AGAINST PERSON
(free text) 7099

PROPERTY CRIMES-
(free text) 7199

MORALS-DECENCY CRIMES-
(free text) 7299

PUBLIC ORDER CRIMES
(free text) 7399

STATE CRIMES

SOVEREIGNTY

0101 TREASON-_____

Levying war against the United States, adhering to enemies of the United States, or giving aid and comfort to enemies of the United States by a person owing allegiance to the United States.

0102 TREASON MISPRISION-_____

Concealing and not disclosing, as required by law, knowledge of the commission of an act of treason, by a person owing allegiance to the United States.

0103 ESPIONAGE-_____

Obtaining information with intent or reason to believe information obtained is to be used to the injury of the United States or to the advantage of any foreign nation or communicating or attempting to communicate to any foreign government or agent thereof any document or information relating to national defense with intent or reason to believe it is to be used to the injury of the United States or to the advantage of a foreign nation and as otherwise defined in Sections 783, 792, 793, 794, 795, 796, 797, 798, Title 18, United States Code.

0104 SABOTAGE-_____

Willful obstruction, impairment, or damaging to the nation's national defense or war work as more specifically defined in Sections 2151 through 2156, Title 18, United States Code, and Section 797, Title 50, United States Code. Damage to property not covered by the above statutes should be classified as DAMAGE PROP-etc., as appropriate (see 2900-2999).

0105 SEDITION-_____

The advising, counseling, urging, or causing of insubordination, disloyalty, mutiny or refusal of duty by a United States armed forces member or the distributing or attempting to distribute written or printed matter advising, counseling or urging insubordination, disloyalty, mutiny or refusal of duty by a United States armed forces member or as more specifically prohibited by Section 2387 or 2388, Title 18, United States Code.

0106 SELECTIVE SERVICE-_____

Any criminal violation of the Selective Service Act of 1948 as amended and extended.

0199 (free text) _____

Describe in free text within the space limits of the field an offense which may threaten continual existence of the Federal Government and is not one of the offenses defined above under the heading SOVEREIGNTY.

The underscored blank spaces following the words in each of the SOVEREIGNTY offenses listed above may be used to further describe the offense.

MILITARY

0201 DESERTION-_____

An individual declared by the Department of the Army, Air Force, or Navy (includes Marine Corps) or by the United States Coast Guard to have deserted shall be treated as having committed the offense of DESERTION.

0299 (free text) _____

Describe in free text within the space limits of the field an offense which is unique to the Uniform Code of Military Justice and is not DESERTION.

If the offense can be classified in accordance with one of the other offenses listed in the Uniform Offense Classifications, i.e. the offense is not unique to the Uniform Code of Military Justice, the offense should not be described as a free text "MILITARY" offense but should be classified in accordance with one of the other Uniform Offense Classifications.

For example, offenses such as simple assault of a person or robbery of a business at gunpoint are not uniquely "MILITARY" even though the charge may be made against a person on military duty; so, the offense would be recognized for coding purposes as SIMPLE ASSLT-(1313) or ROBBERY-BUSINESS-GUN-(1201). However, MISBEHAVIOR BEFORE ENEMY would be written in free text and assigned the numeric code 0299.

IMMIGRATION

0301 ILLEGAL ENTRY-_____

Entry (or re-entry) of a person into the United States in violation of statutes of the United States.

0302 FALSE CITIZENSHIP-_____

Falsely and willfully representing oneself as being a citizen of the United States or knowingly making a false statement under oath relative to naturalization or citizenship.

0303 SMUGGLING ALIENS-_____

Unlawful bringing of aliens into the United States or harboring or transporting of aliens within the United States.

0399 (free text) _____

Describe in free text within the space limits of the field an offense which relates uniquely to immigration matters and is not an illegal entry (or re-entry), falsely claiming or willfully misrepresenting citizenship, or smuggling of aliens offense.

CRIMES AGAINST PERSON

HOMICIDE

The killing of another person.

Include wilful killings (including murder and nonnegligent manslaughter), negligent (not wilful) manslaughter where the victim was negligently struck and killed by a motor vehicle, and negligent manslaughter where the circumstances did not involve a motor vehicle. Culpable negligence is imputed if the victim died as a result of a normally legal, but negligent, act.

As a general rule, any death due to a fight, argument, quarrel, assault, or commission of a crime will be shown as a wilful killing.

0900 HOMICIDE-(free text) _____

When converting a homicide arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific homicide classifications, this classification should be selected. The available space following "HOMICIDE-" will be used to write in terms previously used to describe the offense, e.g. MURDER 1ST DEGREE, or VOLUNTARY MANSLAUGHTER.

0901 HOMICIDE-WILFUL KILL-FAMILY-GUN- _____

Use to describe offense when wilful killing of a member of defendant's family with a gun is charged. Available space following "GUN-" may be used to further describe the offense.

0902 HOMICIDE-WILFUL KILL-FAMILY-(identify weapon)

Use to describe offense when wilful killing of a member of defendant's family is charged. Available space following "FAMILY-" is to be used to identify the kind of weapon used, e.g. KNIFE, FISTS, or FEET and to further describe the offense.

0903 HOMICIDE-WILFUL KILL-NONFAMILY-GUN- _____

Use to describe offense when wilful killing of a person not a member of defendant's family (and not a police officer or public official) with a gun is charged. Available space following "GUN-" may be used to further describe the offense.

0904 HOMICIDE-WILFUL KILL-NONFAMILY-(identify weapon)

Use to describe offense when wilful killing of a person not a member of defendant's family (and not a police officer or public official) is charged. Available space following "NONFAMILY-" is to be used to identify the type of weapon used, e.g. KNIFE, FISTS, or FEET, and to further describe the offense.

0905 HOMICIDE-WILFUL KILL-PUB OFF-GUN- _____

Use to describe offense when wilful killing of a public official with a gun is charged. Available space following "GUN-" may be used to further describe the offense.

0906 HOMICIDE-WILFUL KILL-PUB OFF-(identify weapon)

Use to describe offense when wilful killing of a public official is charged. Available space following "PUB OFF-" is to be used to identify the type of weapon used, e.g. KNIFE, FISTS or FEET, and to further describe the offense.

0907 HOMICIDE-WILFUL KILL-POL OFF-GUN- _____

Use to describe offense when wilful killing of a police officer with a gun is charged. Available space following "GUN-" is to be used to further describe the offense.

0908 HOMICIDE-WILFUL KILL-POL OFF-(identify weapon)

Use to describe offense when wilful killing of a police officer is charged. Available space following "POL OFF-" is to be used to identify the type of weapon used, e.g. KNIFE, FISTS or FEET, and to further describe the offense.

0909 HOMICIDE-NEGLIG MANSL-VEH-_____

Use to describe offense when negligent (not wilful) manslaughter is charged as a result of the victim having been negligently struck and killed by a motor vehicle. Available space following "VEH-" may be used to further describe the offense.

0910 HOMICIDE-NEGLIG MANSL-(identify weapon)_____

Use to describe offense when negligent (not wilful) manslaughter is charged and death was not the result of the victim having been negligently struck and killed by a motor vehicle. Available space following "MANSL-" is to be used to identify the type of weapon which caused death, e.g., KNIFE, GUN, or ROPE, and to further describe the offense.

0911 HOMICIDE-WILFUL KILL-GUN-_____

Use to describe an offense when wilful killing with a gun is charged and information is not available as to whether the victim was or was not a member of the defendant's family, was a public official or was a police officer. Available space following "GUN-" may be used to further describe the offense.

When converting manual records for computer storage, information available may indicate a gun was used in commission of the offense but not indicate whether the victim was or was not a member of the defendant's family, was a public official, or was a police officer. In such cases the above offense is to be selected for use.

0912 HOMICIDE-WILFUL KILL-(identify weapon)_____

Use to describe when wilful killing with a weapon other than a gun is charged and information is not available as to whether the victim was or was not a member of the defendant's family, was a public official, or was a police officer. Available space following "WILFUL KILL-" is to be used to identify the kind of weapon used, e.g. KNIFE, FISTS or FEET, and to further describe the offense.

0912 HOMICIDE (cont'd.)

When converting manual records for computer storage, information available may indicate the type of weapon used in commission of the offense but not indicate whether the victim was or was not a member of the defendant's family, was a public official, or was a police officer. In such cases the above offense is to be selected for use.

0999 HOMICIDE-(free text)_____

Describe in free text in the available space following "HOMICIDE-" an offense which involves the killing of another person but which involves circumstances, victims, and/or weapons which cannot be properly classified according to one of the other HOMICIDE offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a homicide arrest record for computer storage. See 0900 HOMICIDE-_____ for that purpose.

KIDNAPPING

The unlawful taking away of another person using force, persuasion, misrepresentation, false promise, or the like to serve as a hostage, to sexually assault, for ransom or reward, or with any other intent.

Holding another person against his free will would be included as kidnapping if this is in accordance with the laws of your state. If a person is held for purpose of slavery or involuntary servitude and a kidnapping statute is not involved, the offense more properly would fall in the classification CIVIL RIGHTS.

Posing as a kidnapper, or as a person who can affect the release of a kidnapped person, for the purpose of extorting money or obtaining any other thing of value will not be classified as kidnapping but will be classified as EXTORTION.

Seizure or exercise of control, by force or violence or threat of force or violence and with wrongful intent, of an aircraft in flight in air commerce should be treated as kidnapping and, more specifically, identified as 1009 KIDNAP-HIJACK AIRCRAFT-_____. (See 2410 AIRCRAFT THEFT-_____ if offense charged is that of theft of an aircraft.

1000 KIDNAP-(free text)_____

When converting a kidnapping/abduction arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific kidnapping classifications, this classification should be selected. The available space following "KIDNAP-" will be used to write in terms previously used to describe the offense, e.g. KIDNAPPING FOR RANSOM, KIDNAPPING FOR REWARD, ABDUCTION, CHILD STEALING.

1001 KIDNAP MINOR FOR RANSOM-_____

Use to describe a kidnapping offense, as defined above, when the victim was a minor and ransom (or reward) was demanded. Available space following "RANSOM-" may be used to further describe the offense.

1002 KIDNAP ADULT FOR RANSOM-_____

Use to describe a kidnapping offense, as defined above, when the victim was an adult and ransom (or reward) was demanded. Available space following "RANSOM-" may be used to further describe the offense.

1003 KIDNAP MINOR TO SEXUALLY ASSLT-_____

Use to describe a kidnapping offense, as defined above, when the victim was a minor and the kidnapping was for the purpose of and/or resulted in sexually assaulting the victim. (Sexual assault is as defined hereinafter.) Available space following "ASSLT-" may be used to further describe the offense.

1004 KIDNAP ADULT TO SEXUALLY ASSLT-_____

Use to describe a kidnapping offense, as described above, when the victim was an adult and the kidnapping was for the purpose of and/or resulted in sexually assaulting the victim. (Sexual assault is as defined hereinafter.) Available space following "ASSLT-" may be used to further describe the offense.

1005 KIDNAP MINOR-_____

Use to describe a kidnapping offense, as defined above, when the victim was a minor, when ransom, (or reward) was not demanded, purpose of and/or result of the kidnapping was not to sexually assault, a victim was not held as hostage for escape, and an aircraft was not hijacked. Available space following "MINOR-" may be used to further describe the offense.

1006 KIDNAP ADULT-_____

Use to describe a kidnapping offense, as defined above, when the victim was an adult, when ransom (or reward) was not demanded, purpose of and/or result of the kidnapping was not to sexually assault, a victim was not held as hostage for escape, and control of an aircraft, was not usurped. Available space following "ADULT-" may be used to further describe the offense.

1007 KIDNAP HOSTAGE FOR ESCAPE-_____

Use to describe a kidnapping offense as defined above, when a person was held as hostage for escape. Available space following "ESCAPE-" may be used to further describe the offense.

1008 ABDUCT-NO RANSOM OR ASSLT-_____

Use to describe a kidnapping (abduction) as defined above, when no ransom (or reward) was demanded and the victim was not sexually assaulted or otherwise attacked. Available space following "ASSLT-" may be used to further describe the offense.

1009 KIDNAP-HIJACK AIRCRAFT-_____

Use to describe an offense when the seizure or exercise of control, by force or violence or threat of force or violence and with wrongful intent, of an aircraft in flight in air commerce is charged.

1099 KIDNAP-(free text)_____

Describe in free text in the available space following "KIDNAP-" an offense which involves kidnapping, as defined above, but which involves circumstances, victims, and/or motives which cannot be properly classified according to one of the other KIDNAPPING offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a kidnapping (abduction) arrest record for computer storage. See 1000 KIDNAP-_____ for that purpose.

SEXUAL ASSAULT

Unlawful forcible normal or abnormal sexual intercourse with or carnal abuse of a person of the same or opposite sex against the will of that person. Also included is a sexual act with a person mentally or legally incapable of giving consent or who is physically helpless or incapable of resisting. Statutory rape, which is defined as sexual intercourse with a female under statutory age with the female's consent, is included.

1100 SEX ASSLT-(free text)_____

When converting a sexual assault arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific sexual assault classifications, this classification should be selected. The available space following "ASSLT-" will be used to write in terms previously used to describe the offense, e.g. RAPE. It should be recognized that, except for exceptions specified in the above definition, the offense includes the use of force. If the sexual offense does not clearly fit the definition of SEXUAL ASSAULT, consideration should be given to SEX OFFENSES and COMMERCIALIZED SEXUAL OFFENSES for assistance in classifying those offenses which do not conform to the definition of SEXUAL ASSAULT.

1101 RAPE-GUN-_____

Use to describe an offense involving the use of a gun and which charges the carnal knowledge of a female by a man forcibly and against her will or the act of sexual intercourse with a female person not the wife of the perpetrator without her lawful consent. (See 1116 STAT RAPE-NO FORCE- for sexual intercourse with a female under statutory age with the female's consent.) Available space following "GUN-" may be used to further describe the offense, e.g. VICTIM 76 YEARS OLD.

1102 RAPE WITH-(identify weapon)_____

Use to describe an offense involving the use of a weapon other than a gun or physical force and which charges carnal knowledge of a female by a man forcibly and against her will or the act of sexual intercourse with a female person not the wife of the perpetrator without her lawful consent as when the act is committed through threat or force or when she is mentally or legally incapable of giving consent, or when she

1102 RAPE WITH-(identify weapon) (cont'd.)

is physically helpless or incapable of resisting, or is induced by artifice, pretense or concealment of the accused to believe the person committing the act is her husband. (See 1116 STAT RAPE-NO FORCE- for sexual intercourse with a female under statutory age with the female's consent.)

Available space following "WITH-" may be used to further identify the weapon used to force submission, e.g. KNIFE, CORD, ROPE, and to further describe the offense, e.g. ENTERED APTMT AT NIGHT.

1103 RAPE-STRONGARM-_____

Use to describe an offense involving only the use of physical force and which charges the carnal knowledge of a female by a man forcibly and against her will or the act of sexual intercourse with a female person not the wife of the perpetrator without her lawful consent. (See 1116 STAT RAPE-NO FORCE- for sexual intercourse with a female under statutory age with the female's consent.) Available space following "STRONGARM-" may be used to further describe the offense, e.g. VICTIM AGED AND ILL.

1104 SEX ASSLT-SODOMY-BOY-GUN-_____

Use to describe an offense in which the victim is a non-consenting boy and a gun was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "GUN-" may be used to further describe the offense, e.g. -ANAL or ORAL.

1105 SEX ASSLT-SODOMY-MAN-GUN-_____

Use to describe an offense in which the victim is a non-consenting man and a gun was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "GUN-" may be used to further describe the offense, e.g. ANAL or ORAL.

1106 SEX ASSLT-SODOMY-GIRL-GUN-_____

Use to describe an offense in which the victim is a non-consenting girl and a gun was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "GUN-" may be used to further describe the offense, e.g. ANAL or ORAL.

1107 SEX ASSLT-SODOMY-WOMAN-GUN-_____

Use to describe an offense in which the victim is a non-consenting woman and a gun was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "GUN" may be used to further describe the offense, e.g. ANAL or ORAL.

1108 SEX ASSLT-SODOMY-BOY-(identify weapon)_____

Use to describe an offense in which the victim is a non-consenting boy and a weapon other than gun or physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see SLX OFFENSES). Available space following "BOY-" is to be used to identify the weapon used to force submission, e.g., KNIFE, CORD, ROPE, and to further describe the offense.

1109 SEX ASSLT-SODOMY-MAN-(identify weapon)_____

Use to describe an offense in which the victim is a non-consenting man and a weapon other than gun or physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "MAN-" is to be used to identify the weapon used to force submission, e.g., KNIFE, CORD, ROPE, and to further describe the offense.

1110 SEX ASST-SODOMY-GIRL-(identify weapon)

Use to describe an offense in which the victim is a non-consenting girl and a weapon other than gun or physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "GIRL-" is to be used to identify the weapon used to force submission, e.g., KNIFE, CORD, ROPE, and to further describe the offense.

1111 SEX ASST-SODOMY-WOMAN-(identify weapon)

Use to describe an offense in which the victim is a non-consenting woman and a weapon other than gun or physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "WOMAN-" is to be used to identify the weapon used to force submission, e.g. KNIFE, CORD, ROPE, and to further describe the offense.

1112 SEX ASST-SODOMY-BOY-STGARM-

Use to describe an offense in which the victim is a non-consenting boy and physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "STGARM-" is to be used to further describe the offense.

1113 SEX ASST-SODOMY-MAN-STGARM-

Use to describe an offense in which the victim is a non-consenting man and physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of another non-consenting male by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "STGARM-" is to be used to further describe the offense.

1114 SEX ASST-SODOMY-GIRL-STGARM-

Use to describe an offense in which the victim is a non-consenting girl and physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "STGARM-" is to be used to further describe the offense.

1115 SEX ASST-SODOMY-WOMAN-STGARM-

Use to describe an offense in which the victim is a non-consenting woman and physical force was used and which charges carnal copulation by human beings with each other which is abnormal or against nature. Included are sexual acts performed by a male upon the person of a non-consenting female by penetration of the anus or sexual connection by penetration of the mouth. Acts involving mutual consent are not included (see Sex Offenses). Available space following "STGARM-" is to be used to further describe the offense.

1116 STAT RAPE-NO FORCE-

Use to describe an offense when sexual intercourse with a female under statutory age with the female's consent is charged.

Sexual intercourse with a female under statutory age and against her will should not be classified as 1116 STAT RAPE-NO FORCE- but should be classified as one of the above RAPE charges, when it properly describes the offense, or otherwise, as 1199 SEX ASST-(free text) with rape specified in the free text portion of the offense.

1117 SEX ASST-CARNAL ABUSE-

Use to describe an offense when an act of debauchery of or injury to the female sex organs by those of the male which does not amount to penetration is charged. Available space following "ABUSE-" may be used to further describe the offense.

1199 SEX ASST-(free text)

Describe in free text in the available space following "SEX ASST-" an offense which involves a sexual assault, as defined above, but which involves circumstances which cannot be properly classified according to one of the other SEXUAL ASSAULT offenses listed above in the Uniform Offense Classifications.

1199 SEX ASSLT-(free text) (cont'd.)

This classification is not to be used when converting a sexual assault arrest record for computer storage. See 1100 SEX ASSLT-(free text) _____ for that purpose.

ROBBERY

The taking of property in the possession of another, from his person or immediate presence, and against his will, accomplished by means of force or fear.

1200 ROBBERY-(free text) _____

When converting a robbery arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific robbery classifications, this classification should be selected. The available space following "ROBBERY-" will be used to write in terms previously used to describe the offense, e.g. HOLDUP and MUGGING.

1201 ROBBERY-BUSINESS-GUN- _____

Use to describe an offense involving the use of a gun and which charges the robbery of a business. Available space following "GUN-" will be used to further describe the offense, e.g. \$1000 TAKEN.

1202 ROBBERY-BUSINESS-(identify weapon) _____

Use to describe an offense involving the use of a weapon (other than a gun or use of physical force) and which charges the robbery of a business. Available space following "BUSINESS-" is to be used to identify the weapon, e.g. KNIFE or EXPLOSIVE, and to further describe the offense, e.g. \$1000 TAKEN.

1203 ROBBERY-BUSINESS-STGARM- _____

Use to describe an offense involving the use of physical force and which charges the robbery of a business. Available space following "STGARM-" is to be used to further describe the offense, e.g. \$150 TAKEN.

1204 ROBBERY-STREET-GUN- _____

Use to describe an offense involving the use of a gun and which charges robbery in the street or highway (not of a business or in a residence). Available space following "GUN-" will be used to further describe the offense, e.g. \$35 TAKEN.

1205 ROBBERY-STREET-(identify weapon)-----

Use to describe an offense involving the use of a weapon (other than a gun or use of physical force) and which charges the robbery in the street. Available space following "STREET-" is to be used to identify the weapon, e.g. KNIFE, and to further describe the offense, e.g. \$75 TAKEN.

1206 ROBBERY-STREET STGARM-----

Use to describe an offense involving the use of physical force and which charges robbery in the street or highway (not of a business or in a residence). Available space following "STGARM-" will be used to further describe the offense, e.g. \$35 TAKEN.

1207 ROBBERY-RESID-GUN-----

Use to describe an offense involving the use of a gun and which charges robbery in a residence. Available space following "GUN-" is to be used to further describe the offense, e.g. CASH AND BONDS TAKEN.

1208 ROBBERY-RESID-(identify weapon)-----

Use to describe an offense involving the use of a weapon (other than a gun or use of physical force) and which charges robbery in a residence. Available space following "RESID-" is to be used to identify the weapon, e.g. KNIFE, and to further describe the offense, e.g. JEWELRY VALUED \$1000 TAKEN.

1209 ROBBERY-RESID-STGARM-----

Use to describe an offense involving the use of physical force and which charges robbery in a residence. Available space following "STGARM-" will be used to further describe the offense, e.g. CASH AND BONDS TAKEN.

1210 FORCIBLE PURSE SNATCHING-----

Use to describe an offense only when forcible purse snatching is charged. This occurs when the unarmed thief uses force to overcome the active resistance of the victim.

See 2302 PURSE SNATCHING-NO FORCE-----
for a purse snatching offense when no force is used by the unarmed thief to take the purse from the victim.

1211 ROBBERY-BANKING-TYPE INST-----

Use to describe an offense charging the robbery of a "banking-type" institution, i.e., a bank, savings and loan association, or credit union.

This classification does not include small loan companies.

Available space following "INST-" will be used to describe weapon used and other circumstances of the robbery, e.g. GUN-\$25000 TAKEN.

1299 ROBBERY-(free text)-----

Describe in free text in the available space following "ROBBERY-" an offense which involves a robbery, as defined above, but which involves circumstances, locations, victims, and/or motive which cannot be properly classified according to one of the other ROBBERY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a robbery arrest record for computer storage. See 1200 ROBBERY-(free text)----- for that purpose.

ASSAULT

(See Offenses of General Applicability for classification of offenses which involve assault to commit another crime.)

An unlawful attack by one person upon another.

1300 ASSLT-(free text)

When converting an assault arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific assault classifications, this classification should be selected. The available space following "ASSLT-" will be used to write in terms previously used to describe the offense, e.g. ASSLT-AGGRAVATED or ASSLT-TO-DO-GREAT BODILY HARM or ASSLT-UNARMED or ASSLT-BATTERY. Sexual assaults are not to be included. See SEXUAL ASSAULT.

1301 AGGRAV ASSLT-FAMILY-GUN-

Use to describe an offense involving the use of a gun and which charges an unlawful attack by a person upon a member of his family. (Use of a gun causes the assault to be classified as aggravated.) It is not necessary that injury result for an assault to be classified as aggravated if a gun is used which could and probably would result in serious personal injury if the crime were to be successfully completed.

Available space following "GUN-" is to be used to further describe the offense.

1302 AGGRAV ASSLT-FAMILY-(identify weapon)

Use to describe an offense involving the use of a weapon, other than a gun or body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon a member of his family with the intent or for the purpose of inflicting severe bodily injury. Use of a weapon which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "FAMILY-" is to be used to identify the kind of weapon used, e.g. KNIFE, and to further describe the offenses.

1303 AGGRAV ASSLT-FAMILY-STGARM-

Use to describe an offense involving the use of body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon a member of his family with the intent or for the purpose of inflicting severe bodily injury. Use of body weapons which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "STGARM-" is to be used to further describe the offense.

1304 AGGRAV ASSLT-NONFAMILY GUN-

Use to describe an offense involving the use of a gun and which charges an unlawful attack by a person upon another person who is not a public official or a police officer and is not a member of his family. (Use of a gun causes the assault to be classified as aggravated.) It is not necessary that injury result for an assault to be classified as aggravated if a gun is used which could and probably would result in serious personal injury if the crime were to be successfully completed.

Available space following "GUN-" is to be used to further describe the offense.

1305 AGGRAV ASSLT-NONFAMILY-(identify weapon)

Use to describe an offense involving the use of a weapon, other than a gun or body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon another person who is not a public official or a police officer and is not a member of his family with the intent or for the purpose of inflicting severe bodily injury. Use of a weapon which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, caused the assault to be classified as aggravated.

Available space following "NONFAMILY-" is to be used to identify the kind of weapon used, e.g. KNIFE, and to further describe the offense.

1306 AGGRAV ASSLT-NONFAMILY-STGARM-_____

Use to describe an offense involving the use of body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon a person who is not a public official or a police officer and is not a member of his family with the intent or for the purpose of inflicting severe bodily injury. Use of body weapons which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "STGARM-" is to be used to further describe the offense.

1307 AGGRAV ASSLT-PUB OFF-GUN-_____

Use to describe an offense involving the use of a gun and which charges an unlawful attack by a person upon a public official other than a police officer. (Use of a gun causes the assault to be classified as aggravated.) It is not necessary that injury result for an assault to be classified as aggravated if a gun is used which could and probably would result in serious personal injury if the crime were to be successfully completed.

Available space following "GUN-" is to be used to further describe the offense.

1308 AGGRAV ASSLT-PUB OFF-(identify weapon)_____

Use to describe an offense involving the use of a weapon, other than a gun or body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed and which charges an unlawful physical attack by a person upon a public official other than a police officer with the intent or for the purpose of inflicting severe bodily injury. Use of a weapon which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "PUB OFF-" is to be used to identify the kind of weapon used, e.g. KNIFE, and to further describe the offense.

1309 AGGRAV ASSLT-PUB OFF-STGARM-_____

Use to describe an offense involving the use of body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon a public official other than a police officer with the intent or for the purpose of inflicting severe bodily injury. Use of body weapons which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "STGARM-" is to be used to further describe the offense.

1310 AGGRAV ASSLT-POL OFF-GUN-_____

Use to describe an offense involving the use of a gun and which charges an unlawful attack by a person upon a police officer. (Use of a gun causes the assault to be classified as aggravated.) It is not necessary that injury result for an assault to be classified as aggravated if a gun is used which could and probably would result in serious personal injury if the crime were to be successfully completed.

Available space following "GUN-" is to be used to further describe the offense.

1311 AGGRAV ASSLT-POL OFF-(identify weapon)_____

Use to describe an offense involving the use of a weapon, other than a gun or body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed and which charges an unlawful physical attack by a person upon a police officer with the intent or for the purpose of inflicting severe bodily injury. Use of a weapon which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "POL OFF-" is to be used to identify the kind of weapon used, e.g. KNIFE, and to further describe the offense.

1312 AGGRAV ASSLT-POL OFF-STGARM-_____

Use to describe an offense involving the use of body weapons such as fists or feet, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon a police officer with the intent or for the purpose of inflicting severe bodily injury. Use of body weapons which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "STGARM-" is to be used to further describe the offense.

1313 SIMPLE ASSLT-_____

Use to describe an offense involving an unlawful physical attack by one person upon another which was not for the purpose of inflicting severe bodily injury, e.g. minor physical attack. (See 1316 INTIMIDATION-for unlawful coercion, duress or putting in fear.) Available space following "SIMPLE ASSLT-" is to be used to further describe the offense, e.g. class of victim and kind of weapon used.

1314 AGGRAV ASSLT-GUN-_____

Use to describe an offense involving the use of a gun and which charges an unlawful attack by a person upon another. (Use of a gun causes the assault to be classified as aggravated.) It is not necessary that injury result for an assault to be classified as aggravated if a gun is used which could and probably would result in serious personal injury if the crime were to be successfully completed.

Available space following "GUN-" is to be used to further describe the offense.

This classification is to be used rather than one of the above AGGRAVATED ASSAULT classifications, when a gun is known to have been used but the class of victim is not available.

1315 AGGRAV ASSLT-(identify weapon)_____

Use to describe an offense involving the use of a weapon, other than a gun, which could and probably would result in serious personal injury if the crime were to be successfully completed, and which charges an unlawful physical attack by a person upon another with the intent or for the purpose of inflicting severe bodily injury. Use of a weapon which could and probably would result in serious personal injury if the crime were to be successfully completed, even though injury did not result, causes the assault to be classified as aggravated.

Available space following "AGGRAV ASSLT-" is to be used to identify the kind of weapon used, e.g. KNIFE, and to further describe the offense.

This classification is to be used, rather than one of the above AGGRAVATED ASSAULT classifications, when a gun was not used and the class of victim is not available.

1316 INTIMIDATION-_____

Use to describe an offense which involves unlawful coercion, duress, or putting in fear but does not include a physical attack. Available space following "INTIMIDATION-" is to be used to further describe the offense by class of victim and circumstances.

1399 ASSLT-(free text)_____

Describe in free text in the available space following "ASSLT-" an offense which involves assault, as defined above, but which involves circumstances, locations, victims, and/or motive which cannot be properly classified according to one of the other assault offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting an assault arrest record for computer storage. See 1300 ASSLT-_____ for that purpose.

ABORTION

Unlawfully causing the expulsion of fetus at a period of utero-gestation so early that it has not acquired the power of sustaining an independent life.

1400 ABORTION-(free text) _____

When converting an abortion arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific abortion classifications, this classification should be selected. The available space following "ABORTION-" will be used to write in terms previously used to describe the offense.

- 1401 ABORTIONAL ACT ON OTHER- _____
- 1402 ABORTIONAL ACT ON SELF- _____
- 1403 SUBMISSION TO ABORTIONAL ACT- _____

Use one of these to describe an abortion offense, as defined above, selecting the first (1401) when the offense charged is performing an abortional act on another person, the second (1402) when the offense charged is performing an abortional act on self, and the third (1403) when the offense charged is submission to an abortional act on self.

Available space following "OTHER-" in the first, "SELF-" in the second, and "ACT-" in the third of the above offenses may be used to further describe the offense.

1404 ABORTIFACIENT-(selling, mfg., delivering, etc.)

Use to describe an offense involving abortifacients. Available space following "ABORTIFACIENT-" is to be used to write in terms to more clearly describe the offense as SELLING, MANUFACTURING, DELIVERING, et cetera, and to otherwise further describe the offense.

1499 ABORTION-(free text) _____

Describe in free text in the available space following "ABORTION-" an offense involving abortion, as defined above, but which involves circumstances which cannot be properly classified according to one of the other ABORTION (ABORTIFACIENT) offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting an abortion (abortifacient) arrest record for computer storage. See 1400 ABORTION-(free text) _____ for that purpose.

PROPERTY CRIMES

ARSON

Any wilful and malicious burning of the property of another, with or without intent to defraud.

Included are not only offenses according to state laws and municipal ordinances, but also Federal offenses committed on government reservations, Indian reservations, in the maritime jurisdiction, and upon the public domain (e.g. forest fires wilfully set without authority, burning timber, underbrush, grass or other inflammable material). Traveling interstate or in foreign commerce or using any facility in interstate or foreign commerce including the mail, with intent to distribute the proceeds of activity involving arson or to commit arson, or to promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of arson should also be included, as should burning or attempting to burn a dwelling house, trailer, church, college, jail, meeting house, theater, public building or any building, ship or vessel, motor vehicle, or aircraft; contents of building, personal property of another, goods or chattels, farm crops, trees, fences, gates, grain, vegetable products, other farm crops, lumber, woods, cranberry bogs, marshes, meadows, other natural resources, etc.

2000 ARSON-(free text)_____

When converting an arson arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific arson classifications, this classification should be selected. The available space following "ARSON-" will be used to write in terms previously used to describe the offense, e.g. ARSON OF PERSONAL PROPERTY or BURNING or INCENDIARISM.

2001 ARSON-BUSINESS-ENDANGERED LIFE-_____

Use to describe an offense involving wilful and malicious burning of property of a business when human life was endangered. Available space following "LIFE-" may be used to further describe the offense.

2002 ARSON-RESID-ENDANGERED LIFE-_____

Use to describe an offense involving wilful and malicious burning of a residence when human life was endangered. Available space following "LIFE-" may be used to further describe the offense.

2003 ARSON-BUSINESS DEFAUD INSURER-_____

Use to describe an offense involving wilful and malicious burning of a business to defraud the insurer. Available space following "INSURER-" may be used to further describe the offense.

If human life was endangered, use ARSON-BUSINESS-ENDANGERED LIFE- and use available space thereafter to indicate fraudulent purpose.

2004 ARSON-RESID-DEFAUD INSURER-_____

Use to describe an offense involving wilful and malicious burning of a residence to defraud the insurer. Available space following "INSURER-" may be used to further describe the offense.

If human life was endangered, use ARSON-RESID-ENDANGERED LIFE- and use available space thereafter to indicate fraudulent purpose.

2005 ARSON-BUSINESS-_____

Use to describe an offense involving wilful and malicious burning of a business, when human life was not endangered, and when the act was not committed to defraud the insurer. Available space following "BUSINESS-" may be used to further describe the offense.

2006 ARSON-RESID-_____

Use to describe an offense involving wilful and malicious burning of a residence, when human life was not endangered, and when the act was not committed to defraud the insurer. Available space following "RESID-" may be used to further describe the offense.

2007 BURNING OF-_____

Use to describe an offense involving wilful and malicious burning of property not a business, residence, or public building. Available space following "OF" may be used to describe the kind of property burned (e.g. cranberry bogs, farm crop, or forest land), to show motivation for act (e.g. to defraud insurer), to indicate that human life was endangered, and to describe other circumstances of the offense.

2008 ARSON-PUB BLDG-ENDANGERED LIFE-_____

Use to describe an offense involving wilful and malicious burning of a public building when human life was endangered. Available space following "LIFE-" may be used to further describe the offense.

2009 ARSON-PUB BLDG-_____

Use to describe an offense involving wilful and malicious burning of a public building when human life was not endangered. Available space following "BLDG-" may be used to further describe the offense.

2099 ARSON-(free text)_____

Describe in free text in the space following "ARSON-" an offense which involves arson, as defined above, but which involves circumstances, victims, methods, and/or motive which cannot be properly classified according to one of the other ARSON offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting an arson arrest record for computer storage. See 2000 ARSON-(free text)_____ for that purpose.

EXTORTION

Obtaining money or other thing of value by violence, threats, or misuse of authority.

2100 EXTORT-(free text)_____

When converting an extortion arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following specific extortion classifications, this classification should be selected. The available space following "EXTORT-" will be used to write in terms previously used to describe the offense, e.g. BLACKMAIL or POSTAL EXTORTION.

2101 EXTORT-THREAT INJURE PERSON-_____

Use to describe an offense involving extortion, as defined above, when the personal injury of a person is threatened. Available space following "PERSON-" may be used to further describe the offense.

2102 EXTORT-THREAT DAMAGE PROP-_____

Use to describe an offense involving extortion, as defined above, when damage to property or other economic loss is threatened. Available space following "PROP-" may be used to further describe the offense.

2103 EXTORT-THREAT INJURE REPUTATION-_____

Use to describe an offense involving extortion, as defined above, when injury to a person's reputation is threatened. Available space following "REPUTATION-" may be used to further describe the offense.

2104 EXTORT-THREAT ACCUSE PERSON OF CRIME-_____

Use to describe an offense involving extortion, as defined above, when the accusing a person of a crime is threatened. Available space following "CRIME-" may be used to further describe the offense.

2105 EXTORT-THREAT OF INFORMING OF VIO-_____

Use to describe an offense involving extortion, as defined above, when informing authorities of a violation of law is threatened.

2199 EXTORT-(free text)_____

Describe in free text in the space following "EXTORT-" an offense which involves extortion, as defined above, but does not involve a threat to injure a person, damage property, injure a person's reputation, accuse a person of a crime, or inform authorities of a violation of a law.

This classification is not to be used when converting an extortion arrest record for computer storage. See 2100 EXTORT-_____ for that purpose.

BURGLARY

Unauthorized entering of or trespass within any dwelling house or any erection or appurtenance thereto including out-buildings or garage, or any church, schoolhouse, public building, shop, office, factory, storehouse, apartment, room, tenement, house trailer, tent, warehouse, mill, barn, stable, other building vessel, water craft, ship, railroad car or mine with intent to commit larceny or any felony.

A truck, tractor-trailer, automobile, store, telephone booth, coin box or coin-operated machine is not included in this definition unless accompanied by unlawful entry into one of the above buildings, structures, etc.

Included are offenses commonly found in statutes such as breaking and entering with intent to commit larceny or any felony, unlawful entering with intent to commit a larceny or any felony, house-breaking, burglary and larceny, safecracking, etc.

2200 BURGL-(free text)_____

When converting a burglary (including "breaking and entering" or "unlawful entering") arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific burglary classifications, this classification should be selected. The available space following "BURGL-" will be used to write in terms previously used to describe the offense, e.g. BREAKING AND ENTERING, UNLAWFUL ENTERING, ENTERING-NIGHT-TIME, or HOUSEBREAKING

2201 BURGL-SAFE-VAULT-_____

Use to describe a burglary offense, as defined above, involving the breaking into or attempted breaking into a safe or vault. Available space following "SAFE-VAULT-" may be used to further describe the offense.

2202 BURGL-FORCED ENTRY-RESID-_____

Use to describe a burglary offense, as defined above, involving forced entry into a residence. Available space following "RESID-" may be used to further describe the offense.

2203 BURGL-FORCED ENTRY-NONRESID-_____

Use to describe a burglary offense, as defined above, involving forced entry into a building, vessel, etc., which is not a residence. Available space following "NONRESID-" may be used to further describe the offense.

2204 BURGL-NO FORCED ENTRY-RESID-_____

Use to describe a burglary offense, as defined above, involving the entry, not forced, of a residence. Available space following "RESID-" may be used to further describe the offense.

2205 BURGL-NO FORCED ENTRY-NONRESID-_____

Use to describe a burglary offense, as defined above, involving not forced entry into a building, vessel, etc., which is not a residence. Available space following "NONRESID-" may be used to further describe the offense.

2206 BURGL-TOOLS-POSSESS-_____

Use to describe the offense of possessing burglary tools. Available space following "POSSESS-" may be used to further describe the offense.

2207 BURGL-BANKING-TYPE INST-_____

Use to describe a burglary offense, as defined above, involving a banking-type institution, i.e. a bank, savings and loan association, or a credit union. Burglaries of small loan companies are not so classified. Available space following the word "INST-" may be used to further describe the offense.

2299 BURGL-(free text)_____

Describe in free text in the space following "BURGL-" an offense which involves burglary, as defined above, but which involves circumstances, victims, methods, locations, et cetera, which cannot be properly classified according to one of the BURGLARY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a burglary arrest record for computer storage. See 2200 BURGL-(free text)_____ for that purpose.

LARCENY

The stealing or the taking and removing of personal property of another without his consent or against his will and with intent to convert such property to the use of the taker or of another or to deprive the owner of his ownership in such property.

Embezzlement or fraudulent conversion of property or the obtaining of property by false pretenses is not to be classified as larceny.

2300 LARC-(free text) _____

When converting a larceny arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific larceny classifications, this classification should be selected. The available space following "LARC-" will be used to write in terms previously used to describe the offense.

2301 POCKETPICKING- _____

Use to describe a larceny offense when personal property is secretly stolen from the person of another. Available space following "POCKETPICKING-" may be used to further describe the offense.

2302 PURSE SNATCHING-NO FORCE- _____

Use to describe a larceny offense when a purse, handbag, etc., is grabbed, snatched, or seized from the custody or care of an individual. If unarmed thief on the street uses force to overcome the active resistance of the victim in committing the act, the offense is not Purse Snatching but is 1206 ROBBERY-STREET-SI GARM-_____. Available space following "FORCE-" may be used to further describe the offense.

2303 SHIOPLIFTING- _____

Use to describe a larceny offense when goods or merchandise exposed for sale are stolen by a person other than an employee of the business from which taken. Merchandise displayed outside of a building as part of the stock in trade as well as within the building would be considered exposed for sale. Available space following "SHIOPLIFTING-" may be used to further describe the offense.

2304 LARC-PARTS FROM VEII- _____

Use to describe a larceny offense when parts or accessories attached to the interior or exterior of a motor vehicle (automobile, bus, truck, motorcycle) are stolen. To be included would be motors, transmissions, attached radios, tape players, heaters, wheels, hubcaps, wheel covers, manufacturers' emblems and other insignia, license plates, radio antennas, side-view mirrors, gasoline, etc. Available space following "VEII-" may be used to further describe the offense.

2305 LARC-FROM AUTO- _____

Use to describe a larceny offense when property is stolen from a motor vehicle (automobile, bus, truck, motorcycle). This does not include attached parts or accessories but does include property such as cameras, suitcases, wearing apparel, portable record players, portable radios, etc., taken from any area in the vehicle, such as the trunk, glove compartment, carriers, etc., as well as on seats or floor. Available space following "AUTO-" may be used to further describe the offense.

2306 LARC-FROM SHIIPMENT- _____

Use to describe a larceny offense when property (goods) is stolen from a vehicle or a loading or unloading dock after the goods have been delivered to a trucking, rail, water, or air facility for delivery and have not been accepted at destination. Available space following "SHIIPMENT-" may be used to further describe the offense.

2307 LARC-FROM COIN MACHINE- _____

Use to describe a larceny offense when property is stolen from a device or machine operated or actuated by the use of a coin such as a vending machine, public telephone, parking meter, laundry machine, washer, dryer, pinball machine, etc. Goods may include cigarettes, food, candy, coins, etc. If the theft is accomplished as a result of breaking into or unlawful entry into a building or structure, the offense is to be identified as burglary, not larceny. Available space following "MACHINE-" may be used to further describe the offense.

2308 LARC-FROM BLDG-_____

Use to describe a larceny offense when property is stolen from a building under circumstances which would not be classified as burglary, one of the other larceny offenses which occurred within a building, or larceny from mails. Available space following "BLDG-" may be used to further describe the offense.

2309 LARC-FROM YARDS-_____

Use to describe a larceny offense when property is stolen from a yard or other outdoor area under circumstances which do not involve pocketpicking; purse snatching; shoplifting; larceny of parts from vehicle; or larceny from auto, shipment, coin machine, or mails. Available space following the word "YARDS-" may be used to further describe the offense.

2310 LARC-FROM MAILS-_____

Use to describe a larceny offense when the offense is theft from any mail, post office, or station thereof, letter box, mail receptacle, depository for mail matter, letter or mail carrier. Available space following the word "MAILS-" may be used to further describe the offense.

2311 LARC-FROM BANKING-TYPE INST-_____

Use to describe a larceny offense, as defined above, when property is taken or removed from a banking-type institution, i.e., a bank, savings and loan association, or a credit union. Larceny from small loan companies are not so classified. Available space following the word "INST-" may be used to further describe the offense.

2312 LARC-FROM INTERSTATE SHIPMENT-_____

Use to describe a larceny offense, as defined above, when property (goods) stolen was moving as or which was a part of or which constituted an interstate or foreign shipment. Available space following the word "SHIPMENT-" may be used to further describe the offense.

2313 OBSTRUCT CORRESPONDENCE-(postal violation)_____

Use to describe a larceny offense, as defined above, which involves the taking of any letter, postal card, or package out of any post office or any authorized depository for mail matter, or from any letter or mail carrier, before it has been delivered to the person to whom it was directed, with design to obstruct the correspondence, or to pry into the business or secrets of another, or opens, secretes, embezzles, or destroys the same, or as more specifically defined in Section 1702, Title 18, U.S. Code. Available space following "CORRESPONDENCE-" may be used to further describe the offense.

2314 THEFT OF US GOVT PROP-_____

Use to describe a larceny offense, as defined above, which involves the taking of property of the U.S. Government. Available space following "PROP-" may be used to further describe the offense.

2315 LARC ON US GOVT RESERV-_____

Use to describe a larceny offense, as defined above, which act was committed on a U.S. Government reservation. (If the larceny offense involved the taking of property of the U.S. Government while on a U.S. Government reservation, the offense should be classified as 2314 THEFT OF US GOVT PROP-_____.) Available space following "RESERV-" may be used to further describe the offense.

2316 LARC-POSTAL-_____

Use to describe a larceny offense, as defined above, which is a postal violation but cannot be defined as 2310 LARC-FROM MAILS-_____, 2313 OBSTRUCT CORRESPONDENCE-_____, 2314 THEFT OF US GOVT PROP-_____, or 2315 LARC ON US GOVT RESERV-_____. Available space following "POSTAL-" may be used to further describe the offense.

2399 LARC-(free text) _____

Describe in free text in the available space following "LARC-" an offense which involves larceny as defined above, but which involves circumstances, victims, locations, et cetera, which cannot be properly classified according to one of the other LARCENY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a larceny arrest record for computer storage. See 2300 LARC-(free text) _____ for that purpose.

STOLEN VEHICLE

(Theft, sale, receipt, etc., of vehicle)

Theft of a self-propelled motor vehicle that runs on the surface, not on rails, and aircraft. Theft of boats and of vehicles which run on the surface but are designed primarily for a purpose other than transportation of persons or freight, are not to be classified as Stolen Vehicle offenses but are to be classified as larceny offenses.

2400 VEHICLE-(free text) _____

When converting a stolen vehicle arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific stolen vehicle classifications, this classification should be selected. The available space following the word "VEHICLE-" will be used to write in terms previously used to describe the offense, e.g., GRAND THEFT-AUTO, ITSMV, NMVTA, DYER ACT.

2401 THEFT AND SALE VEI- _____

Use to describe an offense involving both the theft and sale of a vehicle, as defined above. Available space following "VEI-" will be used to further describe the offense.

2402 THEFT AND STRIP-VEI- _____

Use to describe an offense involving both the theft and stripping of a vehicle, as defined above. Available space following "VEI-" will be used to further describe the offense.

2403 THEFT AND USE VEI OTHER CRIME- _____

Use to describe an offense involving both the theft of a vehicle, as defined above, and its subsequent use in the commission of another crime. Available space following "CRIME-" will be used to further describe the offense.

2404 VEH THEFT-_____

Use to describe an offense involving theft of a vehicle, as defined above (theft not associated with subsequent sale, stripping, or use in the commission of another crime). Available space following "THEFT-" will be used to further describe the offense. (This classification is not to be used if theft was by bailee. See 2405 THEFT VEH BY BAILEE-_____.)

2405 THEFT VEH BY BAILEE-_____

Use to describe an offense involving theft of a vehicle, as defined above, by bailee. Available space following "BAILEE-" will be used to further describe the offense.

2406 RECEIV STOLEN VEH-_____

Use to describe an offense involving the receiving of a stolen vehicle, as described above, knowing it to be stolen. Available space following "VEH-" will be used to further describe the offense.

2407 STRIP STOLEN VEH-_____

Use to describe an offense involving the stripping of a stolen vehicle, as defined above. Available space following "VEH-" will be used to further describe the offense.

2408 POSSESS STOLEN VEH-_____

Use to describe an offense involving the possession of a stolen vehicle knowing it to be stolen. Available space following "VEH-" will be used to further describe the offense.

2409 INTERSTATE TRANS STOLEN VEH-_____

Use to describe an offense involving the interstate transportation of a stolen vehicle, knowing it to be stolen. Available space following "VEH-" will be used to further describe the offense. If the stolen vehicle which had been transported interstate, was received, concealed, stored, bartered, sold or otherwise disposed of, knowing the vehicle was stolen, the appropriate word(s) will be selected and included in the space following "VEH-" to more specifically define.

2410 AIRCRAFT THEFT-_____

Use to describe an offense involving the theft of an aircraft. Do not include an offense which involves the usurping control of an aircraft. If the aircraft was stolen and transported interstate, the words "AND TRANSP INTERSTATE" would be written in after "THEFT-" to further describe the offense. Other words to describe the offense also will be written in after "THEFT-".

2411 UNAUTH USE OF VEH-_____

Use to describe an offense involving a vehicle, as defined above, and which, by local, state, or Federal statutes is described as "unauthorized use of a vehicle," "joyriding," or other similar terms. Available space following "VEH-" will be used to further describe the offense.

2499 STOLEN VEHICLE-(free text)_____

Describe in free text in the available space following "STOLEN VEHICLE-" an offense which involves a stolen vehicle, as defined above, but which involves circumstances which cannot be properly classified according to one of the other STOLEN VEHICLE offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a stolen vehicle arrest record for computer storage. See 2400 VEHICLE-(free text)_____ for that purpose.

FORGERY AND COUNTERFEITING

Forgery and counterfeiting are distinguished as follows for Uniform Offense Classification purposes.

FORGERY

To copy, imitate, or alter, without authority or right, a part or portion of a document or object, with the purpose of deceiving by passing the complete document or object for that which is original or genuine.

Documents, affidavits, credit cards, securities, checks, money orders, etc., which are original or genuine except for altered, copied, or altered portions thereof, such as signatures, dates, payees, endorsements, makers, phrases, clauses, etc., thereon, would be considered to be forged.

COUNTERFEITING

To copy or imitate, without authority or right, a complete document or object, with the purpose of passing it for that which is original or genuine.

Currency, coins, objects of art, portraits, paintings, tickets, documents, affidavits, credit cards, securities, etc., which are imitated in their entirety, thus, would be considered to be counterfeited.

2500 FORGERY-(free text)_____

When converting a forgery arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific forgery classifications, this classification should be selected. The available space following "FORGERY" will be used to write in terms previously used to describe the offense, e.g. INTERSTATE TRANSP FORGED SECURITIES, U.S. GOVT BONDS, POSTAL MONEY ORDERS, POSSESS FORGED INSTRUMENT, or RAISING MONEY ORDERS.

2501 FORGERY OF CHECKS-_____

Use to describe an offense involving forgery of checks. Available space following "CHECKS-" is to be used to further describe the offense.

2502 FORGERY OF-(identify object)_____

Use to describe an offense involving the copying, imitating, or altering, without authority or right, a part or portion of a document or object, with the purpose of passing the complete document or object for that which is original or genuine. Available space following "OF-" is to be used to identify the document (other than a check) or object forged and further describe the offense.

2503 COUNTERFEITING OF-(identify object)_____

Use to describe an offense involving the copying or imitating, without authority or right, a complete document or object, with the purpose of passing it for that which is original or genuine. Available space following "OF-" is to be used to identify the document or object counterfeited and to further describe the offense.

2504 PASS FORGED-(use "pass" for "utter" and/or "distribute") (identify object)

Use to describe an offense involving the passing, uttering, or distributing of a forged (as described above) document or object. Available space following "FORGED-" is to be used to identify the forged document or object passed, uttered, or distributed and further identify the offense.

2505 PASS COUNTERFEITED-(use "pass" for "utter" and/or "distribute") (identify object)

Use to describe an offense involving the passing, uttering, or distributing of a counterfeited (as defined above) document or object. Available space following "COUNTERFEITED-" is to be used to identify the counterfeited document or object passed, uttered, or distributed, and to further describe the offense.

2506 POSSESS FORGED-(identify object)_____

Use to describe an offense involving the possessing of a forged (as defined above) document or object. Available space following "FORGED-" is to be used to identify the forged document or object possessed and further describe the offense.

2507 POSSESS COUNTERFEITED-(identify object)

Use to describe an offense involving the possessing of a counterfeited (as defined above) document or object. Available space following "COUNTERFEITED-" is to be used to identify the counterfeited document or object possessed and further describe the offense.

2508 POSSESS TOOLS FOR-("forgery" or "counterfeiting")

Use to describe an offense involving the possessing of tools for forging or counterfeiting documents or objects. Available space following "FOR-" is to be used to write in the word "FORGERY" or "COUNTERFEITING" and to further describe the offense.

2509 TRANSPORT FORGED-(identify object)

Use to describe an offense involving the transporting of forged (as defined above) documents or objects. Available space following "FORGED-" is to be used to identify the documents or objects forged and further describe the offense.

2510 TRANSPORT COUNTERFEITED-(identify object)

Use to describe an offense involving the transporting of counterfeited (as defined above) documents or objects. Available space following "COUNTERFEITED-" is to be used to identify the documents or objects counterfeited and further describe the offense.

2511 TRANSPORT TOOLS FOR-("forgery" or "counterfeiting")

Use to describe an offense involving the transporting of tools for forgery or counterfeiting. Available space following "FOR-" is to be used to add the word "FORGERY" or "COUNTERFEITING" and to further describe the offense.

2589 FORGERY-(free text)

Describe in free text in the available space following "FORGERY-" an offense which involves forgery, as defined above, but which involves circumstances which cannot be properly classified according to one of the other FORGERY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a forgery arrest record for computer storage. See 2500 FORGERY-(free text) for that purpose.

2599 COUNTERFEITING-(free text)

Describe in free text in the available space following "COUNTERFEITING-" an offense which involves counterfeiting, as defined above, but which involves circumstances which cannot be properly classified according to one of the other COUNTERFEITING offenses listed above in the Uniform Offense Classifications.

FRAUDULENT ACTIVITIES

Deceitful practices or wilful devices resorted to with intent to deprive another of his right or in some manner to do him an injury, or to obtain money or other thing of value.

Circumstances predominantly involving forgery or counterfeiting should be treated as FORGERY and COUNTERFEITING offenses, as set out above, rather than as FRAUDULENT ACTIVITIES, despite the fraudulent aspects of the offense.

2600 FRAUD-(free text) _____

When converting a fraud arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific fraudulent activities classifications, this classification should be selected. The available space following "FRAUD-" will be used to write in terms previously used to describe the offense, e.g., FLIMFLAM, BEATING HOTEL BILL, CHEATING AND SWINDLING, DECEPTIVE PRACTICE, FALSE ADVERTISING.

2601 FRAUD-CONFIDENCE GAME- _____

Use to describe an offense involving the obtaining of money or property by means of some trick, device or other swindling operation in which advantage is taken of the confidence which the victim reposes in the swindler. (Contrast the definition of FRAUD-SWINDLE, below, with this definition with particular emphasis on the word "confidence.") Available space following "GAME-" is to be used to further describe the offense.

2602 FRAUD-SWINDLE- _____

Use to describe an offense involving cheating and defrauding grossly with deliberate artifice.

Before applying this classification which is of general application, give consideration to the more specifically defined offenses, e.g., FRAUD-CONFIDENCE GAME, MAIL FRAUD, ILLEGAL USE CREDIT CARDS, FRAUD-FALSE STATEMENT, or FRAUD BY WIRE. Available space following "SWINDLE-" is to be used to further describe the offense.

2603 MAIL FRAUD- _____

Use to describe an offense of fraud, as defined above, the execution of which involved the use of postal facilities, and as more specifically defined in Section 1341, Title 18, U.S. Code. Available space following "FRAUD-" is to be used to identify the method employed and further describe the offense.

2604 FRAUD-IMPERSON- _____

Use to describe an offense involving falsely representing some other person (including an officer or employee of the U.S., a state, or a jurisdiction within a state, and including a foreign diplomat, consul or officer in the U.S.) and acting in the character thus unlawfully assumed, to deceive others and thereby gain profit or advantage, or enjoy some right or privilege belonging to the one impersonated, or to subject him to some expense, charge or liability. Available space following "IMPERSON-" is to be used to identify the method employed and further describe the offense.

2605 FRAUD-ILLEGAL USE CREDIT CARDS- _____

Use to describe an offense involving the illegal use of credit cards with fraudulent intent. Available space following "CARDS-" is to be used to further describe the offense.

2606 FRAUD-INSUFF FUNDS CHECK- _____

Use to describe an offense involving the writing and negotiating of checks drawn against insufficient funds. This classification is not to be used for offenses involving forged checks (see 2501 FORGERY OF CHECKS- _____). Available space following "CHECKS-" is to be used to further describe the offense.

2607 FRAUD-FALSE STATEMENT- _____

Use to describe an offense involving a statement made to or a claim made against a Government agency or official which was intentionally or knowingly untrue, fictitious, or fraudulent. Available space following "STATEMENT-" is to be used to further describe the offense.

This classification is not to be used when the more specific offense 4803 MAKING FALSE REPORT- _____ is applicable.

2608 FRAUD BY WIRE-_____

Use to describe an offense involving an intent to defraud, as defined above, coupled with the sending of communications in interstate or foreign commerce by wire. Available space following "WIRE-" is to be used to further describe the offense.

2699 FRAUD-(free text)_____

Describe in free text in the available space following "FRAUD-" an offense which involves fraud, as defined above, but which involves circumstances which cannot be properly classified according to one of the other FRAUDULENT ACTIVITIES offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a fraud arrest record for computer storage. See 2600 FRAUD-(free text)_____ for that purpose.

EMBEZZLEMENT

The illegal taking, misapplying or misappropriating of money or other thing of value which has been entrusted to one's care, custody, or control.

Theft of a vehicle by bailee should not be classified as embezzlement. See 2405 THEFT VEH BY BAILEE-_____ for that purpose.

2700 EMBEZZLE-(free text)_____

When converting an embezzlement arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific embezzlement classifications, this classification should be selected. The available space following "EMBEZZLE-" will be used to write in terms previously used to describe the offense, e.g., GOVERNMENT PROPERTY, THEFT BY EMBEZZLEMENT.

- 2701 EMBEZZLE-BUSINESS PROP-_____
- 2702 EMBEZZLE-INTERSTATE SHIPMENT-_____
- 2703 EMBEZZLE-BANKING-TYPE INST-_____
- 2704 EMBEZZLE-PUBLIC PROP-(U.S., state, city prop.)_____
- 2705 EMBEZZLE-POSTAL-_____

Use to describe an offense involving embezzlement, as defined above. 2701 EMBEZZLE-BUSINESS PROP-_____ will be used when business property is embezzled. 2702 EMBEZZLE-INTERSTATE SHIPMENT-_____ will be used when a shipment in interstate or foreign commerce is embezzled. 2703 EMBEZZLE-BANKING-TYPE INST-_____ will be used when property of a banking-type institution, i.e., a bank, savings and loan association, or credit union, is embezzled. 2704 EMBEZZLE-PUBLIC PROP-_____ will be used when property of the U.S., a state, a city, or other public entity is embezzled. 2705 EMBEZZLE-POSTAL-_____ will be used when an embezzlement of property of or in the custody of postal authorities.

2799 EMBEZZLE-(free text)_____

Describe in free text in the available space following "EMBEZZLE-" an offense which involves embezzlement as defined above, but which involves circumstances which cannot be properly classified according to one of the other EMBEZZLEMENT offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting an embezzlement arrest record for computer storage. See 2700 EMBEZZLE-(free text)_____ for that purpose.

STOLEN PROPERTY

Personal property of another which has been criminally taken, as by robbery, larceny, burglary, embezzlement, or false pretenses.

2800 STOLEN PROP-_____

When converting a stolen property arrest (not larceny, theft, or embezzlement of property) for computer storage and the details of the offense are not readily available for classification according to one of the following more specific stolen property classifications, this classification should be selected. The available space following "PROP-" will be used to write in terms previously used to describe the offense.

- 2801 SALE OF STOLEN PROP-_____
- 2802 TRANSPORT INTERSTATE STOLEN PROP-_____
- 2803 RECEIV STOLEN PROP-_____
- 2804 POSSESS STOLEN PROP-_____
- 2805 CONCEAL STOLEN PROP-_____

Use the appropriate SALE OF, TRANSPORT INTERSTATE, RECEIV, POSSESS, or CONCEAL STOLEN PROP offense, as above, to describe an offense involving the sale of, transporting interstate, receiving, possessing, or concealing of stolen property. Available space following "PROP-" in each classification will be used to further describe the offense.

2899 STOLEN PROP-(free text)_____

Describe in free text in the available space following "PROP-" an offense which involves stolen property, as defined above, but which involves circumstances which cannot be properly classified according to one of the other STOLEN PROPERTY offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a stolen property arrest record for computer storage. See 2800 STOLEN PROP-(free text)_____ for that purpose.

DAMAGE PROPERTY

The willful or malicious destruction, injury, disfigurement, or defacement of any business, private or public property, real or personal, without consent of the owner or person having custody or control, by cutting, tearing, breaking, marking, covering with filth, or any other such means as may be specified by statute. This offense covers a wide range of malicious behavior directed at property such as cutting truck or auto tires, breaking truck or auto glass, drawing obscene pictures on public restroom walls, breaking windows in public or private buildings, destroying school records and furnishings, tipping over gravestones, defacing library books, etc.

2900 DAMAGE PROP-(free text)_____

When converting a damaging of property arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific damaging of property classifications, this classification should be selected. The available space following "PROP-" will be used to write in terms previously used to describe the offense, e.g., INJURING RAILROAD, MALICIOUS DESTRUCTION OF PROP, or VANDALISM.

- 2901 DAMAGE PROP-BUSINESS-_____
- 2902 DAMAGE PROP-PRIVATE-_____
- 2903 DAMAGE PROP-PUBLIC-_____

Use to describe an offense involving the damaging (other than by burning-arson) of property (business, private or public). Choice of specific classification is made on the basis of ownership of the property damaged, i.e., select the first (2901) when business property is damaged, the second (2902) when private property is damaged, and the third (2903) when public property is damaged. Available space following BUSINESS- PRIVATE or PUBLIC- as applicable, is to be used to further describe the offense.

- 2904 DAMAGE PROP-BUSINESS-WITH EXPLOSIVE-_____
- 2905 DAMAGE PROP-PRIVATE-WITH EXPLOSIVE-_____
- 2906 DAMAGE PROP-PUBLIC-WITH EXPLOSIVE-_____

Use to describe an offense involving the damaging of property by use of explosives. Available space following "EXPLOSIVE-" is to be used to identify the type of explosive, if known.

MORALS - DECEY CRIMES

DANGEROUS DRUGS

2999 DAMAGE PROP-(free text) _____

Describe in free text in the available space following "PROP-" an offense which involves damaging property, as defined above, but which involves circumstances which cannot be properly classified according to one of the other DAMAGE PROPERTY offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a damaging of property arrest record for computer storage. See 2900 DAMAGE PROP-(free text) _____ for that purpose.

Narcotics, drugs defined as dangerous by statute or a regulatory agency, or other drugs which may cause physical or psychological dependence thereon or have a potential for abuse because of their stimulant, hypnotic, or depressant effect on the central nervous system or because of their hallucinogenic effect.

Marijuana (including hashish) should be identified as MARIJUANA and should not be placed in the general HALLUCINOGEN category, although it has been classified as a mild hallucinogen.

Driving under the influence of drugs should not be classified as a DANGEROUS DRUGS offense, but should be classified as 5403 DRIVING UNDER INFLUENCE DRUGS-_____.

3500 DANGEROUS DRUGS-(free text) _____

When converting a dangerous drug arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific dangerous drug classifications, this classification should be selected. The available space following "DRUGS-" will be used to write in terms previously used to describe the offense, e.g. LSD, MARIJUANA GLUE SNIFFING, HOPHEAD, DOPE.

3500 HALLUCINOGEN-MFR-_____

through

3583 BARBITURATE-(free text) _____

Note that the types of dangerous drugs listed are:

3501 through 3505 HALLUCINOGENS
3510 through 3513 HEROIN
3520 through 3523 OPIUM OR ITS DERIVATIVES
3530 through 3533 COCAINE
3540 through 3543 SYNTHETIC NARCOTICS
3560 through 3564 MARIJUANA (includes hashish)
3570 through 3573 AMPHETAMINES
3580 through 3583 BARBITURATES

Within these groupings are descriptive terms such as MFR, DISTRIB, SELL, and POSSESS, which provide for more specific classification of the offense (see Uniform Offense Classifications). Use the most specific offense available involving dangerous drugs. Available space following specific words set out in the classification may be used to further describe the offense.

3550 NARCOTIC EQUIP-POSSESS-_____

Use to describe an offense involving possession of equipment used in taking narcotics and other dangerous drugs, as defined above. Available space following "POSSESS-" is to be used to further describe the offense, e.g., SYRINGE or HYPO NEEDLE.

3599 DANGEROUS DRUGS-(free text)_____

Describe in free text in the available space following "DRUGS-" an offense which involves dangerous drugs, as defined above, but which involves circumstances which cannot be properly classified according to one of the other DANGEROUS DRUGS offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a dangerous drugs arrest record for computer storage. See 3500 DANGEROUS DRUGS-(free text)_____ for that purpose.

SEX OFFENSES

(Not involving sexual assault or commercialization of sex)

Illegal acts done for sexual stimulation or gratification or involving the display or exposure of sexual organs. (Acts relating to two persons are only those involving mutual consent.)

Sexual assaults (e.g., rape, sodomy, statutory rape, carnal abuse) are specifically excluded from SEX OFFENSES (see SEXUAL ASSAULT). Also, commercialized sexual offenses are specifically excluded from SEX OFFENSES (see COMMERCIALIZED SEXUAL OFFENSES).

3600 SEX OFFENSE-(free text)_____

When converting a sex offense arrest for computer storage and the details of the offense are not readily available for classification according to one of the following more specific sex offense classifications, this classification should be selected. The available space following "OFFENSE-" will be used to write in terms previously used to describe the offense, e.g., FORNICATION AND ADULTERY, ILLEGAL COHABITATION, SEDUCTION, MOLESTING, SEXUAL PERVERSION.

3601 SEX OFFENSE-AGAINST CHILD-FONDLING-_____

Unlawful fondling, caressing, or touching the genitals of another person who is a minor.

This offense classification is not to be used if one of the other sex offense classifications more specifically and completely describes the offense, e.g., incest or a homosexual act, or the offense should be classified as a sexual assault, e.g., sexual assault-sodomy, sexual assault-carnal abuse, or statutory rape-no force.

3602 HOMOSEXUAL ACT WITH GIRL-_____

3603 HOMOSEXUAL ACT WITH BOY-_____

Use to describe any offense involving any illegal consensual sexual relationship between individuals of the same sex, i.e., any illegal homosexual act (as defined by state or local statute).

Choose one of the offenses above, 3602...WITH GIRL or 3603... WITH BOY to indicate that the person participating with the offender was a GIRL or a BOY (not WOMAN or MAN).

Available space following "GIRL-" or "BOY-" is to be used to further describe the offense.



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3604 INCEST WITH MINOR-_____

Use to describe an offense involving intermarriage or the commission of adultery or fornication by persons who are within the degrees of consanguinity (i.e., blood relationship) in which marriage is prohibited when the victim is a minor. Available space following "MINOR-" is to be used to further describe the offense.

3605 INDECENT EXPOSURE-_____

Use to describe an offense involving exposure to sight of the private parts of the body in a lewd or indecent manner in a public place or in any place where there are present other persons to be offended or annoyed thereby. Available space following "EXPOSURE-" is to be used to further describe the offense.

3606 BESTIALITY-_____

Use to describe any offense involving a sex relationship with an animal or fowl. Available space following "BESTIALITY-" is to be used to further describe the offense.

3607 INCEST WITH ADULT-_____

Use to describe an offense involving intermarriage or the commission of adultery or fornication by persons who are within the degrees of consanguinity (i.e., blood relationship) in which marriage is prohibited when the victim is an adult. Available space following "ADULT-" is to be used to further describe the offense.

3608 SEDUCTION OF ADULT-_____

Use to describe an offense involving the act of a man in enticing a woman (adult) to commit unlawful sexual intercourse with him, by means of persuasion, solicitation, promises, bribes, or other means without the employment of force. Available space following "ADULT-" is to be used to further describe the offense.

When the offense consists of having sexual intercourse with a female under statutory age with her consent, use 1116 STAT RAPE-NO FORCE-_____

3609 HOMOSEXUAL ACT WITH WOMAN-_____

3610 HOMOSEXUAL ACT WITH MAN-_____

Use to describe an offense involving any illegal consensual relationship between individuals of the same sex, i.e., any illegal homosexual act (as defined by state or local statute).

Choose one of the offenses above: 3609...WITH WOMAN- or 3610...WITH MAN- (not GIRL or BOY).

Available space following "WOMAN-" or "MAN-" is to be used to further describe the offense.

3611 PEEPING TOM-_____

(Voyeurist)

Use to describe an offense involving loitering, prowling or wandering upon the private property of another and peering in the door or window of an inhabited building or structure located thereon without visible or lawful business with the owner or occupant thereof. Available space following "TOM-" is to be used to further describe the offense.

3699 SEX OFFENSE-(free text)_____

Describe in free text in the available space following "SEX OFFENSE-" an offense which involves a sex offense, as defined above, but which involves circumstances which cannot be properly classified according to one of the other SEX OFFENSE offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a sex offense arrest record for computer storage. See 3600 SEX OFFENSE-(free text)_____ for that purpose.

OBSCENITY

As currently defined by statute.

3799 OBSCENITY-(free text) (cont'd.)

3700 OBSCENE MATERIAL-(free text) _____

When converting for computer storage an offense involving obscene material, as defined by statute, and the details of the offense are not readily available for classification according to one of the following more specific obscene material classifications, this classification should be selected. The available space following "MATERIAL-" will be used to write in terms previously used to describe the offense.

3701 OBSCENE MATERIAL-MFR-_____
3702 OBSCENE MATERIAL-SELL-_____
3703 OBSCENE MATERIAL-MAILING-_____
3704 OBSCENE MATERIAL-POSSESS-_____
3705 OBSCENE MATERIAL-DISTRIB-_____
3706 OBSCENE MATERIAL-TRANSPORT-_____

Use to describe an offense involving the manufacturing, selling, mailing, possessing, distributing, or transporting of obscene material, as currently defined by statute, selecting the above offense which is appropriate to the circumstances. Available space following the words specified above is to be used to further describe the offense.

3707 OBSCENE COMMUNICATION-_____

Use to describe an offense involving the making or sending of an obscene, lewd, lascivious, filthy or indecent telephone call or other communication or knowingly permitting a telephone under a person's control to be used for such purpose. Available space following "COMMUNICATION-" is to be used to further describe the offense.

3799 OBSCENITY-(free text) _____

Describe in free text in the available space following "OBSCENITY-" an offense which involves obscene material or any aspect of obscenity, as currently defined by statute, but which involves circumstances which cannot be properly classified according to one of the other OBSCENITY offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting an obscene material arrest record for computer storage. See 3700 OBSCENE MATERIAL-(free text) _____.
This classification may be used when converting other obscenity arrest records for computer storage.

FAMILY OFFENSES

Any offense by a member of a family which threatens the unity of the family or the physical or economic welfare or morals of members of the family and which may not be more specifically defined according to another offense category specifically included in the Uniform Offense Classifications, e.g. 0901 HOMICIDE-WILFUL KILL-FAMILY-GUN- or 1302 AGGRAV ASSLT-FAMILY-.

3800 FAMILY OFFENSE-(free text) _____

When converting a family offense, as defined above, arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific family offense classifications, this classification should be selected. The available space following "FAMILY OFFENSE-" will be used to write in terms previously used to describe the offense, e.g., ABANDONMENT, DEPRIVING CHILD OF SUSTENANCE, FAILURE PROVIDE FOR FAMILY, REFUSAL TO SUPPORT.

3801 NEGLECT FAMILY-_____

Use to describe an offense involving the willful abandonment or desertion of family, including a minor child or minor children, by parent legally responsible for the care of such child or children or the willful omission, without lawful excuse, by a parent legally responsible for furnishing necessary clothing, food, shelter, or medical attendance or remedial care for the family. Available space following "FAMILY-" may be used to further describe the offense.

3802 CRUELTY TOWARD CHILD-_____

Use to describe an offense involving the causing or permitting a child to suffer, causing or permitting a child's life or limb to be endangered, causing or permitting the health of a child to be injured, or causing or permitting a child to be placed in a situation so that life or limb may be endangered. Available space following "CHILD-" may be used to further describe the offense.

If one of the crimes listed above as Crimes Against Person is involved and a child is the victim of cruelty incidental to that crime, the appropriate Crime Against Person would be selected, not 3802 CRUELTY TOWARD CHILD-_____.

3803 CRUELTY TOWARD WIFE-_____

Use to describe an offense involving the causing or permitting wife to suffer, causing or permitting the wife's life or limb to be endangered, causing or permitting the health of wife to be injured, or causing or permitting wife to be placed in a situation so that life or limb may be endangered. Available space following "WIFE-" may be used to further describe the offense.

If one of the crimes listed above as Crimes Against Person is involved and a wife is the victim of cruelty incidental to that crime, the appropriate Crime Against Person would be selected, not 3803 CRUELTY TOWARD WIFE-_____.

3804 BIGAMY-_____

Use to describe an offense involving willfully and knowingly contracting a second marriage, going through the form of a second marriage, or habitually cohabiting with a second husband or wife while the first marriage, to the knowledge of the offender, is still subsisting and undissolved. Habitually cohabiting, as referred to above, is to be considered to be bigamy only if the laws of the state of the offense so provide. Available space following "BIGAMY-" may be used to further describe the offense.

3805 CONTRIB DELINQ MINOR-_____

Use to describe an offense involving the intentional enticing, encouraging, persuading, etc., of a minor, as defined by the jurisdiction of offense, by anyone not a minor, to violate a local, state or Federal statute; to associate with vicious or disreputable persons or frequent places where same may be found; to habitually trespass where it is recognized he has no right to be; to use any vile, obscene, or indecent language; to perform any sexually immoral act; to visit any place where sexually indecent and obscene material, of any nature, is offered for sale, displayed, or exhibited; to absent himself, without authority of his parents, tutor or guardian, from his home or place of abode; to visit any place where a gambling device is found or where gambling habitually occurs, where any spiritous or intoxicating liquors are the principal commodity sold or given away; or as otherwise defined by statute. Available space following "MINOR-" may be used to further describe the offense.

3806 NEGLECT CHILD-_____

Use to describe an offense involving willful omission, without lawful excuse, by a parent legally responsible for the care of a child to furnish necessary clothing, food, shelter, or medical attendance or remedial care to the child as defined by state or local statute covering the offense. Available space following "CHILD-" may be used to further describe the offense.

3807 NONPAYMENT OF ALIMONY-_____

Use to describe any offense involving the nonpayment of alimony ordered to be paid in the event failure to pay alimony is not, under the statutes of the pertinent jurisdiction, considered to be contempt of court but is in violation of another statute. If the offense is considered to be contempt of court, it should be so classified. Available space following "ALIMONY-" may be used to further describe the offense.

3808 NONSUPPORT OF PARENT-_____

Use to describe an offense involving willful failure without lawful excuse to provide necessary clothing, food, shelter, or medical attendance or remedial care for parent by a son or daughter legally responsible for the care of the parent. Available space following "PARENT-" may be used to further describe the offense.

3899 FAMILY OFFENSE-(free text)_____

Describe in free text in the available space following "FAMILY OFFENSE-" a family offense, as defined above, but which involves circumstances which cannot be properly classified according to one of the other FAMILY OFFENSES listed in the Uniform Offense Classifications.

This classification is not to be used when converting family offense arrest records for computer storage. See 3800 FAMILY OFFENSE-(free text)_____ for that purpose.

GAMBLING

Unlawfully engaging in, playing, operating, or assisting in operating a game of chance for money or some other stake; betting or wagering money or something else of value; tampering with the outcome of a sporting event or contest to gain a gambling advantage; possessing, transmitting, operating, transporting gambling devices or goods, etc., as defined more specifically in local, state or Federal statutes.

3900 GAMBLING-(free text)_____

When converting a gambling arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific gambling classifications, this classification should be selected. The available space following "GAMBLING-" will be used to write in terms previously used to describe the offense.

- 3901 BOOKMAKING-_____
- 3902 CARD GAME-OPERATING-_____
- 3903 CARD GAME-PLAYING-_____
- 3904 CARD GAME-_____
- 3905 DICE GAME-OPERATING-_____
- 3906 DICE GAME-PLAYING-_____
- 3907 DICE GAME-_____
- 3908 GAMBLING DEVICE-POSSESS-_____
- 3909 GAMBLING DEVICE-TRANSPORT-_____
- 3910 GAMBLING DEVICE-NOT REGISTERED-_____
- 3911 GAMBLING DEVICE-_____
- 3912 GAMBLING GOODS-POSSESS-_____
- 3913 GAMBLING GOODS-TRANSPORT-_____
- 3914 GAMBLING GOODS-_____
- 3915 LOTTERY-OPERATING-_____
- 3916 LOTTERY-RUNNER-_____
- 3917 LOTTERY-PLAYING-_____
- 3918 LOTTERY-_____
- 3919 SPORTS TAMPERING-_____
- 3920 TRANSMIT WAGER INFORMATION-_____
- 3921 ESTABLISH GAMBLING PLACE-_____

Select the appropriate bookmaking, card game, dice game, gambling device, gambling goods, lottery (all variations of numbers gambling, and other gambling offenses from the above offense classification.) Definitions are as specified within the jurisdiction of prosecution. Use available space following words set out above to further describe the offense.

3999 GAMBLING-(free text) _____

Describe in free text in the space following "GAMBLING-" an offense involving gambling, as defined in the jurisdiction of prosecution, but which involves circumstances which cannot be properly classified according to one of the other GAMBLING offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a gambling arrest record for computer storage. See 3900 GAMBLING-(free text) _____ for that purpose.

COMMERCIALIZED SEXUAL OFFENSES

Illegal activities related to engaging in normal or deviate (heterosexual or homosexual) sexual acts for profit or gain.

4000 COMMERCIAL SEX-(free text) _____

When converting a commercialized sexual offense arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific classifications, this classification should be selected. Available space following "SEX-" will be used to write in terms previously used to describe the offense.

4001 KEEPING HOUSE ILL FAME- _____

Use to describe an offense involving the keeping of a house of ill-fame, bawdy-house, brothel, or other dwelling used as a resort of persons desiring unlawful sexual intercourse. Available space following "FAME-" is to be used to further describe the offense.

4002 PROCURE FOR PROSTITUTE-(pimping) _____

Use to describe an offense involving procuring or soliciting trade for a prostitute. Available space following "PROSTITUTE-" is to be used to further describe the offense.

4003 COMMERCIAL SEX-HOMOSEXUAL PROSTITUTION- _____

Use to describe an offense involving homosexual prostitution for profit or gain.

4004 PROSTITUTION- _____

Use to describe an offense involving selling the services of oneself for purposes of sexual intercourse. Available space following "PROSTITUTION-" may be used to further describe the offense.

4005 FREQUENT HOUSE ILL FAME-_____

Use to describe an offense involving attendance in or patronizing a house of ill fame, bawdy-house, brothel, or other dwelling used as a resort of persons desiring unlawful sexual intercourse. Available space following "FAME-" is to be used to further describe the offense.

4006 TRANSP FEMALE INTERSTATE FOR IMMORAL PURP-_____

Use to describe an offense involving the transporting of a female in interstate or foreign commerce, or within the District of Columbia or within one of the territories or possessions of the U.S. for prostitution, debauchery, or other immoral purposes.

4099 COMMERCIAL SEX-(free text)_____

Describe in free text in the available space following "SEX-" an offense which involves illegal activities related to engaging in normal or deviate (heterosexual or homosexual) sexual acts for profit or gain but which involves circumstances which cannot be properly classified according to one of the other COMMERCIALIZED SEXUAL OFFENSES listed in the Uniform Offense Classifications.

This classification is not to be used when converting commercialized sexual offenses arrest record for computer storage. See 4000 COMMERCIAL SEX-(free text)_____ for that purpose.

LIQUOR

Except as specifically provided for under another Uniform Offense Classification, any act which according to a local, state or Federal statute, involves illegally acquiring, manufacturing, selling, transporting, possessing intoxicating alcoholic liquor. Misrepresentation of age by minor to acquire such liquor is also to be included.

Driving under the influence of liquor and liquor tax violations should not be classified as LIQUOR offenses. See 5404 DRIVING UNDER INFLUENCE LIQUOR- and TAX REVENUE (6100 through 6199).

4100 LIQUOR-(free text)_____

When converting a liquor arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific liquor classifications, this classification should be selected. The available space following "LIQUOR-" will be used to write in terms previously used to describe the offense.

- 4101 LIQUOR-MFR-_____
- 4102 LIQUOR-SELL-_____
- 4103 LIQUOR-TRANSPORT-_____
- 4104 LIQUOR-POSSESS-_____
- 4105 MISREPRESENTING AGE-MINOR-_____

Use one of the above to describe offenses involving intoxicating alcoholic liquor. Space following the terms used above is to be used to further describe the offense.

4199 LIQUOR-(free text)_____

Describe in free text in the space following "LIQUOR-" an offense which involves liquor, as defined above, but which involves circumstances which cannot be properly classified according to one of the other LIQUOR offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a liquor arrest record for computer storage. See 4100 LIQUOR-(free text)_____ for that purpose.

DRUNKENNESS

An offense which relates only to being intoxicated from the use of alcoholic liquors or beverages.

Driving under the influence of liquor is not to be classified as drunkenness but as 5404 DRIVING UNDER INFLUENCE LIQUOR-
_____.

4200 DRUNKENNESS-(free text) _____
4299 DRUNKENNESS-(free text) _____

When converting a drunkenness arrest record for computer storage, use the first of the above classifications. In all other circumstances, use the second of the above classifications. Available space following "DRUNKENNESS-" is to be used to further describe the offense.

PUBLIC ORDER CRIMES

OBSTRUCTING THE POLICE

Offenses which interfere with investigation, enforcement, or administration of justice at the police level or at the correctional level in the Criminal Justice System.

4800 OBSTRUCT POLICE-(free text) _____

When converting an offense involving obstruction of police, as defined above, for computer storage and the details of the offense are not readily available for classification according to one of the following more specific offense classifications, this classification should be selected. The available space following "POLICE-" will be used to write in terms previously used to describe the offense.

4801 RESISTING OFFICER- _____

Use to describe an offense which involves willfully interfering with, hindering, opposing, resisting, or obstructing a peace officer from serving any lawful process or court order, making lawful seizure of property, or otherwise performing his duties while knowing his official position to be that of a police officer. Available space following "OFFICER-" is to be used to further describe the offense.

4802 OBSTRUCT CRIMINAL INVEST- _____

Use to describe an offense which involves willfully endeavoring by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay or prevent communication of information relating to a violation of any local, state or Federal criminal statute by any person to any individual duly authorized by a department, agency, or armed force of a local, state or Federal government to conduct or engage in investigations of or prosecutions for violations of criminal laws or injuring any person in his person or property because of the giving by such person or by any person of any such information to a criminal investigation. Available space following "INVEST-" is to be used to further describe the offense.

4803 MAKING FALSE REPORT- _____

Use to describe an offense which involves making false report to a law enforcement agency about an occurrence which did not occur, an impending occurrence which will not occur, or an actual or attempted offense. Available space following "REPORT-" is to be used to further describe the offense.

4804 EVIDENCE-DESTROYING-_____

Use to describe an offense which involves willfully destroying or concealing any book, paper, record, instrument in writing, or other matter or thing which is about to be produced in evidence upon any trial, inquiry, or investigation whatever, authorized by law, with intent thereby to prevent it from being introduced in evidence. Available space following "DESTROYING-" is to be used to further describe the offense.

4805 WITNESS-DISSUADING-_____

Use to describe an offense which involves willfully dissuading or preventing any person who is or may become a witness, from attending any trial, proceeding, or inquiry authorized by law. Available space following "DISSUADING-" is to be used to further describe the offense.

4806 WITNESS-DECEIVING-_____

Use to describe an offense which involves, while practicing fraud or deceit, knowingly making or exhibiting any false statement, representation, token, material, or writing, to any witness or person about to be called as a witness at any trial, proceeding, inquiry, or investigation whatever, authorized by law, with intent to affect the testimony of such witness. Available space following "DECEIVING-" is to be used to further describe the offense.

4807 REFUSING TO AID OFFICER-_____

Use to describe an offense involving the willful refusal to comply with a lawful order to assist a law enforcement officer. Available space following "OFFICER-" may be used to further describe the offense.

4808 COMPOUNDING CRIME-_____

Use to describe an offense involving accepting anything of apparent present or prospective value which belongs to another, or of any promise thereof, by a person having knowledge of the commission of a crime, upon an agreement, express or implied, to conceal such offense, or not to prosecute the same, or not to reveal or give evidence thereof. Available space following "CRIME-" is to be used to further describe the offense.

4809 UNAUTH COMMUNICATION WITH PRISONER-_____

Use to describe an offense as follows: without permission of an officer in charge of jail, prison, correctional institution, hospital, or other place of detention, communicating with any person detained therein or bringing therein or taking therefrom any letter, writing, literature, or reading matter to or from any person confined therein.

4810 ILLEGAL ARREST-_____

Use to describe an offense involving the unlawful making of an arrest. Available space following "ARREST-" is to be used to further describe the offense.

4811 CROSSING POLICE LINES-_____

Use to describe an offense involving the unauthorized willful entry into or remaining willfully in an area which has been closed by a law enforcement agency by means of ropes, markers, guards or other means for reasons of public health or safety. Available space following "LINES-" is to be used to further describe the offense.

4812 FAILURE REPORT CRIME-_____

Use to describe an offense which involves having knowledge that a crime has been committed and concealing this knowledge from proper authorities. Available space following "CRIME-" is to be used to further describe the offense.

4813 FAILING TO MOVE ON-_____

Use to describe an offense involving remaining present at a place of riot or unlawful assembly, or as otherwise provided by statute, after having been lawfully warned to disperse or leave the area. Available space following "ON-" is to be used to further describe the offense.

4899 OBSTRUCT POLICE-(free text)

Describe in free text in the space following "OBSTRUCT POLICE-" an offense involving obstructing police, as defined above, but which involves circumstances, methods, et cetera, which cannot be properly classified according to one of the other OBSTRUCTING THE POLICE offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting an obstructing the police arrest record for computer storage. See 4800 OBSTRUCT POLICE-(free text) for that purpose.

FLIGHT - ESCAPE

As used below.

4901 ESCAPE-(identify type institution)

Use to describe an offense of escaping from legal detention or custody. Available space following "ESCAPE-" is to be used to identify the type institution, e.g., STATE PRISON, FEDERAL PRISON, COUNTY JAIL, or, if space available is adequate, to identify by name the specific institution from which offender escaped.

4902 FLIGHT TO AVOID-(prosecution, confinement, etc.)

Use to describe an offense involving the traveling in interstate or foreign commerce with intent (1) to avoid prosecution, or custody, or confinement after conviction under the laws of the place from which he flees for crime or attempt to commit a crime punishable by death or which is a felony under the laws of the place from which he flees or in the case of New Jersey is a high misdemeanor, or as otherwise provided in Title 18, Section 1073 and 1074, U.S. Code, or (2) to avoid the giving of testimony in any criminal proceedings in such place in which the commission of an offense punishable by death or which is a felony, or in the case of New Jersey is a high misdemeanor, is charged.

Available space following the word "AVOID-" is to be used to add the appropriate word(s) from the following: CUSTODY-, PROSECUTION-, CONFINEMENT-, GIVING TESTIMONY- (and to further describe the offense).

4903 AIDING PRISONER ESCAPE-(identify type institution)

Use to describe an offense involving the aiding or assisting prisoners to escape from any prison, jail, correctional institution, hospital or other place of lawful detention or custody.

4904 HARBORING-

Use to describe an offense involving the sheltering or concealing of any person for whose arrest a warrant or process has been issued or who has escaped from legal custody. Available space following "HARBORING-" is to be used to further describe the offense, e.g., ESCAPEE- or FUGITIVE-.

4999 FLIGHT-ESCAPE-(free text)

Describe in free text in the available space following "FLIGHT-ESCAPE-" an offense involving or related to flight or escape, but which involves circumstances which cannot be properly classified according to one of the other FLIGHT-ESCAPE offenses listed in the Uniform Offense Classifications.

OBSTRUCTING JUDICIARY, CONGRSS, LEGISLATURE,
OR A COMMISSION

Offenses in violation of local, state or Federal statutes and involving the impeding of, obstruction of, interference with, or contempt for the proper administration of justice by the courts or the activities and deliberations of the Congress of the United States, the legislative body of a state, or specifically designated commissions, etc.

5000 OBSTRUCT-(specify JUDIC, CONGR, LEGIS, COMMSN)
(free text)

When converting an obstruction arrest for computer storage and the details of the offense are not readily available for classification according to one of the more specific obstruction classifications, this classification should be selected. The available space following "OBSTRUCT-" will be used to identify the type of official body (judiciary, congress, legislature or a commission) obstructed and to further describe the offense.

5001 BAIL-SECURED BOND-

Use to describe an offense involving willful failure to appear as required by bail secured by a bond. Available space following "BOND-" may be used to further describe the offense.

5002 BAIL-PERSONAL RECOG-

Use to describe an offense involving willful failure to appear as required by a personal recognizance bond. Available space following "RECOG-" may be used to further describe the offense.

5003 PERJURY-

Use to describe an offense involving a material willful false statement by a witness under oath or by affidavit in a judicial proceeding. Available space following "PERJURY-" is to be used to further describe the offense.

5004 PERJURY-SUBORNATION OF-_____

Use to describe an offense involving willfully procuring another person to commit perjury. Available space following "OF-" is to be used to further describe the offense.

5005 CONTEMPT OF COURT-_____

Use to describe an offense involving an act which was calculated to embarrass, hinder, or obstruct the court in its administration or to lessen its authority or dignity. Available space following "COURT-" is to be used to further describe the offense.

5006 OBSTRUCTING JUSTICE-_____

Use to describe an offense involving threats or use of force to influence, intimidate, impede, or injure the person or property of a witness, juror or other judicial officer because of his discharging or having discharged his duty or otherwise influences, obstructs, impedes or endeavors to so hamper justice. Available space following "JUSTICE-" is to be used to further describe the offense.

5007 OBSTRUCTING COURT ORDER-_____

Use to describe an offense involving use of threat or force for the purpose of interfering with any rights or performance of duties under a court order. Available space following "ORDER-" is to be used to further describe the offense.

5008 MISCONDUCT-JUDIC OFFICER-_____

Use to describe an offense involving any unlawful behavior by a public officer in relation to the duties of his office. Available space following "OFFICER-" is to be used to further describe the offense.

5009 CONTEMPT OF CONGRESS-_____

Use to describe an offense involving an act which obstructs the due course of a proceeding of either house of the United States Congress or grossly reflects on the character of a member or imputes to him what would be libel to impute to an ordinary person. Available space following "CONGRESS-" is to be used to further describe the offense.

5010 CONTEMPT OF LEGISLATURE-_____

Use to describe an offense involving an act which obstructs the due course of an official legislative body other than United States Congress or grossly reflects on the character of a member or imputes to him what would be libel to impute to an ordinary person. Available space following "LEGISLATURE-" is to be used to further describe the offense.

5011 PAROLE VIOLATION-_____

Use to describe an offense involving a violation of parole. Available space following "VIOLATION-" is to be used to further describe the offense.

5012 PROB VIOLATION-_____

Use to describe an offense involving a violation of probation. Available space following "VIOLATION-" is to be used to further describe the offense.

5013 CONDIT RELEASE VIOLATION-_____

Use to describe an offense involving a violation of conditional release. Available space following "VIOLATION-" is to be used to further describe the offense.

5014 MANDATORY RELEASE VIOLATION-_____

Use to describe an offense involving a violation of terms of mandatory release. Available space following "VIOLATION-" is to be used to further describe the offense.

5015 FAILURE TO APPEAR-_____

Use to describe an offense involving failure to appear in court when lawfully directed. Available space following "APPEAR-" is to be used to further describe the offense.

5099 OBSTRUCT-(specify JUDIC, CONGR, LEGIS, COMMSN)
(free text)

Describe in free text in the available space following "OBSTRUCT-" an offense which involves obstructing judiciary, Congress, legislature or a commission but which involves circumstances which cannot be properly classified according to one of

5099 OBSTRUCT-(specify JUDIC, CONGR, LEGIS, COMMSN)
(free text) (cont'd.)

the other OBSTRUCTING JUDICIARY (et cetera) offenses listed above
in the Uniform Offense Classifications.

This classification is not to be used when converting an
"OBSTRUCTING" arrest record for computer storage. See 500%
OBSTRUCT-_____ for
that purpose.

BRIBERY

Giving, offering, receiving or soliciting anything of value
in order to influence a person in the discharge of his duties or
to be influenced in the discharge of his duties in violation of
any state, local or Federal statute. Also included in this cate-
gory are illegal acts which involve engaging or participating in
activities or proceedings which are in conflict with the respon-
sibilities or position of a person or of individuals related to
or associated with a person, in violation of the provisions of
any state or Federal statute (conflict of interest).

5100 BRIBERY-(free text) _____

When converting a bribery arrest record for computer stor-
age and the details of the offense are not readily available for
classification according to one of the following more specific
bribery classifications, this classification should be selected.
The available space following "BRIBERY-" will be used to write
in terms previously used to describe the offense, e.g., BRIBING
OFFICIAL.

5101 BRIBE-GIVING-_____

5102 BRIBE-OFFERING-_____

5103 BRIBE-RECEIVING-_____

Use to describe an offense involving the giving, offering
or receiving anything of value in order to influence a person
or to be influenced by a person in the discharge of his duties
in violation of any state, local or Federal statute. Select the
appropriate offense from the three offenses listed above. Use
available space following "GIVING-", "OFFERING-", "RECEIVING-"
to further describe the offense.

5104 BRIBE-(free text) _____

Use to describe an offense involving the promising, soliciting
or agreeing to receive a bribe or other bribery offense which
involves circumstances which cannot be properly classified as
GIVING, OFFERING, or RECEIVING as set out above. Use available
space following "BRIBE-" to further describe the offense, e.g.,
SOLICITING.

5105 CONFLICT OF INTEREST-_____

Use to describe an offense which involves illegal acts of
engaging or participating in activities or proceedings which are
in conflict with the responsibilities or position of a person or
of individuals related to or associated with a person in viola-
tion of the provisions of local, state or Federal statutes.

5106 GRATUITY-GIVING-_____
5107 GRATUITY-OFFERING-_____
5108 GRATUITY-RECEIVING-_____

Use to describe an offense involving the giving, offering, or receiving of compensation or other thing of value for service in a matter in which the employee has a substantial interest or as otherwise defined by local, state or Federal statute as the illegal giving, offering, or receiving of a gratuity. Use available space following "GIVING-", "OFFERING-", or "RECEIVING-" to further describe the offense.

5109 GRATUITY-(free text)_____

Use to describe an offense involving promising, soliciting, or agreeing to receive a gratuity for service in a matter in which the employee has a substantial interest or as otherwise defined by local, state or Federal statute. Use available space following "GRATUITY-" to further describe the offense.

5110 KICKBACK-GIVING-_____
5111 KICKBACK-OFFERING-_____
5112 KICKBACK-RECEIVING-_____

Use to describe an offense involving the giving, offering, or receiving of a kickback, a part of money received as payment or commission or as otherwise defined by statute, to influence actions, decisions, or other duties relating to the responsibilities or position of a person. Use available space following "GIVING-", "OFFERING-", or "RECEIVING-" to further describe the offense.

5113 KICKBACK-(free text)_____

Use to describe an offense involving the promising, soliciting, or agreeing, to receive a kickback, a part of money received as payment or commission or as otherwise defined by statute, to influence actions, decisions, or other duties relating to the responsibilities or position of a person. Use available space following "KICKBACK-" to further describe the offense.

5199 BRIBERY-(free text)_____

Describe in free text in the available space following "BRIBERY-" an offense which involves a bribery as defined above, but which cannot be classified according to one of the other BRIBERY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a bribery arrest record for computer storage. See 5100 BRIBERY-(free text)_____ for that purpose.

WEAPON OFFENSES

Any offense according to state, local or Federal law which relates specifically to possessing, carrying, licensing, firing, selling, using, etc., weapons shall be considered to be a weapon offense.

Weapons shall include such instruments as guns, shotguns, pistols, revolvers, air guns, machine guns, other firearms, ammunition, sniper scopes, silencers, mufflers, razors, knives, firebombs, bombs, bomb shells, explosive materials, explosive devices, incendiary devices, metal knuckles, blackjacks, billies, bludgeons, sandbags, sandclubs, slingshots or other tools, implements or devices which may be used to attack another person.

5200 WEAPON OFFENSE-(free text) (specify offense)

When converting a weapon offense arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following specific weapon offense classifications, this classification should be selected. The available space following "WEAPON OFFENSE-" will be used to write in terms previously used to describe the offense, e.g., DISPLAYING GUN.

5201 ALTERING IDENTIFICATION ON-(specify)

Use to describe an offense involving the altering of a serial number on a firearm or otherwise altering identification on a weapon in violation of a state, local, or Federal statute. Available space following "ON-" is to be used to specify weapon so altered.

5202 CARRYING CONCEALED-(specify weapon)

Use to describe an offense involving the carrying of a concealed weapon. Available space following "CONCEALED-" is to be used to specify type weapon involved.

5203 CARRYING PROHIBITED-(specify weapon)

Use to describe an offense involving the carrying of a weapon prohibited by state, local, or Federal statute. Available space following "PROHIBITED-" is to be used to indicate type of weapon.

5204 EXPLOSIVES-TEACHING USE-(specify)

Use to describe an offense involving teaching the use of explosives. Specify type of explosive, e.g., dynamite, TNT, etc., in available space following "USE-".

5205 EXPLOSIVES-TRANSPORTING-(specify)

Use to describe an offense involving transporting explosives. Specify type of explosive in available space following "TRANSPORTING-".

5206 EXPLOSIVES-USING-(specify)

Use to describe an offense involving the use of explosives. Specify type of explosive in available space following "USING-".

5207 INCENDIARY DEVICE-POSSESS-(specify)

Use to describe an offense involving possession of an incendiary device. Specify type of device in available space following "POSSESS-".

5208 INCENDIARY DEVICE-USING-(specify)

Use to describe an offense involving use of an incendiary device. Available space following "USING-" is to be used to describe the type of incendiary device used. Do not use this classification if offense falls within ARSON classification 2000-2099.

5209 INCENDIARY DEVICE-TEACHING USE-(specify)

Use to describe an offense involving the teaching of the use of an incendiary device. Specify the particular device(s) in available space following "USE-".

5210 LICENSING-REGISTRATION-(specify)

Use to describe an offense involving a violation of a state, local or Federal licensing or registration law. Available space following "REGISTRATION-" is to be used to specify weapon involved or activity for which licensing or registration was required.

5211 EXPLOSIVES-POSSESSING-(specify) _____

Use to describe an offense involving the possession of explosives. Specify type of explosive in available space following "POSSESSING-".

5212 POSSESSION OF-(specify) _____

Use to describe an offense of possessing a weapon which is not an incendiary device or an explosive. Available space following "OF-" is to be used to identify the contraband possessed.

5213 FIRING-(specify weapon) _____

Use to describe an offense involving discharging of a weapon. Available space following "FIRING-" is to be used to identify the type weapon fired or discharged.

5214 SELLING-(specify weapon) _____

Use to describe an offense involving selling of a weapon. Available space following "SELLING-" is to be used to identify the type of weapon sold.

5215 THREAT TO BOMB-(specify) _____

Use to describe an offense involving the willfully conveying of or causing to be conveyed any threat (or false information, knowing same to be false) concerning an attempt or alleged attempt to damage or destroy any building or other property, and as more specifically provided by statute. Available space following "BOMB-" is to be used to further describe the offense.

A choice may be made by the person coding this offense. The offense of general applicability threat to commit (THRT) may be associated with one of the DAMAGE PROPERTY classifications or the above offense may be selected.

5216 THREAT TO BURN-(specify) _____

Use to describe an offense involving the willfully conveying of or causing to be conveyed any threat (or false information, knowing same to be false) concerning an attempt or alleged attempt to damage or destroy any building or other property, and as more specifically provided by statute. Available space following "BURN-" is to be used to further describe the offense.

A choice can be made by the person coding this offense. The offense of general applicability threat to commit (THRT) may be associated with one of the ARSON classifications or the above offense may be selected.

5299 WEAPON OFFENSE-(free text) _____

Describe in free text in the available space following "WEAPON OFFENSE-" an offense which involves weapons, as defined above, but which involves circumstances which cannot be properly classified according to one of the other WEAPON OFFENSES listed in the Uniform Offense Classification.

This classification is not to be used when converting a weapon offense arrest record for computer storage. See 5200 WEAPON OFFENSES-(free text) _____ for that purpose.

- 5302 RIOT-INCITING-_____
- 5303 RIOT-ENGAGING IN-_____
- 5304 RIOT-INTERFERE FIREMAN-_____
- 5305 RIOT-INTERFERE OFFICER-_____
- 5306 RIOT-(free text)_____

Select from the above the offense which most specifically describes the riot-related offense. If 5302, 5303, 5304 and 5305 do not apply or do not adequately describe the circumstances of the riot-related offense, select the last of the offenses listed and use the available space to further describe the offense.

- 5307 ASSEMBLY-UNLAWFUL-_____

Use to describe an offense involving the assembling together of persons to riot or to do another unlawful act who separate without actually doing such act or making any motion to do such act or the assembling together of persons to do a lawful act in a violent, boisterous or tumultuous manner, or as otherwise defined by state, local or Federal statute. Available space following "UNLAWFUL-" is to be used to further describe the offense.

- 5308 FALSE FIRE ALARM-_____

Use to describe an offense involving the actuating of a fire alarm for any purpose other than to report a fire. Available space following "ALAR-" is to be used to further describe the offense.

- 5309 HARASSING COMMUNICATION-_____

Use to describe an offense involving the making or sending of a telephone call or communication to threaten or harass any person or knowingly permitting a telephone under a person's control to be used for such purpose. Available space following "COMMUNICATION-" is to be used to further describe the offense.

- 5310 DESECRATING FLAG-_____

Use to describe an offense involving publicly mutilating, defacing, defiling, burning or trampling any flag, standard, colors, or ensign of the United States or any picture or representation of either, or as may be otherwise provided by state or Federal statute. Available space following "FLAG-" is to be used to further describe the offense.

PUBLIC PEACE

Public peace offenses shall be those which agitate against or which disturb the peace or tranquility of the community in general and which are not more specifically identified elsewhere in the Uniform Offense Classifications.

- 5300 PUBLIC PEACE-(free text)_____

When converting an arrest for a public peace violation for computer storage and the details of the offense are not readily available for classification according to one of the following more specific Public Peace activities classifications, this classification should be selected. The available space following "PUBLIC PEACE-" will be used to write in terms previously used to describe the offense.

- 5301 ANARCHISM-_____

Use to describe an offense involving the advocating, advising, or teaching by word of mouth or by any writing the propriety of overthrowing, overturning, or destroying organized government by any unlawful means or resisting by terrorist tactics organized government. Such actions as assembling for the purpose of advocating anarchy, permitting premises to be used for anarchistic purposes, publishing or distributing anarchistic literature, etc., shall be included. Available space following "ANARCHISM-" is to be used to further describe the offense.

RIOT

A public disturbance caused, in violation of law, by one or more persons who are part of an assemblage of three or more persons and involving an act of violence or involving a threat coupled with the ability to immediately execute the threat if the threat constitutes a clear and present danger of property damage or personal injury, or as otherwise defined by state, local or Federal statute.

5311 DISORD CONDUCT-(specify conduct) _____

Use to describe an offense involving behavior contrary to law and which tends to disturb the public peace or decorum. Available space following "CONDUCT-" is to be used to further describe the offense.

This classification is not to be chosen when the nature of the offense relates to matters of morality, although such acts may be included as disorderly conduct under a state or local statute, when the nature and circumstances can be more accurately described under one of the more specific Morals-Decency Crimes. Neither should this classification be chosen when the nature of the offense relates to unlawful acts which may be more accurately described under another more specific offense classification despite the provisions of the local or state statute.

5312 DISTURB PEACE-(specify conduct) _____

Use to describe an offense involving the interruption of peace, quiet and good order of a community, particularly by unnecessary, loud, unusual or distracting noises. Available space following "PEACE-" is to be used to further describe the offense.

This classification is not to be chosen when the offense relates to unlawful acts which may be more accurately described under another more specific offense classification despite the provisions of the local or state statute.

5313 CURFEW- _____

Use to describe a violation of curfew as defined by local or state statute. Available space following "CURFEW-" is to be used to describe the circumstances of the curfew violated.

5314 LOITERING- _____

Use to describe an offense involving remaining about a place without apparent reason. Available space following "LOITERING-" is to be used to further describe the offense.

Offenses involving circumstances more properly identified with gambling, prostitution, sexual deviation, dangerous drugs, or other more specific crimes are not to be classified as loitering, despite jurisdictions which include such actions in their loitering statutes, but should be classified according to the offense which more meaningfully describes the activity. Only an offense which generally meets the above definition should be classified as loitering.

5399 PUBLIC PEACE-(free text) _____

Describe in free text in the available space following "PUBLIC PEACE-" an offense which involves public peace, as defined above but which involves circumstances which cannot be properly classified according to one of the other PUBLIC PEACE offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a public peace arrest record for computer storage. See 5300 PUBLIC PEACE-(free text) _____ for that purpose.

TRAFFIC OFFENSE

Violations of a state, local (county, city, township, village, etc.) or Federal statute which relates to operation, maintenance, use, ownership (including financial responsibility attendant to ownership), licensing and registration of motor vehicles, and similar offenses related to the obtaining and use of motor vehicle operators licenses.

5400 TRAFFIC OFFENSE-(free text) _____

When converting a traffic offense for computer storage and the details are not readily available for classification according to one of the following more specific traffic offense classifications, this classification should be used. Use available space following "OFFENSE-" to further describe the violation.

5401 HIT AND RUN- _____

Failure to stop, render aid and reveal identity after involvement in an accident resulting in bodily damage or property damage, or as may be more specifically defined by statute(s) in effect at the time and place of occurrence. Use available space following "RUN-" to further describe the offense.

Evading arrest by fleeing the scene of citation or road-block (no involvement in an accident resulting in bodily or property damage) or evading arrest by extinguishing lights when lights required would not be designated hit and run but would be treated as a moving traffic violation. See 5405 MOVING TRAFFIC VIOL- _____.

5402. TRANSP DANGEROUS MATERIAL- _____

Use to describe a transporting of dangerous materials or device offense in violation of local (county, city, township, village, etc.), state, and/or Federal statute(s). Dangerous materials/devices include flammable, explosive, radioactive, corrosive, caustic, and poisonous materials/devices, fireworks, etc., as defined by local, state and/or Federal statute(s). Use available space following "MATERIAL-" to further describe the offense.

5403 DRIVING UNDER INFLUENCE DRUGS- _____

Driving or operating any motor vehicle or common carrier while under the influence of drugs (or narcotics) in violation of state, local (county, city, township, village, etc.) or Federal statute(s). When no vehicle is involved, see DANGEROUS DRUGS offense classifications (3500-3599). Use available space following "DRUGS-" to further describe the offense.

5404 DRIVING UNDER INFLUENCE LIQUOR- _____

Driving or operating any motor vehicle or common carrier while under the influence of intoxicating liquor or other alcoholic intoxicant in violation of state, local (county, city, township, village, etc.), or Federal statute(s). When no vehicle is involved, see LIQUOR and DRUNKENNESS classifications (4100-4199 and 4200-4299). Use available space following "LIQUOR-" to further describe the offense.

5405 MOVING TRAFFIC VIOL- _____

Use to describe an offense involving motor vehicle laws which is classified as a "moving" traffic violation. Following "VIOL-" describe the specifics and nature of the violations, except when the offense involves hit and run or driving while under the influence of dangerous drugs or alcohol or transporting dangerous material.

5406 NONMOVING TRAFFIC VIOL- _____

Use to describe an offense in violation of motor vehicle laws which is classified as a "nonmoving" violation, i.e., which occurs while the vehicle is not moving or is unrelated to movement of the vehicle. Use available space following "VIOL-" to further describe the offense.

5499 TRAFFIC OFFENSE-(free text) _____

Describe in free text (may be easily readable abbreviated language) in the available space following "OFFENSE-" an offense which involves a violation of a state, local (county, city, township, village, etc.) or Federal statute which relates to operation, maintenance, use, ownership (including financial responsibility attendant to ownership), licensing and registration of motor vehicles, and similar offenses related to the obtaining and use of motor vehicle operators' licenses which cannot be adequately classified according to one of the other TRAFFIC OFFENSES listed above.

5499 TRAFFIC OFFENSE-(free text) (cont'd.)

This classification is not to be used when converting a traffic offense arrest record for computer storage. See 5400 TRAFFIC OFFENSE-(free text) for that purpose.

HEALTH - SAFETY

Violations involving the endangering of health or physical safety of an individual or of a community, as may be provided by state, local (county, city, township, village, etc.) or Federal statute, and not more specifically identifiable with another Uniform Offense Classification.

5500 HEALTH-SAFETY-(free text)

When converting a health-safety charge for computer storage and the details of the offense are not readily available for classification according to one of the following more specific classifications, this classification should be used. Use available space following "SAFETY-" to write in terms previously used to describe the offense.

5501 DRUGS-ADULTERATED-

Use to describe an offense involving the addition of poisonous, insanitary, deteriorative, health-endangering, unsafe, non-nutritive, filthy, putrid, or other ingredients to any drug in violation of and as defined in a state, local (city, county, village, township, etc.) or Federal statute, or the misrepresentation of the strength, quality or purity of any drug in violation of and as defined in a state, local, or Federal statute. Use available space following "ADULTERATED-" to further describe the offense.

5502 DRUGS-MISBRANDED-

Use to describe an offense involving false or misleading drug labels; offering drug under another name; imitation of a drug; misleading drug containers; misrepresentation of drug quality, contents, weight, or volume; misrepresentation of size, color, flavor, or chemical preservatives in or of drugs; and drugs which are health-endangering when used as prescribed and other similar violations of state, local (city, county, township, village, etc.) or Federal statutes. Use available space following "MISBRANDED-" to further describe the offense.

5503 DRUGS-(free text)

Use to describe offenses involving drugs other than 5501 DRUGS-ADULTERATED-, 5502 DRUGS-MISBRANDED-, and DANGEROUS DRUGS (3500 to 3599). Available space following "DRUGS-" is to be used to further describe the offense.

5510 FOOD-ADULTERATED-_____

Use to describe an offense involving the addition of poisonous, insanitary, deteriorative, health-endangering, unsafe, non-nutritive, filthy, putrid, or other ingredients to any food in violation of and as defined in a state, local (county, city, township, village, etc.) or Federal statute; or the misrepresentation of the strength, quality or purity of any food, in violation of and as defined in a state, local, or Federal statute. Use available space following "ADULTERATED-" to further describe the offense.

5511 FOOD-MISBRANDED-_____

Use to describe an offense involving false or misleading food labels; offering food under another name; imitation of food; misleading food containers; misrepresentation of food quality, weight, or volume; misrepresentation of size, color, etc.; misrepresentation of chemical preservatives in food; and food which is health-endangering and other similar violations of state, local (county, city, township, village, etc.) or Federal statutes. Use available space following "MISBRANDED-" to further describe the offense.

5512 FOOD-(free text)_____

Describe in free text (may be easily readable abbreviated language) offenses relating to food which involve circumstances which cannot be properly classified as 5510 FOOD-ADULTERATED-_____ or 5511 FOOD-MISBRANDED-_____. Use available space following "FOOD-" to further describe the offense.

5520 COSMETICS-ADULTERATED-_____

Use to describe an offense involving cosmetics and the addition of poisonous, insanitary, deteriorative, health-endangering, unsafe, or other ingredients thereto in violation of and as defined in a state, local (county, city, township, village, etc.) or Federal Statute. Use available space following "ADULTERATED-" to further describe the offense.

5521 COSMETIC-MISBRANDED-_____

Use to describe an offense involving false or misleading cosmetic labels; offering cosmetics under another name; imitation of a cosmetic; misleading cosmetic containers; misrepresentation of cosmetic's quality, weight, or volume; misrepresentation of color, chemical composition, etc., of a cosmetic; and cosmetics which are health-endangering when used as recommended and other violations of state, local (county, city, township, village, etc.) or Federal statute. Use available space following "MISBRANDED-" to further define the offense.

5522 COSMETICS-(free text)_____

Describe in free text (may be easily readable abbreviated language) offenses relating to cosmetics which involve circumstances which cannot be properly classified as 5520 COSMETICS-ADULTERATED-_____ or 5521 COSMETICS-MISBRANDED-_____. Use available space following "COSMETICS-" to further describe the offense.

5599 HEALTH-SAFETY-(free text)_____

Describe in free text (may be easily readable abbreviated language) in the available space following "SAFETY-" any health-safety offense which is a violation of a state, local (county, city, township, village, etc.) or Federal statute which cannot be adequately classified according to one of the other HEALTH-SAFETY OFFENSES listed above.

This classification is not to be used when converting a health-safety arrest record for computer storage. See 5500 HEALTH-SAFETY-(free text)_____ for that purpose.

CIVIL RIGHTS

Offenses charging violations of civil rights as defined by state, local (county, city, township, village, etc.) or Federal statute(s).

5600 CIVIL RIGHTS-(free text) _____

When converting a civil rights charge for computer storage, this classification should be used. Available space following "RIGHTS-" should be used to write in terms previously used to describe the offense.

5699 CIVIL RIGHTS-(free text) _____

Use to describe any offense charging violation of civil rights as defined by state, local (county, city, townships, village, etc.) or Federal statute(s). Use available space following "RIGHTS-" to further describe the civil rights offense.

INVASION OF PRIVACY

Invasion of a legally established right to withhold oneself and property from public scrutiny.

5700 INVADE PRIVACY-(free text) _____

When converting an invasion of privacy arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific invasion of privacy classifications, this classification should be selected. The available space following "PRIVACY-" will be used to write in terms previously used to describe the offense.

5701 DIVULGE EAVESDROP INFO- _____

Use to describe an offense involving the willful use or endeavor to use, divulge or publish any information obtained by a device capable of being used to hear, intercept or record oral conversation or other communication, whether the conversation is conducted or the information is transmitted in person, by telephone, or by any other means in violation of local, state or Federal statutes. Use available space following "INFO-" to further describe the offense.

5702 DIVULGE EAVESDROP ORDER- _____

Use to describe an offense involving the divulging of a lawful eavesdropping order in violation of local, state or Federal statutes. Use available space following "ORDER-" to further describe the offense.

5703 DIVULGE MESSAGE CONTENTS- _____

Use to describe an offense involving the divulging of the contents of an illegally opened communication without consent in violation of local, state or Federal statutes. (Also see definition for 5706 OPENING SEALED COMMUNICATION __.)

5704 EAVESDROPPING-(free text) _____

Use to describe an offense involving wilfully using a device to hear, intercept, or record an oral conversation or other information whether the conversation is conducted or the communication is transmitted in person, by telephone or by any other means, in violation of local, state, or Federal statutes. Use available space following the word "EAVESDROPPING-" to further describe the offense.

5705 EAVESDROP EQUIP-(free text) _____

Use to describe an offense in violation of local, state, and Federal statutes relating to the manufacturing, assembling, distributing, selling, possessing, advertising, etc., of devices primarily useful for surreptitious interception of wire or oral communications. Use available space following "EQUIP-" to further describe the offense.

5706 OPENING SEALED COMMUNICATION-_____

Use to describe an offense involving the opening of a sealed communication without consent in violation of local, state, or Federal statutes. Also see the definition for 2313 OBSTRUCT CORRESPONDENCE-(postal violation) _____ which should be used if a postal violation exists. Use available space following "COMMUNICATION-" to further describe the offense.

5707 TRESPASSING-(free text) _____

Use to describe an offense involving the unlawful entry of a dwelling, building, or other premises. Use available space following "TRESPASSING-" to further describe the offense.

5708 WIRETAP-FAILURE TO REPORT-_____

Use to describe an offense involving having knowledge of a wiretap and failing to report the wiretap as required by local, state or Federal statute. Use available space following "REPORT-" to further describe the offense.

5799 INVADE PRIVACY-(free text) _____

Describe in free text in the available space following "PRIVACY-" an offense which involves the invasion of privacy, as defined above, or as more specifically defined by local, state or Federal statute, but which cannot be classified according to one of the other INVASION OF PRIVACY offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting an invasion of privacy arrest record for computer storage. See 5700 INVADE PRIVACY-(free text) _____ for that purpose.

SMUGGLING

The fraudulent bringing into or taking out of the country, other jurisdiction, or prison of merchandise or goods for which duty has not been paid or of merchandise or goods importation (bringing in) or exportation (taking out) of which is otherwise prohibited. Smuggling of aliens is not included in this definition. (See 0303 SMUGGLING ALIENS-_____).

5800 SMUGGLING-(free text) _____

When converting a smuggling charge for computer storage and the details of the offense are not readily available for classification according to one of the following more specific classifications, this classification should be used. Use available space following "SMUGGLING-" to write in terms previously used to describe the offense.

5801 SMUGGLE CONTRABAND-(specify type)
5802 SMUGGLE CONTRABAND INTO PRISON-(specify type)

Use the first of the above classifications to describe an offense involving the importation or exportation, in general, of prohibited merchandise or goods and use the second of the above classifications to describe an offense involving the bringing into a prison of prohibited merchandise or goods. Use available space following "CONTRABAND-" or "PRISON-" to specify the type of contraband involved in the offense and to further describe the offense.

5803 SMUGGLE TO AVOID PAYING DUTY-(specify type)

Use to describe an offense involving the smuggling, as defined above, of merchandise or goods to avoid paying duty. Use available space following "DUTY-" to specify the type of merchandise involved and further describe the offense.

5899 SMUGGLING-(free text to further describe)

Describe in free text in the space following "SMUGGLING-" an offense involving smuggling, as defined above, but which involves circumstances which cannot be properly classified according to one of the other SMUGGLING offenses listed in the Uniform Offense Classifications.

This classification is not to be used when converting a smuggling arrest record for computer storage. See 5800 SMUGGLING-(free text) _____ for that purpose.

ELECTION LAWS

Laws relating to the election of local, state and Federal public officials.

5900 ELECTION LAWS-(free text)
5999 ELECTION LAWS-(free text to further describe)

When converting an election law arrest record for computer storage and the details of the offense are not readily available, use the first of the above classifications. Write in terms previously used to describe the offense after "LAWS-".

Use the second of the above classifications to describe a current offense. Available space following "LAWS-" is to be used to further describe the current offense.

ANTITRUST

Unlawful practices such as monopoly; contracts, combinations and conspiracies in restraint of commerce; arbitrary price discrimination; unequal treatment of purchasers; certain unlawful sales or lease agreements; unreasonably low pricing to eliminate competition; fixing, controlling or maintaining prices or rates; fixing, controlling, maintaining, limiting or discontinuing production, manufacture, mining, sale or supply of commodity or sale or supply of a service, etc.

6000 ANTITRUST-(free text)
6099 ANTITRUST-(free text to further describe)

Use the first of the above classifications when converting an antitrust arrest record for computer storage and the details of the offense are not readily available. Available space following "ANTITRUST-" will be used to write in terms previously used to describe the offense.

Use the second of the above classifications to describe a current offense. Available space following "ANTITRUST-" is to be used to further describe the current offense.

TAX-REVENUE

Offenses relating to laws established with regard to the raising of local, state, or Federal revenue and which are not set out elsewhere in the Uniform Offense Classifications.

6100 TAX-REVENUE-(free text) _____

When converting a tax-revenue arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific tax-revenue classifications, this classification should be selected. Available space following "TAX-REVENUE-" will be used to write in terms previously used to describe the offense.

- 6101 INCOME TAX-(further describe) _____
- 6102 SALES TAX-(further describe) _____
- 6103 LIQUOR TAX-(further describe) _____

Select the appropriate tax-revenue offense classification from the above if the offense is related to income, sales, or liquor taxes. Available space following "TAX-" is to be used to more specifically describe the offense.

6199 TAX-REVENUE-(free text to further describe)

Describe in free text in the space following "TAX-REVENUE-" an offense related to tax-revenue but which involves circumstances or types of taxes or revenue which cannot be properly classified according to one of the other TAX-REVENUE offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a tax-revenue arrest record for computer storage. See 6100 TAX-REVENUE-(free text) _____ for that purpose.

CONSERVATION

All local, state and Federal offenses not more specifically set out elsewhere in the Uniform Offense Classifications which relate to conservation and preservation of birds, animals, fish, insects, plants, refuges, parks, monuments, etc.

6200 CONSERVATION-(free text) _____

When converting a conservation (as defined above) arrest record for computer storage and the details of the offense are not readily available for classification according to one of the following more specific conservation classifications, this classification should be selected. The available space following "CONSERVATION-" will be used to describe the offense.

- 6201 CONSERVATION-ANIMALS-(describe offense further)
- 6202 CONSERVATION-FISH-(describe offense further)
- 6203 CONSERVATION-BIRDS-(describe offense further)

Use the first of the above for conservation offenses involving animals, the second for conservation offenses involving fish, and the third for conservation offenses involving birds. Available space following "ANIMALS-", "FISH-", or "BIRDS-" is to be used to further describe the offense.

6204 CONSERVATION-LICENSE STAMP-(describe offense)

Use to describe conservation offense involving a license, tax stamp, or other stamp. Available space following "STAMP-" is to be used to further describe the offense.

6205 CONSERVATION-ENVIRONMENT-(describe offense)

Use to describe an offense involving pollution, contamination, damaging, or destruction of the environment not more specifically covered above. Available space following "ENVIRONMENT-" is to be used to more specifically describe the offense.

6299 CONSERVATION-(free text)

Describe in free text in the available space following "CONSERVATION-" an offense involving conservation but which involves circumstances, victims, etc., which cannot be properly classified according to one of the other CONSERVATION offenses listed above in the Uniform Offense Classifications.

This classification is not to be used when converting a conservation arrest record for computer storage. See 6200 CONSERVATION-(free text) for that purpose.



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Criminal Records Manual Revision #1
February 15, 1978

The attached pages are the first revision to the Kansas Criminal Records Manual. This revision only provides a new section, nine, which constitutes the valid users list needed for criminal history records operations as of March 1, 1978.

A Reader's Comment Form is included in the revision. It may be used to make comments, recommendations, or to inform the KBI of any discovered errors. It is not essential that the form be used, the KBI will be glad to receive comments, criticisms, etc. in any form. Due to time constraints, readers who provided comments following the manual's initial release will not see them implemented until the second revision is issued.

This page should be kept as part of the manual, until the next revision is received. By checking the revision pages when they are received, you can be sure you have not missed a revision, and your manual is up to date.

*Final Document For
LEAD Grant # 75-1A-07-0012*

46466

CRIMINAL RECORDS, MANUAL

READER'S
COMMENT
FORM

Your views about this manual may help improve its usefulness; this form will be sent to the author for appropriate action. Using this form to request assistance or additional publications will delay responses, however. For more direct handling of such request, please contact your KBI agent or the KBI office serving your locality.

Possible topics for comment are:

Clarity - Is the manual clear and easy to understand?

Accuracy - Did you find any errors in the manual:

Completeness - Are you aware of any additional information or forms that should be included?

Organization - Could the manual be put together in a more effective way?

Index - Could the index be expanded, how would it be organized?

Examples - How can the forms examples be improved?

Legibility - Are there any problems with physically reading the manual?

What is your position? _____

Number of latest revision (if any) concerning this publication _____

Please indicate if you wish a reply _____ YES _____ NO

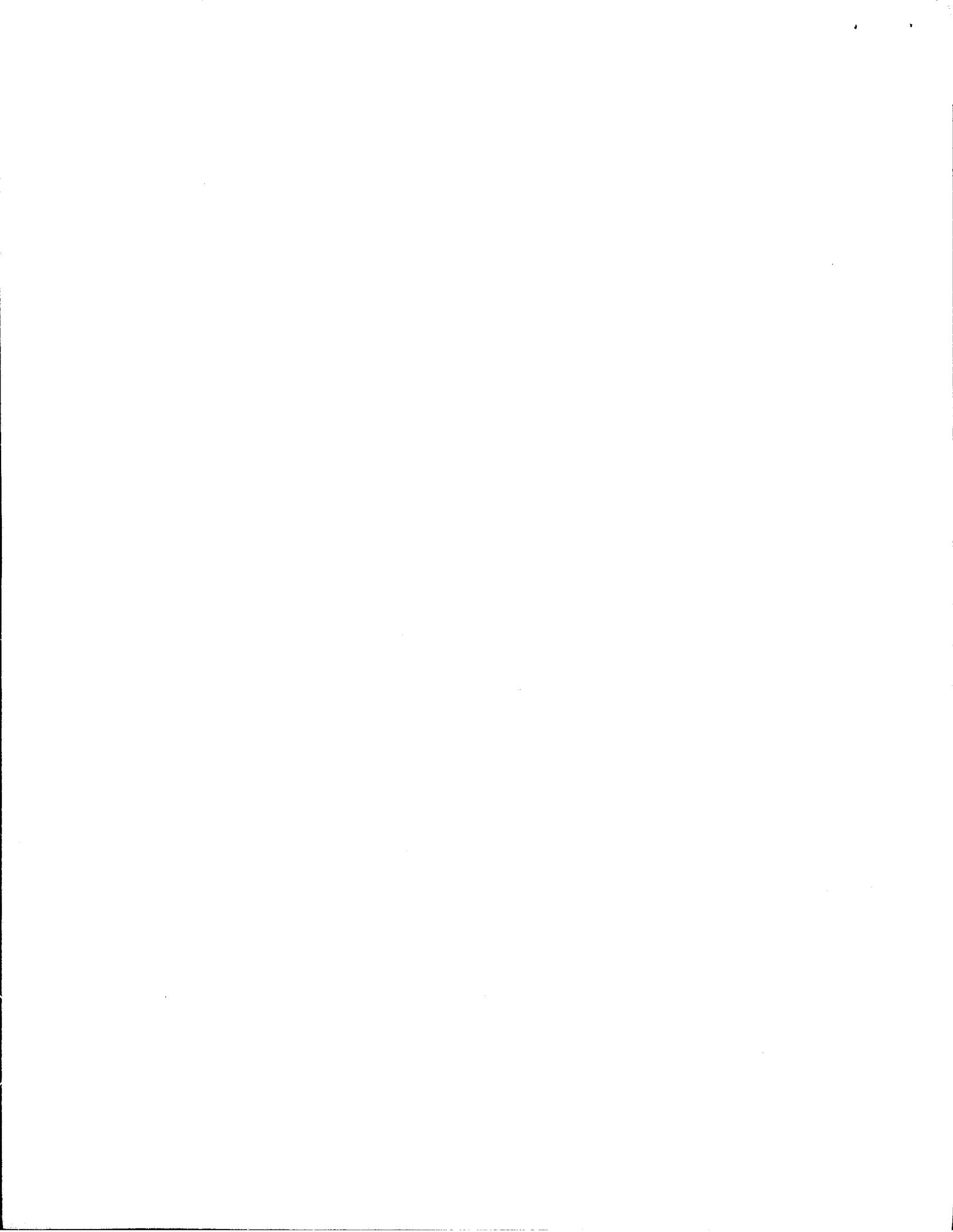
If yes: NAME _____

ADDRESS _____

Thank you for your cooperation.

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CHRI
VALID USERS LIST



PART I

Criminal Justice Agencies that have completed either a Kansas CHRI Agreement or Certificate of Agreement, for both conviction and non-conviction data.

FEDERAL

Federal Bureau of Investigation
U. S. Marshall's Service
U. S. Probation Office - Missouri District
U. S. Probation Office - Kansas District
U. S. Secret Service
U. S. Customs
U. S. Civil Service Commission
Federal Aviation Administration

STATE

Kansas Bureau of Investigation
Attorney General
State Security Hospital - Larned
Department of Corrections
State Fire Marshal
Kansas Animal Health Department - Livestock Brand Division
Kansas Department of Revenue - Alcoholic Beverage Control Div.
Kansas Highway Patrol
State Park and Resources Authority
Security and Special Service Dept. - Union Pacific Railroad
Special Service Dept. - Kansas City Southern Railroad
Santa Fe Railway Police
Rock Island Railroad Police
Missouri-Pacific Railroad Police

LOCAL

Abilene - Dickinson County

SO

PD

Allen County - see Iola

Alma - Wabaunsee County

SO

Anderson County - see Garnett

Andover - Butler County

PD

Anthony - Harper County

SO

PD

County Attorney

Arkansas City - Cowley County

PD

Ashland - Clark County

SO

Atchison - Atchison County

SO

PD

Barber County - see Medicine Lodge

Barton County - see Great Bend

Belle Plaine - Sumner County

PD

Belleville - Republic County

SO

PD

Beloit - Mitchell County

SO

PD

Bonner Springs - Wyandotte County

PD

Bourbon County - see Fort Scott

Brown County - see Hiawatha

Burlington - Coffey County

SO

PD

District Court

Burr Oak - Jewell County
City Marshall

Butler County - See El Dorado

Carbondale - Osage County
PD

Cawker City - Mitchell County
PD

Chanute/Erie - Neosho County
County Attorney
PD
Probation/Parole Office

Chase County - See Cottonwood Falls

Chautauqua County - See Sedan

Cherokee County - See Columbus

Cherryvale - Montgomery County
PD

Chetopa - Labette County
Municipal Court

Cheyenne County - See St. Francis

Cimarron - Gray County
SO
PD

Claflin - Barton County
PD

Clark County - See Ashland

Clay County - See Clay Center

Clay Center - Clay County
SO
PD
County Attorney
City Attorney
Clerk of District Court

Clearwater - Sedgwick County
PD

Cloud County - See Concordia

Coffey County - See Burlington

Coffeyville - Montgomery County

PD

City Prosecutor

Municipal Court

Colby - ,Thomas County

SO

PD

Coldwater - Comanche County

SO

Columbus - Cherokee County

SO

PD

County Attorney

Comanche County - See Coldwater

Concordia - Cloud County

SO

PD

Conway Springs - Sumner County

PD

Cottonwood Falls - Chase County

SO

County Attorney

Municipal Court

Council Grove - Morris County

SO

PD

Cowley County - See Winfield

Crawford County - See Pittsburg

Decatur County - See Oberlin

Derby - Sedgwick County

PD

Dickinson County - See Abilene

Dighton - Lane County

SO

Dodge City - Ford County

SO

PD

Doniphan County - See Troy

Douglas County - See Lawrence

Edwards County - See Kinsley

Edwardsville - Wyandotte County

PD

Effingham - Atchison County

PD

El Dorado - Butler County

Department of Public Safety

SO

County Attorney

Ellinwood - Barton County

PD

Ellis - See Hays

Ellsworth - Ellsworth County

SO

Emporia - Lyons County

SO

PD

Emporia State University PD

Erie - Neosho County

SO

Eureka - Greenwood County

SO

PD

County Attorney

Municipal Court

Fairway - Johnson County

PD

Municipal Court

Finney County - See Garden City

Ford County - See Dodge City

Franklin County - See Ottawa

Frankfort - Marshall County

PD

Fredonia - Wilson County

SO

PD

Ft. Riley - Geary County

Provost Marshall

Ft. Scott - Bourbon County

SO

PD

Galena - Cherokee County
PD

Garden City - Finney County
SO
PD
County Attorney
Municipal Court

Gardner - Johnson County
PD

Garnett - Anderson County
SO
PD
District Court

Geary County - See Junction City

Goodland - Sherman County
PD

Gove - Gove County
SO

Graham County - See Hill City

Grandview Plaza - Geary County
PD
City Marshall
Municipal Court

Grant County - See Ulysses

Gray County - See Cimarron

Great Bend - Barton County
SO
PD

Greeley County - See Tribune

Greensburg - Kiowa County
SO

Greenwood County - See Eureka

Halstead - Harvey County
PD
Municipal Court

Hamilton County - See Syracuse

Harper County - See Anthony

Harvey County - See Newton

Haskell County - See Sublette

Hays - Ellis County
SO
PD
Fort Hays State University PD

Herington - Dickinson County
PD

Hesston - Harvey County
PD
City Attorney
Municipal Court

Hiawatha - Brown County
SO
PD

Hill City - Graham County
SO
PD

Hodgeman County - See Jetmore

Hugoton - Stevens County
SO
PD

Hutchinson - Reno County
SO
City Fire Marshall

Hutchinson (South) - Reno County
PD

Hoisington - Barton County
PD

Holton - Jackson County
SO

Hope - Dickinson County
PD

Howard - Elk County
SO

Hoxie - Sheridan County
SO

Independence - Montgomery County
SO

Iola - Allen County
SO
PD
District Court

Jackson County - See Holton

Jefferson County - See Oskaloosa

Jetmore - Hodgeman County
SO

Jewell - Jewell County
PD

Jewell County - See Mankato

Johnson - Stanton County
SO

Johnson County - See Olathe

Junction City - Geary County
SO
PD

Kansas City - Wyandotte County
SO
PD
Wyandotte County Park PD
Wyandotte County Probation Office

Kearney County - See Lakin

Kingman - Kingman County
SO
PD
Municipal Court

Kinsley - Edwards County
SO
PD

Kiowa - Barber County
PD

Kiowa County - See Greensburg

Labette County - See Oswego

LaCrosse - Rush County
SO
PD
District Magistrate Judge

Lane County - See Dighton

Lake Quivia - Johnson/Wyandotte Counties
PD

Lakin - Kearney County
SO
County Attorney
Clerk of District Court

Lansing - Leavenworth County
PD

Larned - Pawnee County
PD
County Attorney

Lawrence - Douglas County
SO
PD
Douglas County Corrections
University of Kansas PD

Lebo - Coffey County
Municipal Court

Lenexa - Johnson County
PD

Leavenworth - Leavenworth County
SO
PD
County Attorney

Leawood - Johnson County
PD

Leoti - Wichita County
SO

Lewis - Edwards County
PD

Liberal - Seward County
SO
PD

Lincoln - Lincoln County
SO

Lindsborg - McPherson County
City Attorney

Linn County - See Mound City

Logan County - See Oakley

Louisburg - Miami County
Municipal Court

Lyon County - See Emporia

Lyons - Rice County

SO

PD

Lyndon - Osage County

SO

PD

District Court

Macksville - Stafford County

PD

Madison - Greenwood County

PD

Manhattan - Riley County

PD

County Attorney

City Prosecutor

Municipal Court

Dept. of Security and Traffic-Kansas State University

Mankato - Jewell County

SO

PD

Marion - Marion County

SO

County Attorney

Marshall County - See Marysville

Marysville - Marshall County

SO

PD

City Attorney

Municipal Court

McLouth - Jefferson County

PD

McPherson - McPherson County

SO

PD

Meade - Meade County

SO

Medicine Lodge - Barber County

SO

PD

Meriden - Jefferson County

PD

Merriam - Johnson County
PD

Miami County - See Paola

Minneapolis - Ottawa County
SO

Mission - Johnson County
PD

Mitchell County - See Beloit

Montezuma - Gray County
Municipal Court

Montgomery County - See Independence

Morris County - See Council Grove

Morton County - See Elkhart

Mound City - Linn County
SO

Mulvane - Sumner County
PD

Nemaha County - See Seneca

Neodesha - Wilson County
PD

Neosha County - See Erie/Chanute

Ness County - See Ness City

Ness City - Ness County
SO
PD
County Attorney

Newton - Harvey County
SO
PD
District Court

Norton - Norton County
SO

Nortonville - Jefferson County
PD

Oakley - Logan County

SO

PD

Municipal Court

Oberlin - Decatur County

SO

Olathe - Johnson County

SO

PD

District Attorney

Johnson County Park Police

Courts Program for Alcohol Related Cases

Osage County - See Lyndon

Osawatomie - Miami County

Dept. of Public Safety

City Attorney

Osborne - Osborne County

SO

County Attorney

Oskaloosa - Jefferson County

SO

Qswego - Labette County

SO

Ottawa County - See Minneapolis

Ottawa - Franklin County

Dept. of Public Safety

District Court

SO

Overland Park - Johnson County

PD

Municipal Court

City Attorney

Oxford - Sumner County

PD

Paola - Miami County

SO

PD

Parsons - Labette County

PD

Pawnee County - See Larned

Peabody - Marion County

PD

Phillips County - See Phillipsburg

Phillipsburg - Phillips County
SO

Pittsburg - Crawford County
PD
County Attorney

Plains - Meade County
PD

Plainville - Rooks County
PD

Pottawatomie County - See Westmoreland

Prairie Village - Johnson County
PD
Municipal Court

Pratt - Pratt County
SO
PD
County Attorney
District Court

Quenemo - Osage County
PD

Quinter - Gove County
SO

Randall - Jewell County
PD

Rawlins County - See Atwood

Reno County - See Hutchinson

Republic County - See Belleville

Rice County - See Lyons

Riley County - See Manhattan

Roeland Park - Johnson County
PD

Rooks County - See Stockton

Rush County - See LaCrosse

Russell - Russell County

PD

Sabetha - Nemaha County

PD

Municipal Court

Salina - Saline County

SO

PD

Saline County - See Salina

Scott County - See Scott City

Scott City - Scott County

SO

PD

Scranton - Osage County

PD

Sedan - Wauzeka County

SO

PD

Sedgwick County - See Wichita

Sedgwick - Harvey County

PD

Seneca - Nemaha County

SO

PD

Seward County - See Liberal

Sharon Springs - Wallace County

SO

County Attorney

District Court

Shawnee County - See Topeka

Shawnee - Johnson County

PD

Sheridan County - See Hoxie

Sherman County - See Goodland

Silver Lake - Shawnee County

PD

Smith County - See Smith Center

Smith Center - Smith County

SO

Solomon - Dickinson County
PD

Spring Hill - Johnson County
PD

St. Francis - Cheyenne County
SO
PD

St. John - Stafford County
SO

Stafford County - See St. John

Stanton County - See Johnson

Stevens County - See Hugoton

Sterling - Rice County
PD

Stockton - Rooks County
SO
PD

Sublette - Haskell County
SO

Sumner County - See Wellington

Syracuse - Hamilton County
SO
County Attorney

Thomas County - See Colby

Tonganoxie - Leavenworth County
PD

Topeka - Shawnee County
SO
PD
Third Judicial District Court Services
Topeka Public Schools, USD #501 Security Police
Municipal Court
City Attorney

Trego County - See WaKeeney

Tribune - Greeley County
SO

Troy - Doniphan County
SO
County Attorney
City Marshall

Ulysses - Grant County
SO
PD

Valley Center - Sedgwick County
PD

Wabaunsee County - See Alma

WaKeeney - Trego County
SO
PD

Wakefield - Clay County
PD

Wallace County - See Sharon Springs

Wamego - Pottawatomie County
PD
Municipal Court

Washington - Washington County
County Attorney

Wellington - Sumner County
SO
PD

Westmoreland - Pottawatomie County
SO

Wellsville - Franklin County
PD

Westwood - Johnson County
PD

Wichita County - See Leoti

Wichita - Sedgwick County
SO
PD
Municipal Court
Dept. of Security and Traffic-Wichita State University
Dept. of Corrections-Div. of Community Correctional Services
Wichita Law Department
Wichita Airport Police

Wilson County - See Fredonia

Winfield - Cowley County

SO

PD

Probation Department

Woodson County - See Yates Center

Wyandotte County - See Kansas City

Yates Center - Woodson County

SO

District Court

OUT-OF-STATEColorado

Burlington - Kit Carson County
SO

Iowa

8th Judicial District Court Services Dept.

Missouri

Blue Springs

PD

Kansas City

PD

Platte City - Platte County

SO

Riverside

Dept. of Public Safety

Lake Lotawana

PD

Richmond

Excelsior Springs

PD

Liberty

PD

Nebraska

Bellevue

PD

York

Multi County Probation

Oklahoma

Bartlesville

PD

Oklahoma County

SO

Texas

Amarillo

PD

Dallas

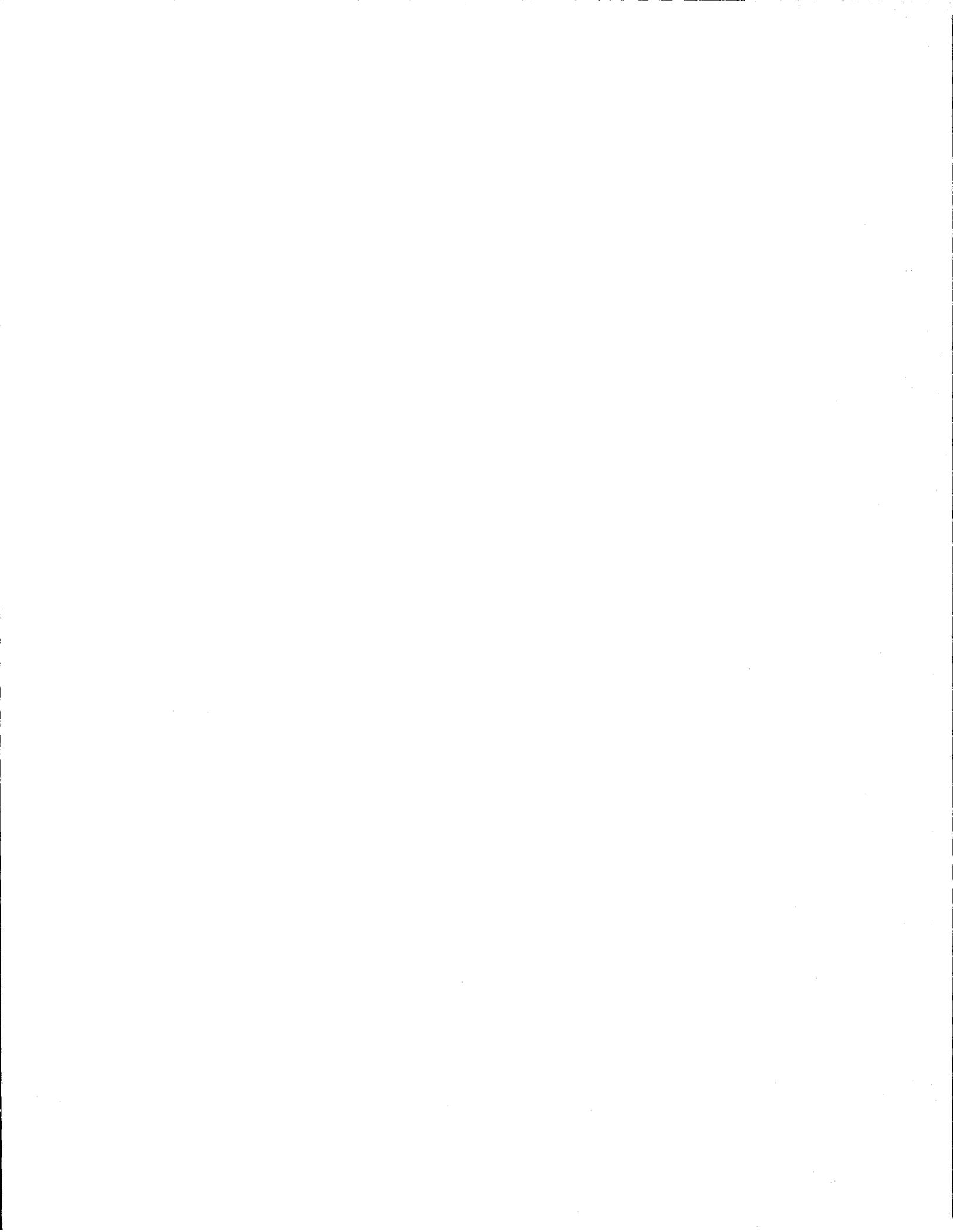
Pre-trial Services - U. S. Courts

Agencies/individuals that have completed a Non-disclosure Agreement for receiving both conviction and non-conviction information on a continuing basis.

Overland Park, KS
City Manager

Agencies/individuals that have completed a Non-disclosure Agreement for receiving only conviction information on a continuing basis.

Southwestern Bell Security
Adjutant General (National Guard, Air, and Army)
Highway Carriers Assn., Inc. - Kansas City, MO
First National Bank of Topeka
U. S. Army Recruiting Command (Kansas City District)
Defense Investigative Service
American Republic Insurance Company
U. S. Navy Recruiting District (Kansas City, MO)
Modern American Life Insurance Co.
U. S. Marine Corps Recruiting



END



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JUSTICE SERVICES

NCJRS

OCT 18 1978

ACQUISITIONS

Criminal Records Manual (CRM) Revision #2
June 1, 1978

This revision provides a complete replacement for Section Nine, the CHRI Valid Users List.

A Reader's Comment Form is included in the revision. It may be used to make comments, recommendations, or to inform the KBI of any discovered errors. It is not essential that the form be used, the KBI will be glad to receive comments, criticisms, etc. in any form. We have tried to make those changes suggested to us, and are working on a few additions requested too late to be included in this revision.

For the most part, revisions included are designed to improve the clarity of the manual, update some of the more commonly-used forms, and provide additional information about items previously included.

This page should be kept as part of the manual, until the next revision is received. By checking the revision pages when they are received, you can be sure you have not missed a revision, and your manual is up to date.

462466
Rev. 2

CRIMINAL RECORDS MANUAL READER'S COMMENT FORM

Your views about this manual will help improve its usefulness; this form will be sent to the author for appropriate action. Using this form to request assistance or additional publications may delay responses. For more direct handling of such request, please contact your KBI agent or the KBI office serving your locality.

Possible topics for comment are:

- Clarity - Is the manual clear and easy to understand?
- Accuracy - Did you find any errors in the manual?
- Completeness - Are you aware of any additional information or forms that should be included?
- Organization - Could the manual be put together in a more effective way?
- Index - Could the index be expanded, how would it be organized?
- Examples - How can the forms examples be improved?
- Legibility - Are there any problems with physically reading the manual?

What is your position? _____

Number of latest revision (if any) concerning this publication? _____

Please indicate if you wish a reply _____ YES _____ NO

If yes: NAME _____

ADDRESS _____

Thank you for your cooperation.

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ABOUT THE MANUAL

BACKGROUND

On March 19, 1976, the Law Enforcement Assistance Administration (LEAA), U.S. Department of Justice, published revised regulations implementing Section 524(b) of the Crime Control Act of 1973 as it pertains to the privacy and security of criminal history records. The regulations are intended to ensure that records contain accurate information, and that individuals are protected against unauthorized disclosure misuse, or material errors. These regulations, which should be fully implemented, are contained in Title 28, Chapter I, Part 20 of the Code of Federal Regulations (a copy of the regulations is contained in the appendix).

These regulations required that Kansas prepare plans for the maintenance and dissemination of criminal history records and, where necessary, obtain legislative authority for enactment. The plans have been prepared and approved by the Governor, Attorney General and LEAA.

PURPOSE

There are two basic purposes of this manual. First, the manual describes State and Federal requirements for maintaining and disseminating Criminal History Records Information (CHRI) by all affected Criminal Justice Agencies. Second, the manual provides Law Enforcement Agencies with standard forms and procedures for record keeping purposes.

BENEFIT

There are several important benefits of establishing strict controls on CHRI to both citizens and law enforcement and other criminal justice agencies. For citizens, control over criminal history records has the following advantages:

- It minimizes the opportunity for inaccurate information to be recorded about an individual by requiring adequate support for any entry into the CHRI record.
- It establishes strict controls on the dissemination of CHRI to criminal justice and other governmental agencies.
- It provides a means of error correction by allowing the affected individual to review and challenge questionable entries.

For criminal justice agencies, CHRI reporting has clear benefits. Under the requirements of CHRI reporting, storage and dissemination are clearly established. This allows the agency to know specifically how to respond to individual situations.

In addition, the quality of information historically maintained in CHRI often has been poor and has resulted in erroneous decision making. The standards and penalties imposed by these stricter regulations will increase the accuracy, completeness and timeliness of the information recorded.

Sections of this manual provide standard forms and procedures for use by law enforcement agencies. These procedures will simplify the exchange of information between agencies, since the design and preparation procedures for each form will be the same statewide. Content and quality will be comparable between agencies and similarity of report formats will facilitate rapid examination. The sections of the manual which specify procedures will serve as a training document for new officers, relieving each agency from preparing a detailed training plan of their own, and ensuring consistency among agencies.

ORGANIZATION

The manual has four major sections. These are:

- Requirements for Record Keeping
- Dissemination of Criminal History
- Records Information
- Security of Records
- Individual Right to Access

Federally Regulated Agencies

"The regulations in this subpart apply to all state and local agencies and individuals collecting, storing, or disseminating CHRI processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the IEAA subsequent to July 1, 1973 pursuant to Title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in Subpart C. Section 20. 20a."

Federally Regulated Information (Defined)

"'Criminal history records information' means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or any other formal criminal charges, and any dispositions arising therefrom, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system. Section 20. 3b."

Exemptions to federally regulated Information

"The regulations in this subpart (b) shall not apply to criminal history records information contained in: (1) posters, announcement, or lists for identifying or apprehending fugitives or wanted persons; (2) original records or entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis; (3) court records of public judicial proceedings; (4) published court or administrative opinions or public, judicial, administrative or legislative pro-

ceedings; (5) records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operator' licenses; (6) announcements of executive clemency. Section 20. 20b."

STATE STATUTES
AND REGULATIONS

While Federal statutes and regulations apply to CHRI records maintained in Kansas, criminal justice agencies in the state should also look to Kansas statutes and regulations to determine their record keeping requirements. For example, Senate Bill 406, which became law on March 1, 1978, defines CHRI slightly differently than the Federal regulations:

(b) "Criminal history record information" means data initiated or collected by a criminal justice agency on a person pertaining to a reportable event. The term does not include:

(1) Data contained in intelligence or investigatory files or police work-product records used solely for police investigation purposes;

(2) data pertaining to a proceeding pursuant to the Kansas juvenile code, but it does include data pertaining to a person following waiver of jurisdiction pursuant to K.S.A. 1977 Supp. 38-808;

(3) wanted posters, police blotter entries, court records of public judicial proceedings, or published court opinions;

(4) data pertaining to violations of the traffic laws of the state or any other traffic law or ordinance, other than vehicular homicide;

(5) presentence investigation and other reports prepared for use by court in the exercise of criminal jurisdiction or by the governor in the exercise of the power of pardon, reprieve or commutation."

In order to be sure about any questions that may arise, you should check both federal and state statutes.

Summary of Kansas Statutes Affecting Record Keeping

For a summary of the relevant Kansas statutes, followed by reproductions of the statutes, see Section 7 of this manual.

COMPLETENESS AND
ACCURACY

Completeness and Accuracy are two major requirements imposed on CHRI records. "Complete" is defined to mean that CHRI must contain information on any disposition occurring within the various segments of the criminal justice system. "Accurate" means that information will contain no erroneous information of a material nature. To ensure completeness and accuracy, the following procedures will be followed:

The Kansas Bureau
of Investigation
as the Central
Repository for
Criminal History
Records Information

Prompt reporting of arrests and dispositions and rapid processing of queries through the Kansas Bureau of Investigation (KBI) by all criminal justice agencies will ensure the use and dissemination of the most current data available. All dispositions will be reported to the KBI and the KBI will be queried prior to disseminating CHRI.

Reporting of
Disposition

Dispositions must be reported to the KBI by all criminal justice agencies for actions resulting from an arrest. A "disposition" is defined as information disclosing that criminal justice proceedings have either been concluded or indefinitely postponed. The term includes--but is not limited to--the following:

1. Police dispositions, such as decisions not to prefer charges.
2. Prosecutor dispositions, such as elections not to commence criminal proceedings or indefinitely postpone them.
3. Court dispositions, such as convictions, dismissals, acquittals, and sentences.
4. Corrections dispositions, such as paroles or releases from supervision.
5. Other dispositions, such as pardons, executive clemencies, or appellate court decisions reversing or modifying earlier dispositions.

These dispositions must be reported for all segments of the criminal justice community - police, prosecutors, courts and corrections. Dispositions occurring anywhere within the State must be reported to KBI within 90 days. Forms and procedures for this reporting are contained in Section 2 of this manual.

AUDIT OF RECORDS
BY THE KANSAS
BUREAU OF
INVESTIGATION

All criminal justice agencies are subject to a records audit by the KBI. Several agencies will be chosen at random each year for audit and a representative sample of records will be reviewed in order to determine the accuracy and completeness of data and to insure that all other provisions of the regulations are adhered to. Areas to be reviewed will include, but not be limited to: record accuracy, record completeness, effectiveness of quality control procedures, examination of the evidence of dissemination limitations, security provisions, and the individual's right to access.

Query of The Kansas
Bureau of Investi-
gation for CHRI
Information Before
Record Dissemination

Dissemination is the transmission of CHRI to individuals and agencies other than the criminal justice agency which maintains the CHRI information. It includes confirmation of the existence or nonexistence of a criminal history record. Dissemination does not occur when a current case (and a necessary file) is passed from one phase to another within the criminal justice system.

Beginning October 1, 1978, criminal justice agencies will query the KBI and receive a response prior to dissemination of any CHRI information to ensure that the most up-to-date disposition data is being used, except where there is a time element and KBI is technically incapable of responding within the necessary time period.

Detailed procedures for query and dissemination are contained in Section 3 of this manual.

Criminal History
Record Systems
at Individual
Agencies

Individual Criminal Justice Agencies are not prohibited from maintaining CHRI systems. If the information is available for dissemination outside of the agency, CHRI records must contain, at a minimum, all dispositions occurring within the jurisdiction served by the agency maintaining the record.

In light of the difficulty in maintaining an accurate, complete record at a local criminal justice agency, and the availability of a complete and accurate system at the KBI, each agency should closely examine its need to retain and disseminate their own CHRI.

RETENTION OF RECORDS

All criminal justice agencies should follow Federal and State of Kansas statutes in determining the requirements for retaining CHRI records.

II. DISSEMINATION OF CRIMINAL HISTORY RECORDS INFORMATION

"Dissemination" is the release of CHRI data to individuals or agencies other than the criminal justice agency which maintains the CHRI data. Use of the information by an employee or officer internally does not constitute dissemination. Also, reporting the occurrence of a current criminal justice transaction to another criminal justice agency is not dissemination. Thus, reporting an arrest or disposition to the KBI and the FBI or delivering an arrest report to a prosecutor are not considered to be dissemination. On the other hand, confirming the existence or non-existence of a criminal history record is dissemination.

There is a major distinction regarding the dissemination of "conviction" and "non-conviction" criminal history records. "Conviction" data is defined as information indicating that the individual pleaded guilty or nolo contendere to the criminal charges, or the individual was convicted. "Non-conviction" data included the following disclosures:

- The election by police not to refer a matter for prosecution
- The election by a prosecutor not to commence criminal proceedings
- All dismissals
- All acquittals
- An arrest record without a disposition where one year has elapsed from the date of arrest and no conviction has resulted and no active prosecution of the charge is pending.

The differentiation between "conviction" and "non-conviction" data is important because it determines the limits to which CHRI information can be disseminated to "non-criminal justice" and criminal justice agencies.

DISSEMINATION OF CONVICTION DATA

There is no limit on the dissemination of conviction data or information concerning cases in some state of processing or prosecution. All such information may be disseminated to both criminal justice and non-criminal justice agencies.

DISSEMINATION OF NON-CONVICTION DATA

There are four general categories where dissemination of non-conviction data is permitted:

Charges in Process

Information for the purpose of processing a charge through the criminal justice system can be furnished without constraint as long as the information relates only to the charge in process.

CONTROLLING
DISSEMINATION

The following forms are used to control the dissemination of CHRI:

User's Agreement (612C) for criminal justice agencies.

Access Request and Non-Disclosure Agreement (612A) for non-criminal justice agencies.

Confirmation of existing CHRI Agreement (612B) for all CHRI users with already completed agreements.

Dissemination Log (612D) for use by all agencies providing CHRI.

These forms with suggested procedures are discussed in detail in Section 3 of this manual.

DISSEMINATION LOG

Quality control (referred to as the systematic audit in federal regulations) is a series of procedures employed both to ensure the completeness and to verify the accuracy of the criminal history record information. Quality control is an integral part of a manual or automated system and functions continuously to ensure the quality of the data.

Quality control implies the requirement for an audit trail and a dissemination log. An audit trail allows for the tracing of specific data elements back to the source document. The audit trail will improve the integrity of the repository by ensuring that all input records are verified and edited prior to entry.

The dissemination log allows auditing and serves as a means of correcting erroneous disseminations. The federal regulations require that criminal justice agencies "upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information." For this reason a dissemination log is essential for identifying parties who were erroneously informed. Forms with suggested procedures are discussed in Section 3 of this manual.

III. SECURITY OF RECORDS

Procedures must be instituted to protect CHRI data from theft, sabotage, fire, flood, wind, or other natural or man-made disasters. Security steps that may be necessary include:

- Physical limitations on access via keys, badges, passwords, sign-in logs, etc.
- Storage of the information in the appropriate cabinets or containers.
- Utilization of detection and warning devices; such as fire, smoke and burglar alarms.
- Incorporating construction safeguards; such as heavy-duty walls or reinforced glass.

The procedures will differ for each location where CHRI is stored, depending on the potential for loss.

If the information is stored at a non-criminal justice facility, a criminal justice agency must have final authority regarding the procedures. The criminal justice agency must review the security procedures at the facility periodically to make certain they are being followed.

All criminal justice agencies in the State should have developed and implemented procedures dealing with physical security for all facilities in their jurisdiction. The procedures will be reviewed during audits of the agency.

In Kansas, the individual submits challenges to the agency that has custody of the information in dispute. The individual is notified of the results within thirty (30) days of the date of his challenge. If the challenge is denied, the individual is entitled to appeal the decision.

Appeals in the State of Kansas must be submitted in writing and include information contained in the initial challenge plus any additional facts in support of the case.

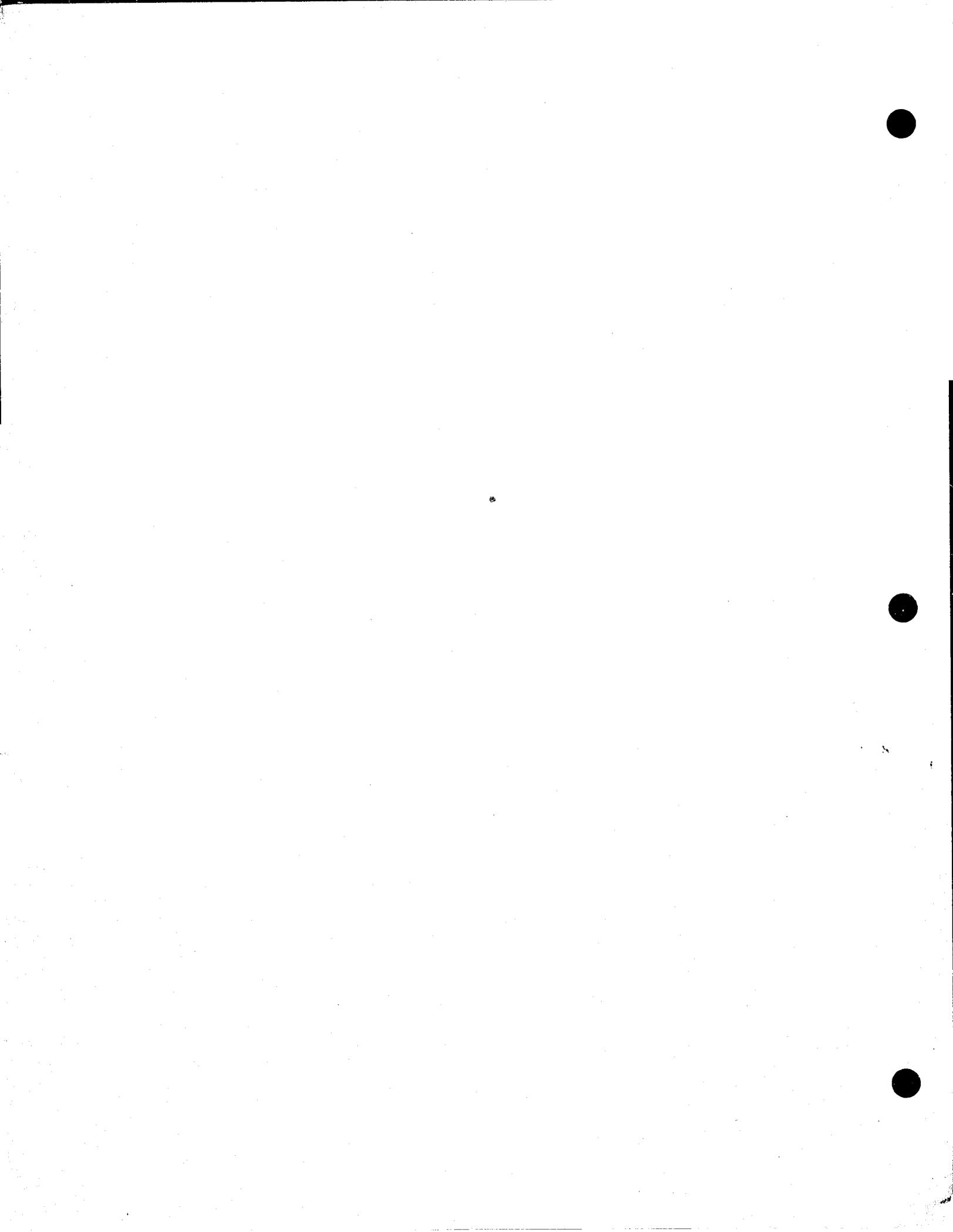
The appeal is submitted to the Kansas Bureau of Investigation (KBI) which will notify the individual of the ruling on the appeal within thirty (30) days. If the ruling is adverse the individual may seek review through the Attorney General's Office or the state's court system.

CORRECTION PROCESS

If the individual's appeal is sustained, the agency making the requested corrections to the records informs all other criminal justice agencies to whom the disputed records were given. In addition, the individual is given, upon request, a list of all of the non-criminal justice agencies known to have received the incorrect information. This enables the individual to correct the erroneous information given to the non-criminal justice agencies.

REVIEW BY ATTORNEY

An attorney may review a client's record, under the authority of Chapter 118, 1978 Session Laws, Section 9. The attorney must satisfactorily complete identity establishment and produce a written authorization from the client. The attorney is entitled to view only those same records that the client would view, and is not authorized to demand a copy for any purpose under the statute, or initiate challenge proceedings.



K.B.I. Fingerprint Card

The KBI fingerprint card (610A) is available to criminal justice agencies without charge from the I/IS Section of KBI Headquarters.

The following instructions provide detailed information on the completion of each block on the KBI fingerprint card. With the exception of those marked "Leave Blank", all blocks must be completed.

1. FULL LEGAL NAME (NAM)

Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial is used, indicate this in the following manner: "A (only)". If no middle name exists, indicate this in the following manner: "(NMN)".

2. SIGNATURE OF PERSON FINGERPRINTED:

The person being printed should sign his legal name in this block. This should be completed prior to the actual "taking" of the prints to avoid the possibility of smearing the prints on the card.

NOTE: Care should be taken to observe that the name signed by the person does not differ from his known name, and to avoid a fake signature. (John-Jhon) Do not assume the correct spelling, check the spelling.

3. ALIASES:

List all other names used by subject. This should not include names should not be included unless the person has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

4. CONTRIBUTOR (ORI):

Place the name and address of the agency submitting the fingerprint card. In addition, your NCIC originating agency Identification number must be inserted.

5. RESIDENCE OF PERSON FINGERPRINTED:

List the present or last known address of the subject.

6. COMPLEXION (COMP):

Use only designated code for skin tone. (See Attachment)

7. DATE OF BIRTH (DOB):

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as "NA" and provide an approximate age.

8. SEX:

Use only a one-character alpha code, as follows:

MALE: M
FEMALE: F

9. RACE:

Use only a one-character alpha code, as follows:

<u>Race</u>	<u>Enter As:</u>
*White	W
Negro	N
Chinese	C
Japanese	J
**All Other	O

*Includes: Mexicans and Latins
**Includes: Asian Indians, Eskimos, Filipinos, Indonesians, Koreans, Polynesians, and other Non-Whites.

10. HEIGHT (HGT):

Enter height as three numbers (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600
2. 5 feet, 8 1/2 inches - Enter as 509

11. WEIGHT (WGT):

Enter weight in pounds. (Do not use fractions, round off to the nearest pound).

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98

12. EYES:

Use only designated code for eye color.

<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Unknown	XXX

13. HAIR:

Use only designated code for hair color.

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is to be used when subject has lost most of the hair on head.

14. PLACE OF BIRTH (POB):

In this block enter the place of birth using the city and state (territorial possession, province, or country will be used if applicable). Use standard code. (See Appendix B).

15. DATE:

This is the date that the person is fingerprinted.

16. SIGNATURE OF OFFICIAL TAKING FINGERPRINTS:

The official who fingerprints the person MUST sign his name in this block.

17. DATE ARRESTED OR RECEIVED (DOA):

Enter the date the person was arrested, or the date person was fingerprinted. Correctional Institutions should enter the date the person is received, not the date of the original arrest or sentencing.

18. CHARGE:

Enter the name(s) of the offense(s) for which the arrest is being made. Also enter next to offense, the NCIC Uniform Offense Classification numeric (See Appendix D), and the statute number (K.S.A.) that describes the offense. If the offense name, such as "theft", does not indicate clearly whether the charge is a felony or misdemeanor arrest, add either "FEL" or "MISD" to the charge name.

19. YOUR NO. (OCA):

This is the case or identification number assigned to the subject by the contributing agency.

20. FBI NO. (FBI):

Enter the subject's FBI number when available.

21. SOCIAL SECURITY NO. (SOC):

Enter the subject's social security number.

22. FINAL DISPOSITION:

List FINAL disposition only in this block.

23. CAUTION:

If special caution should be used when dealing with the subject, check (x) caution box and explain "basis for caution" on reverse side in the appropriate block.

24. FINGERPRINTING:

Refer to Appendix B for procedures on fingerprinting.

REVERSE SIDE OF CARD25. PALM PRINTS TAKEN:

This block is provided to indicate if you take palm prints of the subject. Check (x) the appropriate box "Yes" or "No". See the part of this section that describes palm print cards for additional information.

26. PHOTO AVAILABLE:

Check (x) the appropriate box if a photo is available. If a photo is available, submit it with the completed fingerprint card. Do not paste or tape photo to the fingerprint card. Indicate on the reverse side of the photo the subject's name, date picture taken, FBI number, contributing agency, and arrest number (OCA). Staple the photo to the fingerprint card, being careful to avoid damaging the fingerprint impressions or face in the photo.

27. EMPLOYER:

Enter subject's present employer and employer's address. If employer is the U.S. Government, specify the agency. If military personnel, list branch of service and serial number.

KBI PALM PRINT CARD
(BACK)

Signature of person being printed	Date of Arrest	Charge
7	8	9

LEFT HAND (Turn hand diagonally across card)

K.B.I. PALM PRINT CARD

The following instructions provide detailed information on the completion of each block on the K.B.I. Palm Print Card, which is available on the same basis as the KBI Fingerprint Card.

1. FULL LEGAL NAME (NAM):

Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial, indicate this in the following manner: "A (only)." If no middle name exists, indicate this in the following manner: "(NMN)."

2. DATE OF BIRTH (DOB):

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as follows: (NA) and provide an approximate age.

3. SIGNATURE OF PERSON TAKING PRINTS:

The official who is taking the palm prints must sign in this block.

4. CONTRIBUTOR (ORI):

Place the name and address of the agency submitting the palm print card. In addition, the NCIC identification number as listed in your NCIC Guide Manual must be inserted.

5. KBI:

Enter the subject's KBI number, if available.

6. DATE:

This is the date that the person's palm prints were taken.

7. SIGNATURE OF PERSON BEING PRINTED:

The person being printed should sign his legal name in this block. This should be completed prior to the actual "taking" of the prints. to avoid the possibility of smearing the prints on the card.

NOTE: Care should be taken to observe the name signed by the person does not differ from his known name, and to avoid a fake signature, ensuring the NAME is the same as the signature. (John-Jhon)
Do not assume the correct spelling, check the signature.

8. DATE OF ARREST:

Enter the date the person was arrested. Correctional Institutions should enter the date the person is received, not the date of the original arrest or sentencing.

9. CHARGE:

Enter the name(s) of the offense(s) for which the arrest is being made. Also enter next to offense, the NCIC Uniform Offense Classification numeric. (See attachment II.)

FINAL DISPOSITION REPORT

Final disposition report forms (R-84) are available without charge for criminal justice agencies from the Identification Division of FBI Headquarters in Washington.

The following instructions provide detailed information on the completion of each block on the Final Disposition Report. With the exception of those marked "Leave Blank", all blocks must be completed.

The agency ultimately making final disposition should complete this form and mail copies to:

- (1) Kansas Bureau of Investigation
Identification/Information Services Section
3420 Van Buren
Topeka, KS 66611
- (2) Federal Bureau of Investigation
Identification Division
J. Edgar Hoover Building
Washington, D. C. 20537

1. FBI NO.:

The FBI number should be indicated (if known).

2. FINAL DISPOSITION AND DATE:

Indicate all charges at arrest separately and final disposition and date of each one. Indicate type of sentence imposed, e.g., consecutive, concurrent, probation, etc., if applicable (When arrested subject is convicted or enters a guilty plea to a lesser or different offense than that charged when originally arrested, this information should be clearly indicated).

3. NAME ON FINGERPRINT CARD SUBMITTED TO KBI AND FBI:

The name must be identical to that submitted on the fingerprint card to the KBI and FBI. Last name, first name, middle name and suffix (Jr., II, etc.). If only a middle initial is used, indicate this in the following manner: "A (only)". If no middle name exists, indicate this in the following manner: "(NMN)".

4. IF FBI NO. UNKNOWN, FURNISH:DATE OF BIRTH:

The complete date of birth (expressed as month, day and year) must be inserted. Should the date of birth not be available, indicate as "NA" and provide an approximate age.

SEX:

Use one-character alpha code, as follows:

MALE: M
FEMALE: F

FINGERPRINT CLASSIFICATION:

Insert (if known) as provided by the FBI.

5. STATE BUREAU NO.:

Insert KBI number if known.

6. THIS FORM SUBMITTED BY:

Indicate the name, title of the official submitting this form, and the agency, city or town, and state. The official MUST sign and date this form in the spaces provided.

7. CONTRIBUTOR OF FINGERPRINTS:

Insert the name and address of the arresting agency that took the fingerprints. Include ORI.

8. ARREST NO.:

Insert the number assigned by the arresting agency (OCA).

9. DATE ARRESTED OR RECEIVED:

Enter the date the subject was arrested, or if not applicable, the date the subject was received.

10. COURT ORDERED EXPUNGEMENT:

If a court having jurisdiction orders an expungement or sealing of the subject's record, check (x) this box, return the arrest fingerprint cards to the contributing agency, and attach a certified copy of the court order to this form. The court order MUST list the specific arrest(s) to be expunged or sealed. See Section 7 for additional statutory information.

11. OFFENSES CHARGED AT ARREST:

Enter the name(s) of the offense(s) for which the arrest is being made. Also enter next to offense, the NCIC Uniform Offense Classification numeric (See Appendix D), and the statute number (K.S.A.) that describes the offense. If the Offense name, such as "theft:", does not indicate clearly whether the charge is a felony or misdemeanor arrest, add either "FEL" or "MISD" to the charge name.

12. RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

Fingerprints should be taken for this form at the same time that the full set of fingerprints are taken for the KBI Fingerprint Card. (61.0A).

COMPLAINT/DISPATCH CARD

The following instructions provide detailed information for completing each block of the Complaint/Dispatch Card. This form is provided only as an example, no supplies are available.

1. NATURE OF INCIDENT:

Describe briefly the nature of the incident such as "proowler in yard." Check box (x) if incident was in progress at time complaint was received.

2. COMPLAINT NO.:

Each card should be numbered with a complaint number which will become the case, arrest and file number.

3. LOCATION OF INCIDENT:

In most instances, a street address will be sufficient. In areas where there are no street addresses, the location should be described with reference to cross streets, known landmarks, highway markers or other fixed points.

4. CORNER:

Check (x) box for appropriate corner if incident occurred at a street corner.

5. PATROL AREA:

Enter the local agency's district or beat assignment number.

6. TIME:A. REC'D.

Enter the military time and the date (month-day-year) the call was received.

B. DISP.

Enter the military time a unit was dispatched.

C. ARR.

Enter the military time the unit arrived.

D. COMP.

When the unit completes its tasks at the location, enter the military time and the date (month-day-year).

7. COMPLAINANT'S NAME:

Record the complainant's full legal name in the sequence of first name, middle name, last name, and suffix. If complainant refused to give name, check box entitle "REFUSED."

8. TELEPHONE NUMBER:

Enter the complainant's telephone number. Indicate whether this is complainant's residence or business phone number. If phone number is other than complainant's residence or business, specify whose phone number it is, such as next door neighbor's phone.

9. COMPLAINANT'S ADDRESS:

Enter the street address of the complainant. To avoid confusion include city or town in all addresses. Do not use post office boxes as addresses. If complainant's address is the same as incident location, check box (x).

10. REMARKS:

This space is used to provide any additional relevant information.

11. UNIT ASSIGN'D:

Indicate the agency's designation for the unit assigned to the complaint.

12. UNIT ASSIST.:

Indicate the agency's designation for the unit(s) assisting with the complaint.

13. NOTIFICATIONS:

Check block for each service dispatched to incident.

14. RECEIVED BY:

Enter Complaint Operator's code number.

15. DISPATCHER NO.:

Enter Dispatcher's number.

CROSS REFERENCE INDEX

This index will provide the means by which items of information can be retrieved from report files. It is extremely important that each index card be maintained and filed with care. Without a properly maintained and filed index, it becomes impossible to locate information when needed.

This form is provided only as an example, no supplies are available.

Instructions for completing the index are provided below:

Last Name 1.	First Name 2.	Middle Name 3.	Suffix 4.				
Aliases 5.							
Addresses 6.							
Date of Birth 7.	Sex 8.	Race 9.	Hgt. 10.	Wgt. 11.	Eyes 12.	Hair 13.	Place of Birth 14.
15. Complaint Numbers							
No.		Date		No.		Date	
1.				5.			
2.				6.			
3.				7.			
4.				8.			

1. LAST NAME

Print subject's last name if known.

2. FIRST NAME

Print subject's first name if known.

3. MIDDLE NAME

Print subject's middle name if known.

4. SUFFIX

Print suffix such as "Jr." or "II" if known.

5. ALIASES

Print all other names used by subject. Nicknames should not be included unless the subject has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

6. ADDRESS

List the present or last known address of the subject. Include street address, city or town, and state. Address changes should be listed on the back of the card.

7. DATE OF BIRTH (DOB)

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as "NA" and provide an approximate age.

8. SEX

Use only a one-character alpha code, as follows:

MALE: M
FEMALE: F

9. RACE

Use only a one-character alpha code, as follows:

<u>Race</u>	<u>Enter As:</u>
*White	W
Negro	N
Indians	I
Chinese	C
Japanese	J
**All Others	O

*Includes: Mexicans and Latins.

**Includes: Asians, Indians, Eskimos, Filipinos, Indonesians, Koreans, Ploynesians, and other Non-Whites.

10. HEIGHT (HGT)

Enter height as three numbers (Do not use fractions, round to the nearest inch).

Example:

1. 5 feet, 11 3/4 inches - Enter as 600
2. 5 feet, 8 1/2 inches - Enter as 509

11. WEIGHT (WGT)

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98

INCIDENT REPORT

This form is designed to record any incidents of a non-criminal nature such as dog bites and wind damage. The form is provided as an example only, no supplies are available.

Detailed instructions for completing the incident report are provided below:

1. COMPLAINT NO.

This number MUST be identical to the complaint number on the Complaint/Dispatch Card.

2. NATURE OF INCIDENT

Describe briefly the nature of the incident such as "proowler in yard."

3. OCCURRENCE

DATE: Insert the date (month-day-year) of the incident
TIME: Insert the military time

4. INCIDENT LOCATION

In most instances a street location will be sufficient. In areas where there are no street addresses, the location should be described with reference to cross streets, known landmarks, highway markers or other fixed points.

5. PATROL AREA

Enter the local agency's district or beat assignment number.

6. COMPLAINANT

1. LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX - Enter the complainant's full legal name.
2. DOB - Enter the complainant's date of birth.
3. SEX - Enter the complainant's sex.
4. STREET ADDRESS, CITY, STATE - Enter the complainant's street address, city, and state (Do not use post office boxes as addresses.).
5. PHONE - Enter the complainant's phone number. Indicate whether the number is complainant's home or business phone number. If complainant has no phone, insert number at which he might be reached and whose phone it is.

7. DETAILS

Provide a concise narrative of the incident including any pertinent comments or observations of the reporting officer. List names and addresses of witnesses or other persons involved.

8. STATUS

Check appropriate box:

- Gone on Arrival - A complaint is issued requesting assistance or investigation and when the officer arrives at the alleged scene, the complainant and/or the individual(s) alleged to be involved are not present. Thus, no information of significance can be recorded.
- Unfounded - The officer arrives at the scene of an alleged incident and finds no evidence to verify such an incident occurred. Thus, the incident is unfounded.
- No Action Taken - The officer answers a request for assistance or investigation and decides that a verbal warning will suffice. Thus, no formal action is taken.
- Accident Report - A traffic accident is being reported on the standard reporting form.
- Traffic Ticket - This code indicates that a traffic ticket was written.

9. REPORTING OFFICER SIGNATURE

The officer completing this form MUST sign his name.

10. DATE

Enter the date the report was completed.

11. BADGE NO.

Enter the badge number of the officer completing the report.

12. APPROVING OFFICER SIGNATURE

The officer approving this report MUST sign his name.

13. BADGE NO.

Enter the badge number of the officer approving the report.

INCIDENT REPORT CONTINUATION

1. COMPLAINT NO. _____

2. DATE _____

3. PAGE _____

4. NAME OF COMPLAINANT _____
(Last Name) (First Name) (Middle Initial) (Suffix)

5. NATURE OF INCIDENT _____

6. NATURE: _____

Multiple horizontal lines for writing the nature of the incident.

7. _____ 8. _____
Report Officer's Signature Badge No.

609D

IF ADDITIONAL SPACE NEEDED, USE ANOTHER CONTINUATION REPORT

INCIDENT
CONTINUATION REPORT

This continuation report should only be used as a supplement to the incident report (It should not be used as a supplement to the offense report which has its own continuation form). Use as many pages of this continuation form as are necessary to report the incident completely. Additional sheets can be used on subsequent days as supplemental forms to report on any follow-up investigation. This form is approved as an example only, no supplies are available.

Complete this form as follows:

1. COMPLAINT NO.

This number must be identical to the complaint number on the Complaint/Dispatch Card and the Incident Report.

2. DATE

Enter the date this continuation report is being written.

3. PAGE

Enter the page number of this report. If, for example, this is the first Continuation Report sheet following the Incident Report sheet, number this sheet "2".

4. NAME OF COMPLAINANT

Enter the full legal name of the complainant (last name-first name-middle name-suffix). This name should be identical to the name on the Incident Report.

5. NATURE OF INCIDENT

Enter a brief description of the type of incident.

6. DETAIL

Insert any additional narrative as appropriate.

7. REPORT OFFICER'S SIGNATURE

The officer preparing this report MUST sign his name.

8. BADGE NO.

Enter the badge number of the officer preparing this report.

KANSAS ARREST BOOKING REPORT

The following information provides detailed instructions for completing each block on the Kansas Arrest Booking Report (610E), which is only an example form, no supplies are available.

1. ARRESTING AGENCY NAME

Enter the agency name. This should be done with a rubber stamp prior to placement of the form at the booking desk.

2. NCIC CODE

Enter NCIC Code. NCIC Uniform Offense Codes are included in the Appendices at the end of this manual.

DEFENDANT IDENTIFICATION3. NAME

Enter subject's full legal name in sequence of last name, first name, middle name, suffix.

4. ALIASES

Enter all known aliases for the subject. Nicknames should not be included unless the subject has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.

5. STREET ADDRESS

Enter the subject's street name and residence number (Do not use a post office box as a street address). If present address is unknown, list subject's last known address.

6. PHONE NO.

Enter the subject's home telephone number. If there is no telephone number at residence, insert telephone number where subject might be reached.

7. CITY & STATE

Enter the subject's city or town of residence or last known residence.

8. ZIP

Enter the appropriate zip code number.

9. SEX10. RACE

Check the appropriate blocks for the race codes.

White - Includes: Mexican and Latins.

Other - Includes: Asian Indians, Eskimos, Filipinos, Indonesians, Koreans, Polynesians, and other Non-Whites.

11. DATE OF BIRTH

The complete date of birth (expressed as month, day and year) must be furnished. Should the date of birth not be available, indicate as "NA" and provide an approximate age.

12. PLACE OF BIRTH

Enter the city (or county if rural) and state, or foreign country.

13. HAIR

Use only designated code for hair color.

<u>Color</u>	<u>Enter As:</u>
*Bald	BAL
Black	BLK
Blonde	BLN (Also Strawberry)
Brown	BRO
Gray	GRY (Partially Gray)
Red	RED (Also Auburn)
Sandy	SDY
White	WHI
Unknown	XXX

*Bald is used when subject has lost most of the hair on head.

14. EYES

Use only designated code for eye color.

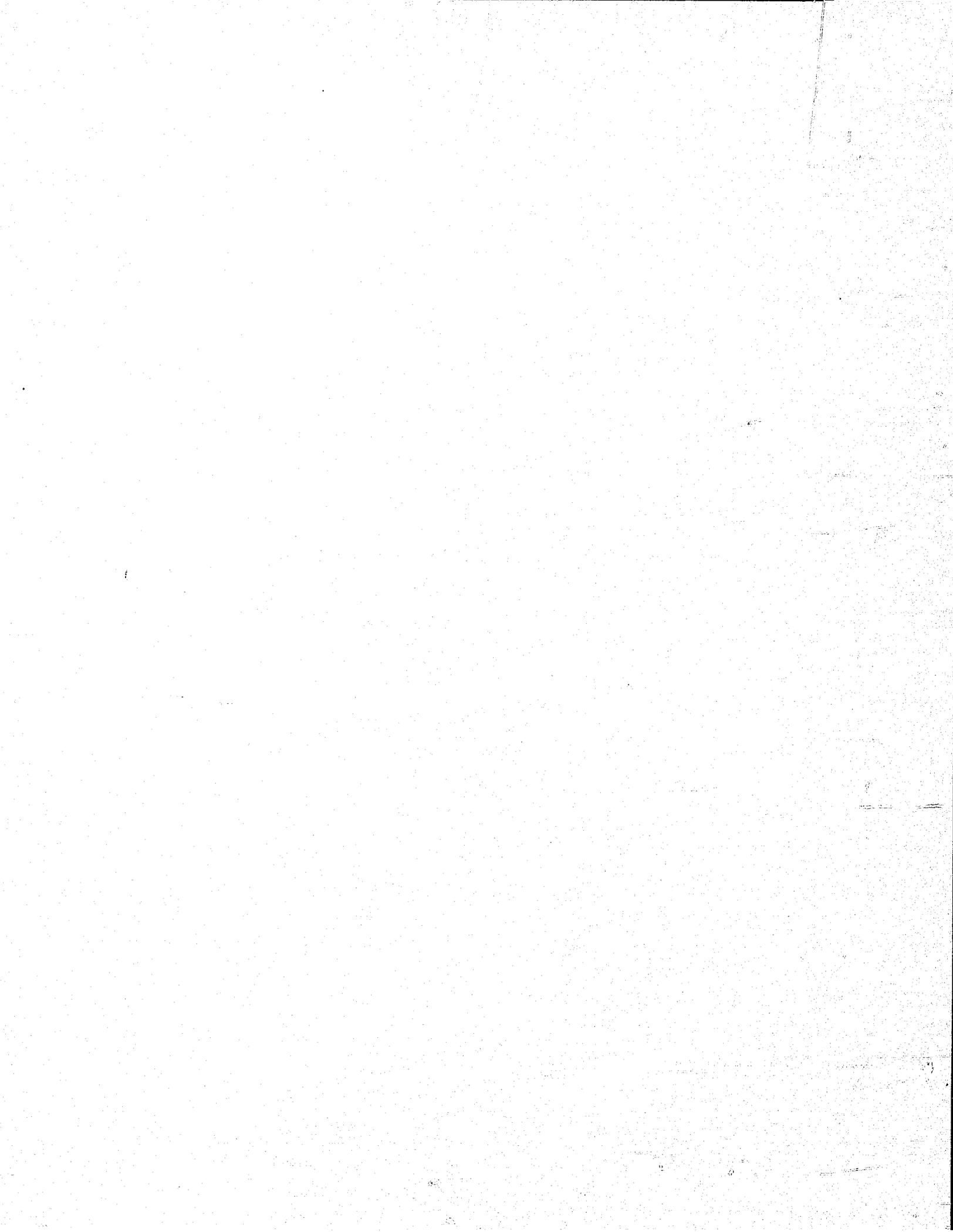
<u>Color</u>	<u>Enter As:</u>
Blue	BLU
Brown	BRO
Black	BLK
Gray	GRY
Green	GRN
Hazel	HAZ
Maroon	MAR
Unknown	XXX

15. WEIGHT (WGT)

Enter weight in pounds. (Do not use fractions, round off to the nearest pound.)

Example:

1. 180 -- Use 180
2. 97 1/2 -- Use 98



FIELD INTERVIEW AND SUSPICIOUS CAR REPORT

NAME							RESIDENCE ADDRESS					
SEX	RAC	DOB	HAI	EYE	HGT	WGT	AKA					
WHERE OBSERVED							TIME/DATE			REC CHK Y N		
CLOTHING WORN							VEH		PARKED		OCCUPIED	
WHERE EMPLOYED - HOURS/SMT							SUBJ WAS PASSENGER DRIVER					
							VYR	VMA	YMO		VCO	
SCHOOL							LIC		LIS	LIY		
REMARKS:							UNUSUAL MARKS					
							LIC ISSUED TO:					
							ADDRESS					
							REMARKS:					
							OFFICER					
List associates & additional remarks on other side.												

FIELD INTERVIEW CARD

FIELD INTERVIEW CARD

The following instructions provide detailed information for completing each block of the field interview card. The card is shown only as an example, no supplies are available. Agencies may reproduce or alter the form as desired.

A Field Interview is any contact or stop in which the officer feels that the person encountered poses a crime potential. This would include those cases where the officer feels that the subject has committed a crime or is planning to commit a crime, but does not have sufficient evidence to make an arrest.

Court decisions have held that police officers, under certain circumstances, may contact or stop citizens and conduct an inquiry. Many inquiries reveal that an individual may be involved in some type of criminal activity. It is then important for the department and all concerned police personnel to have available on file a record of the contact.

1. Name: Enter last name first, first name, middle name, and suffix. Example: Junior, Senior, the III, etc.
2. Sex: Indicate the sex of the subject with the single letter designation: M - Male, F - Female.
3. Race: Indicate the race of the subject with a single letter designation: W - White, N - Negro, M - Mexican, C - Chinese, J - Japanese, I - American Indian, and O - Other.
4. D.O.B.: Enter the month, day and year of birth of the subject. Use the number for the month designation.
5. Hair: Indicate the color of the subject's hair. Abbreviations are required: BLK - Black, BRO - Brown, BND - Blond, AUB - Auburn, GRY - Gray, RED - Red, SND - Sandy, WHI - White, and BLD - Bald.
6. Eyes: Enter the color of the subject's eyes. Abbreviations are required; BLK - Black, BLU - Blue, BRO - Brown, GRN - Green, GRY - Gray, and HZL - Hazel.
7. Height: Enter the height of subject. Example: 6 ft. 2 in. = 6-2.
8. Weight: Enter the weight of the subject.
9. Where Observed: The location of interview should be represented by an intersection or address where the interview took place. Example: 5th and Broadway, or 510 Broadway.

10. Clothing worn: List clothing worn by the subject, with special emphasis on unusual clothing such as hat, overcoat, etc. Jewelry must be listed in Remarks Section.
11. Scars, marks, & tattoos: All types of marks, physical deformities or other information which are visible should be indicated here. See Appendix C for appropriate codes.
12. Where employed-hours/school: In this space, you can fill in the address and/or name of the business, if obtainable. If possible, also obtain the occupation of the person.
13. Remarks: Information about the contact with the subject. This is not that he is a possible "211 suspect", "possible burglary suspect", etc. It is necessary that you put in here the reasons why you felt this person was suspicious and you stopped him. Example: Subject prowling residential area, not living in the area, nor going to a specific location there. This gives investigators information that can be used. Fill in this area in as few words as possible, but as descriptive as possible.
14. Residence Address: List the street address, city, and state where the subject lives. If subject is a transient, write "transient".
15. AKA/Aliases: List all other names used by subject. This should not include contractions (Bil for William, Ray for Raymond, etc.). Nicknames should not be included unless the person has adopted it as part of his commonly used name. Maiden names and names from previous marriages should be included.
16. Time: Enter the time of interview; military time must be used. Example: 0630, 2350.
Date: Enter the month, day and year of the interview. It is preferable to use the number for the month designation. Example: 8/15/77.
17. Veh parked occupied: Indicate whether the suspicious vehicle was parked at the time you arrived by circling the word. If the word is not circled, it will be assumed that you stopped the vehicle to interview or investigate. If the vehicle was parked, indicate whether it was occupied when you arrived, by circling the word.
18. Driver/Passenger: If the interview is conducted in conjunction with a vehicle, indicate whether the subject is the driver or passenger of the vehicle.

19. Vehicle year (VYR): Self-explanatory.
20. Vehicle make (VMA): Enter make of vehicle. Example:
Ford, Chev, Honda, Etc.
21. Vehicle model (VMD): Enter the model of the vehicle, such as Malibu, Fairlane, Cordoba, Square Back. Abbreviations are acceptable if they are commonly understood.
22. Vehicle color (VCO): Indicate the color or colors of the vehicle. This space is divided into two sections with room for more than one color. Abbreviations are acceptable.
23. License (LIC): Include in this space the license of the vehicle. If no vehicle, write "None" and "Pedestrian" across all the vehicle information.
24. License State (LIS): Self-explanatory.
25. License year (LIY): Self-explanatory.
26. Unusual marks: Include information unique to the vehicle, such as a missing seat, modified floor shift, jacked-up front or rear, mirror ornaments, window decals, radio equipment or scanners, missing parts such as bumpers, collision damage, partial or custom paint jobs, unusual wheels or tires, extra antennas or lights, etc.
27. Lic issued to: Indicate the registered owner of the vehicle, especially if different than the driver/subject.
28. Address: For the registered owner.
29. Remarks: Self-explanatory.
30. Officer(s): Enter the name or names of the officer(s) conducting the interview. Also enter the I.D. number of each officer listed.

REVERSE SIDE OF THE CARD

RES. PHONE - Self-explanatory

SOC. SEC. NO. - Self-explanatory. Obtain as it is an important source of information both for the investigator and system.

INTERIOR COLOR

Enter the color of the vehicle's interior. Abbreviate where possible.

Style: Enter the style of the vehicle, such as: 2-door, 4-door, station wagon, convertible, van, etc.

PERSONS WITH SUBJECT

List companions who are with the subject being interviewed. Indicate whether F.I. cards were completed on the additional persons as well.

DISSEMINATION OF CRIMINAL HISTORY RECORDS INFORMATION

This section of the manual describes procedures and forms for the dissemination of criminal history records information (CHRI). For the purposes of this manual, "dissemination" is interpreted to mean the release of CHRI to individuals or agencies other than the criminal justice agency which maintains the CHRI. Use of the information by an employee or officer of the agency maintaining the record does not constitute dissemination. Reporting the occurrence of a criminal justice transaction is likewise not dissemination. Thus, reporting an arrest or disposition to the KBI and the FBI or delivering an arrest report to a prosecutor are not considered to be dissemination. On the other hand, confirming the existence or non-existence of CHRI in response to a request is dissemination.

This section is divided into two parts:

Categories of Dissemination Dissemination Agreements

The first part describes two categories of information, conviction data and non-conviction data, and the regulations regarding the dissemination of information under each category. In particular, this section discusses what agencies or individuals have access to the information and what circumstances qualify an agency or individual to gain access to the information.

The second part describes the procedures that an agency or individual must follow to obtain access to CHRI. Also discussed are four forms, the User Agreement (612C), Access Request and Non-Disclosure Agreement (612A), Confirmation of existing CHRI Agreement (612B), and Dissemination Log (612D) which support these procedures. Samples of each are on pages at the end of this section.

CATEGORIES OF DISSEMINATION

CONVICTION DATA

No limits have been placed on the dissemination of conviction data. Similarly, no limits have been imposed on the release of information concerning cases that are pending in some stage of processing or prosecution. All such information may be disseminated to both criminal justice and non-criminal justice agencies.

NON-CONVICTION
DATA

Dissemination of non-conviction data is permitted to the following:

- (1) Criminal justice agencies for purposes of the administration of criminal justice and for criminal justice agency employment.
- (2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate state or local officials or agencies.

Thus, for example, CHRI may be distributed pursuant to a licensing statute or ordinance which requires license applicants to be of good moral character, if the statute or ordinance has been construed by the appropriate authority to require or permit a review of non-conviction records in making the determination of good moral character.

10 U.S.C. Section 504 states that, except with special permission, no person who has been convicted of a felony may be enlisted in the armed forces. This statute does not fulfill the requirements for CHRI non-conviction data dissemination. Since the statute expressly provides that persons convicted of felonies will be excluded from the armed services, it is not adequate authority for the dissemination of non-conviction data. Thus, military recruiters may have access to conviction records but may not have access to or request non-conviction data.

- (3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, ensure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violations thereof.

This category of dissemination would permit, for example, private consulting firms to have access to the necessary information when assisting a criminal justice agency in the development and implementation of an information system.

- (4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data; limit the use of data to research, evaluative, or statistical purposes; ensure the confidentiality and security of the data consistent with these regulations, with Section 524 (a) of the Act, and the regulations implementing Section 524(a); and provide sanctions for the violation thereof.

Under this category of dissemination, good faith researchers, including private individuals, would be permitted to use CHRI for research purposes. Access should only be granted if the research design shows a clear need for CHRI.

LEAA did issue additional regulations regulating the confidentiality of research/statistical information, published on December 15, 1976 at 41 F.R. 54847. These regulations are included in the set reproduced in Section 6 of this manual. Since these rules and regulations do not have a major impact on activities in Kansas, additional guidelines for the required activities in this area are not included here. If you encounter a situation where these regulations apply, contact the Identification/Information Services Section at KBI Headquarters for assistance.

- (5) Appropriate authorities upon request for the purpose of issuing visas and granting of citizenship.

THIS PAGE IS RESERVED FOR LATER USE

DISSEMINATION AGREEMENTS

USER AGREEMENT (612C)

To ensure that the sharing of information complies with CHRI dissemination requirements, all dissemination of non-conviction data to criminal justice agencies is governed by a statewide user agreement. This agreement must be made between each criminal justice agency. That is, both an agency requesting CHRI from another Agency or the KBI and an Agency providing information to either a criminal justice agency or non-criminal justice agency must sign a State of Kansas User's Agreement for Criminal History Records Information. This agreement requires that the Agency providing CHRI, the Agency receiving CHRI and the KBI meet certain responsibilities regarding the dissemination of the information.

The Agency providing CHRI assures that a query has been made to the KBI and that information is current, restrictions on the dissemination are posted on the information, and a log will be kept to record dissemination of the information. In addition, the receiving Agency agrees to keep the information secure, assure the reliability of information in the event of further dissemination, and destroy the information at the first reasonable opportunity. The KBI also agrees to abide by the regulations governing CHRI and give an Agency thirty days notice of any changes in the rules and regulations.

On the other hand, this agreement protects either Agency or the KBI by enabling them to suspend furnishing CHRI if any rule, regulation or policy governing the dissemination of CHRI is not being followed.

A sample statewide User Agreement (612C) is at the end of this section.

Access Request and
Non-Disclosure
Agreement (612A)

A non-criminal justice agency or individual requesting CHRI must identify the specific data requested, the period the CHRI is requested for, and the statement describing the regulation supporting the request on the agreement.

The Agreement covers the provisions required by Section 20.21(b) (2,3,and 4) under Title 28, Chapter 1, Part 20 of the Code of Federal Regulations.

The non-criminal justice agency or individual agrees to disseminate information only to those individuals or agencies identified on the form, assure the security of the information and abide by all rules and regulations governing CHRI.

NOTICE REQUIRED
ON CHRI

Before any dissemination of CHRI takes place, the following notice shall be placed on or attached to the information by the providing agency:

THIS INFORMATION IS RESTRICTED AS
TO USE AND DISSEMINATION. CIVIL
AND CRIMINAL PENALTIES EXIST FOR
MISUSE.

(Providing Agency)
(Date)

DISSEMINATION LOG
(612D)

All dissemination of CHRI must be recorded in a dissemination log. Logs will provide the basis for audit and notification of agencies when erroneous CHRI has been disseminated.

The dissemination log sheet (612D) included at the end of this section should be maintained in a log book. Instructions on its completion are also included following the sample log. The sample provided is appropriate for agencies having a small volume of disseminations. Agencies having a substantial volume of disseminations should maintain a log on each case jacket as well as the chronological log shown.

CONFIRMATION OF
EXISTING AGREEMENT
(612B)

This form was designed primarily for the use of agencies outside Kansas. The form allows involved agencies to confirm that they are subject to the regulations, without having to also become subject to Kansas statutes at the same time. The form could also be used by a Kansas agency that had already completed an agreement, but had not yet been added to the valid users list.

STATE OF KANSAS

CRIMINAL HISTORY RECORD INFORMATION

USERS AGREEMENT

This agency, having the authority to enter into this contractual agreement, does understand and agree to the controls on criminal history information dissemination and the conditions on its use: as described below; in the Code of Federal Regulations Title 28, Chapter 1, Part 20-CRIMINAL JUSTICE INFORMATION; the Kansas Criminal History Record Information (CHRI) Plan; related Kansas statutes listed in that Plan; and NLETS and NCIC existing and future policies for the interstate exchange of CHRI.

This agency agrees that:

1. It will query the central repository (KBI) before disseminating criminal history information.
2. Its access to criminal history information will be for criminal justice purposes only and no redissemination of the information will be made unless the secondary agency that is to receive this information is: also bound by a users agreement; party to an access and non-disclosure agreement; using the NLETS network for making the request; providing a court order; using the information for visa or citizenship purposes.
3. Any question as to the authority for dissemination of criminal history information to another agency will be referred to the KBI.
4. Copies of criminal history information will be marked as specified in the CHRI Plan, stored using appropriate security measures, and destroyed when they no longer serve the purpose for which they were obtained.
5. This agreement and this agency's access to criminal history record information may be cancelled if this agency knowingly violates any of the requirements for control or use of this information.
6. Misuse of criminal history record information can result in civil penalties for actual damages, criminal penalties, a fine of not more than \$10,000, or by imprisonment.
7. It is subject to audit as specified by appropriate laws in this area.

Date

Authorized Signature

Title

Agency

Date

Authorized Signature

Title

Agency

If the KBI is not one of the parties to this agreement, a copy should be sent to:

I/IS Section
Kansas Bureau of Investigation
3420 Van Buren
Topeka, Kansas 66611

612C

STATE OF KANSAS

ACCESS REQUEST AND NON-DISCLOSURE AGREEMENT

FOR CRIMINAL HISTORY RECORD INFORMATION

This request and agreement for access to criminal history record information is made by _____, an authorized criminal justice agency in the State of Kansas, hereinafter called Agency, and _____, hereinafter called Requestor.

1. Information requested: (Description of criminal history record information requested)

2. Requestor requests this information () on a continuing basis
() on a one-time basis

3. The purpose for which information requested is (check one):
 - () To implement a statute or executive order that expressly refers to criminal conduct and contains requirements and/or exclusions expressly based upon such conduct. Give citation:
 - () To carry out a contract or agreement to provide services required for the administration of justice. (attach agreement)
 - () Research, evaluative, or statistical activities pursuant to an agreement with Agency (attach agreement).
 - () To implement a state or federal statute or executive order to conduct investigations determining employment suitability or eligibility for security clearances allowing access to classified information pursuant to a state or federal statute or executive order. Give citation:
 - () Such purposes as authorized by court order or rule (attach order or rule).
 - () Other purpose. Explain.

4. Requestor agrees to limit the use of any received information to the purposes for which it was provided and to destroy the information when it is no longer needed for the purposes for which it was provided.

5. Requestor agrees that the only persons allowed access to any received information are:

and not to disseminate the information to any other agency or person.

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6. Requester agrees to implement reasonable procedures to insure the confidentiality and security of any received information.
7. Requestor agrees to abide by the laws or regulations of this state and the federal government, any present or future rules, policies, or procedures adopted by the Agency. Procedures approved and adopted by NCIC or NLETS to the extent that they are applicable to information provided under this agreement.
8. If this agreement is to provide criminal history record information on a continuing basis, Agency reserves the right to immediately suspend furnishing information under this agreement and to demand return of information already furnished under this agreement when any rule, policy, procedure, regulation, or law described in Section 7 is violated or appears to be violated.
9. Requestor agrees to indemnify and save harmless Agency, other signatory agencies at Non-Disclosure Agreements or user agreements, and their employees from and against any and all causes of actions, demands, suits, and other proceedings of whatsoever nature, against all liability to others, including any liabilities or damages by reason of or arising out of any files, arrest, or imprisonment or any cause of action whatsoever, and against any loss, cost, expense, and damage resulting therefrom, arising out of or involving any negligence on the part of the agency receiving information in the exercise or enjoyment of this agreement.
10. In addition to any civil or criminal penalties applicable to the use of this information under Kansas or federal law, Recipient agrees to be subject to fines as provided in The Code of Federal Regulations Title 28, Chapter 1, Part 20, or the Omnibus Crime Control and Safe Streets Act for knowing violation of The Code of Federal Regulations Title 28, Chapter 1, Part 20. It is understood that fines under Title 28, may not exceed \$10,000.
11. If this agreement is to provide criminal history record information on a continuing basis, then either Agency or Recipient may, upon 30 days notice in writing, terminate this agreement.

 Date

 Signature of Recipient Representative

 Date

 Signature of Agency Representative

STATE OF KANSAS

CONFIRMATION OF EXISTING CHRI AGREEMENT

I hereby affirm that _____
 hereinafter referred to as Requestor, is a signatory party to an existing
 agreement that contains substantially the same provisions as the State of
 Kansas Criminal History Record Information Users Agreement, which I have re-
 viewed this date. This users agreement is between Requestor and _____
 _____ and is dated
 _____. Upon the expiration or cancellation of this
 agreement, I will immediately inform the Receiver of this confirmation and
 the Kansas Bureau of Investigation of such instance.

Date _____

Authorized Signature _____

Title _____

DISSEMINATION LOG

Agencies MUST keep a record of what CHRI information is disseminated, and to whom it is disseminated. A suggested log format is provided below:

1. DATE

Enter the date CHRI is disseminated.

2. REQUESTOR AGENCY

Print the name(s) of agency(cies) requesting the receipt of CHRI. If requestor is an individual, print first and middle initial and last name of individual(s) requesting the receipt of CHRI.

3. SUBJECT NAME

Print the record subject's full legal name (John Henry Smith, III).

4. ID NO.

Enter the subject's FBI, KBI, or local ID number if known.

5. UA

Insert an "x" in block if there is an approved user agreement with the agency or individual requesting CHRI. The law requires a user agreement for both criminal justice and non-criminal justice dissemination (A non-criminal justice agency user agreement is called a non-disclosure agreement).

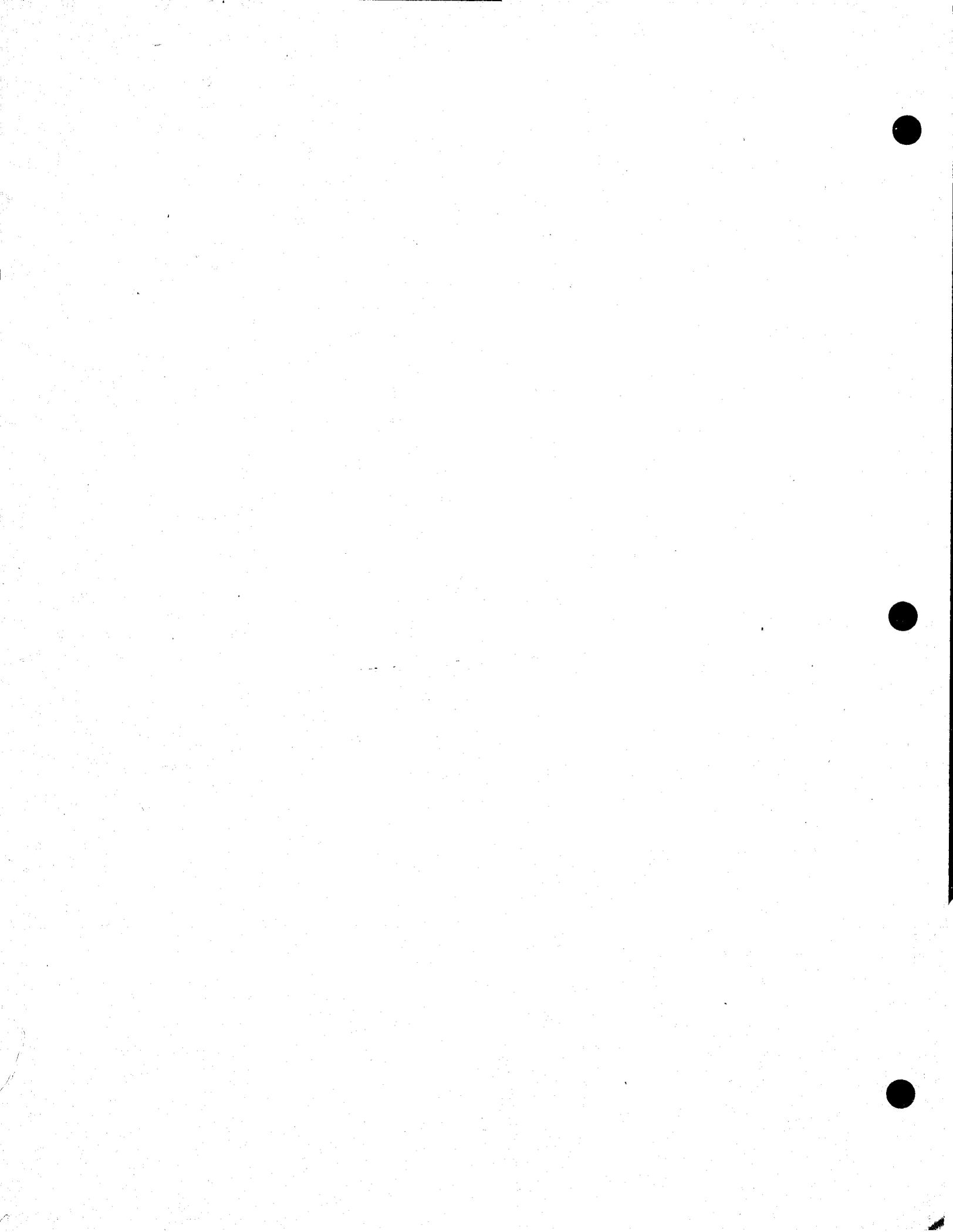
6. IDF

Insert an "x" in block if subject's identity was verified through the matching of fingerprints or fingerprint classifications. Fingerprints are the preferred way to verify that that record subject and the subject under inquiry are the same.

7. CPQ

Insert an "x" in block if query has been made of the KBI central repository for dispositions. This query MUST be performed. It protects the agency from revealing, for example, information which may have been sealed by court order.





INDIVIDUAL RIGHT TO ACCESS

This section primarily describes the procedures pertaining to an individual's right to access and review the criminal history records maintained about him and to challenge the accuracy and completeness of such information. Specifically, this section covers the six steps to gain access to CHRI and review, initiate a challenge and administrative review and provide for the dissemination of corrected information. Each step is discussed separately in sections appropriately titled as follows:

- Verification of Identity
- Method of Review
- Obtaining a Copy
- Challenging a Record
- Administrative Review
- Notification of Error

Necessary forms, Request for Review (611A), Challenge of Criminal History Records Information (611B), Request for Administrative Review (611C), and Notification of Error (611D) which support the above steps described are discussed in the narrative. Samples of these forms, and accompanying instructions where necessary, are at the end of this section.

Another form, Attorney's Request for Review (611E), is also included to assist in implementing the provisions of Senate Bill 406, which became effective March 1st. Differences between the provisions for individual and attorney review are described following the example form.

All forms used in this section are for example purposes only. Other agencies may choose to modify them prior to reproduction, as long as the requirements expressed in the regulations and statutes are met.

VERIFICATION OF IDENTITY (INDIVIDUAL)

In the State of Kansas, the only satisfactory methods of identification of an individual for the purposes of access, review, and challenge are: (1) fingerprint or visual recognition attested to by the criminal justice agency handling the inquiry; or (2) a written statement made on oath before a notary public or other person authorized to administer oaths.

METHOD OF REVIEW (INDIVIDUAL)

The federal regulations require that CHRI be available for individual review without undue burden on the criminal justice agency or the individual. As the central repository, the KBI maintains a complete criminal history record for significant transactions. Therefore, it is advisable for the individual to review the record maintained by the KBI. An individual should contact KBI Headquarters or one of its regional offices to request access. Records may be reviewed between the hours of 9AM and noon, and 1PM and 4PM on regular working days at the KBI.

Local criminal justice agencies may frequently be contacted by individuals wanting to review locally maintained records. Local agencies may set their own policies to accommodate these requests, as long as they do not present an undue burden. It is advisable to inform individuals that if they have been arrested outside the local jurisdiction, a more complete and detailed record may be frequently found at the KBI.

There is no requirement at present that an individual's request for review must be made in writing. In fact, present rules and regulations require that a verbal request must be honored. However, whenever possible, agencies should encourage requests to be made in writing.

If an individual is unable because of a physical handicap, remoteness of residence, or incarceration, to appear at KBI Headquarters or one of its regional offices, the individual should contact the closest law enforcement agency or a correctional officer for assistance.

A Request For Review statement is strongly recommended for each individual seeking access to a CHRI record. A sample Request For Review (611A) is at the end of this section.

OBTAINING A COPY (INDIVIDUAL)

The federal regulations state that "a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge." A fee may be charged for making the copy. It should not exceed \$10.00.

CHALLENGING A RECORD (INDIVIDUAL)

An individual may challenge the accuracy or completeness of his record. The individual is required to give a correct version of the record and explain why that version is believed to be correct.

A sample Challenge of Criminal History Record (611B) and instructions for its completion are at the end of this section.

ADMINISTRATIVE REVIEW (INDIVIDUAL)

An individual wishing to appeal a challenge decision should submit copies of the forms entitled Challenge of Criminal History Record (611B) and a Request for Administrative Review of Challenged Criminal History Records Information (611C) to the head of the agency who has custody of the information in dispute. The individual will be notified within thirty (30) days of the date of his challenge, of the results of his challenge. If the challenge is denied, the individual is entitled to appeal the decision to the KBI, the KBI Director, and the Attorney General, in that order.

NOTIFICATION OF ERROR (INDIVIDUAL)

If, after a Challenge or Administrative Review, it is determined that the CHRI in question is erroneous, the Agency maintaining the CHRI must send a Notification of Error (611D) to every other criminal justice agency having or receiving copies of the record. This Notification of Error identifies the incorrect CHRI and provides the corrected entry. A sample Notification of Error and instructions for its completion are at the end of this section. The dissemination log maintained by the agency will identify which criminal justice agencies will receive the notification. On demand by the individual, the agency must identify what non-criminal justice agencies have received the record. Again, the dissemination log will identify these recipients.

FURNISHING FBI IDENTIFICATION RECORDS TO SUBJECTS THEREOF

(Re-printed from 12-10-76 Fingerprint Contributors Letter)

Departmental Order 556-73, codified as Title 28, Code of Federal Regulations, Section 16.30 - 34, sets forth requirements and procedures whereby individuals may obtain a copy of their identification record by submitting a written request to the FBI Identification Division accompanied by satisfactory proof of identity and a certified check or money order in the amount of \$5 payable to the Treasurer of the United States. Satisfactory proof of identity is defined as name, birth data and a set of rolled-inked fingerprint impressions. These requirements and procedures were drafted with the intent of imposing the least possible burden upon the individual desiring to obtain a copy of his identification record. Requests in individuals for copies of their FBI identification records should be directed to FBI Headquarters and should not be honored by other agencies. This procedure guarantees positive identification and insures that the individual receives a copy of his record as currently maintained in FBI identification files.

REQUEST FOR REVIEW

OF

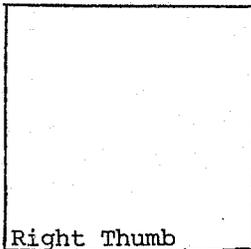
CRIMINAL HISTORY RECORD INFORMATION

I hereby request _____ to provide for my review, any criminal history record information which the agency has attributed to me. I hereby provide identification elements and fingerprint impressions as required by the agency to effect an identification. I affirm that this request is for my personal review, and is not being made in order to provide the received information to any prospective employer or licensing authority.

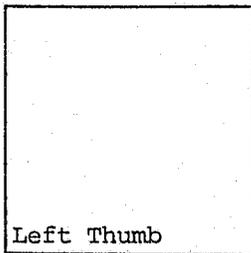
MY FULL LEGAL NAME _____ DOB _____

SEX _____ RACE _____ HEIGHT _____ WEIGHT _____

EYE COLOR _____ HAIR COLOR _____



Right Thumb



Left Thumb

Signature of Individual

Address

City and State

Zip

()- -

Phone Number

REQUEST RECEIVED BY: _____ DATE _____

My signature here acknowledges that I have viewed the records provided by the agency, that I do not find an error, and do not wish to exercise my right to challenge the record at this time:

Signature of Individual

Date

OF CLIENT'S

CRIMINAL HISTORY RECORD INFORMATION

I hereby request _____ to provide for my review of any criminal history record information which the agency has attributed to my client. I hereby provide identification elements as required to enable the agency to check their files conclusively for possible data relating to my client.

MY CLIENT'S FULL LEGAL NAME _____ DOB _____

SEX _____ RACE _____ HEIGHT _____ WEIGHT _____

EYE COLOR _____ HAIR COLOR _____

Printed Name of Attorney

Signature of Attorney

Client Street Address

Street Address

City and State

Zip

City and State

Zip

()- -

Phone Number

()- -

Phone Number

REQUEST RECEIVED BY: _____ DATE: _____

My signature here acknowledges that I have viewed the records provided by the agency.

Signature of Attorney

Date

VERIFICATION OF IDENTITY (ATTORNEY)

Verification of an attorney's identity need not be as extensive as the process used to verify the identity of an individual requesting access. Generally, agencies should require two proofs of identity, such as a driver's license, State ID card, credit card(s), etc. At least one of the documents should include a picture and a signature that can be compared. The attorney will customarily be able to provide a business card. Check to be sure that the attorney is listed in the phone book or an attorney's directory (usually available from the prosecuting attorney or law library in your jurisdiction). Under the provisions of Senate Bill 406, the attorney MUST also produce a written authorization from the client, specifically saying that the attorney is allowed to view the client's CHRI. Using the client's thumb prints on the request form, or requiring them on the written authorization produced by the attorney, will help eliminate problems with aliases or inadvertent disclosure of records because of mistaken identification.

METHOD OF REVIEW (ATTORNEY)

Follow the same basic principles as used when allowing an individual to review a record.

OBTAINING A COPY (ATTORNEY)

CHALLENGING A RECORD (ATTORNEY)

ADMINISTRATIVE REVIEW (ATTORNEY)

Senate Bill 406, which allows attorneys to view their client's records, does not contain any provisions authorizing an attorney to obtain a copy, initiate a challenge, or request an administrative review. However, arbitrarily denying these actions to an attorney representing a client could be construed as creating an undue burden. In most cases, an attorney attempting to correct a valid error in a record for a client should be accommodated, as the maintenance of a record in error is deplorable.

NOTIFICATION OF ERROR (ATTORNEY)

Generally, if an error is found, no matter how it came to the agency's attention, it should be corrected. It will probably be easiest to use a single procedure to correct errors, no matter how they arise, such as the one used when a person is successful in demonstrating that an error exists.

PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS

Subpart A—General Provisions

- Sec.
20.1 Purpose.
20.2 Authority.
20.3 Definitions.

Subpart B—State and Local Criminal History Record Information Systems

- 20.20 Applicability.
20.21 Preparation and submission of a
Criminal History Record Information
Plan.
20.22 Certification of Compliance.
20.23 Documentation: Approval by LEAA.
20.24 State laws on privacy and security.
20.25 Penalties.

Subpart C—Federal System and Interstate Ex- change of Criminal History Record Informa- tion

- 20.30 Applicability.
20.31 Responsibilities.
20.32 Includable offenses.
20.33 Dissemination of criminal history
record information.
20.34 Individual's right to access criminal
history record information.
20.35 National Crime Information Center
Advisory Policy Board.
20.36 Participation in the Computerized
Criminal History Program.
20.37 Responsibility for accuracy, com-
pleteness, currency.
20.38 Sanction for noncompliance.

Appendix—Commentary on selected sec-
tions of the regulations on criminal histo-
ry record information systems

Authority: Pub. L. 93-83, 87 Stat. 197, (42
U.S.C. 3701, et seq.; 28 U.S.C. 534), Pub. L.
92-544, 86 Stat. 1115.

SOURCE: Order No. 601-75, 40 FR 22114,
May 20, 1975, unless otherwise noted.

Subpart A—General Provisions

SOURCE: 41 FR 11714, Mar. 19, 1976, unless
otherwise noted.

§ 20.1 Purpose.

It is the purpose of these regulations to assure that criminal history record information wherever it appears is collected, stored, and disseminated in a manner to insure the completeness, integrity, accuracy and security of such information and to protect individual privacy.

§ 20.2 Authority.

These regulations are issued pursuant to sections 501 and 524(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, Pub. L. 93-83, 87 Stat. 197, 42 USC 3701, et seq. (Act), 28 USC 534, and Pub. L. 92-544, 86 Stat. 1115.

§ 20.3 Definitions.

As used in these regulations:

(a) "Criminal history record information system" means a system including the equipment, facilities, procedures, agreements, and organizations thereof, for the collection, processing, preservation or dissemination of criminal history record information.

(b) "Criminal history record information" means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release. The term does not include identification information such as fingerprint records to the extent that such information does not indicate involvement of the individual in the criminal justice system.

(c) "Criminal justice agency" means: (1) courts; (2) a government agency or any subunit thereof which performs the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its annual budget to the administration of criminal justice.

(d) The "administration of criminal justice" means performance of any of the following activities: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(e) "Disposition" means information disclosing that criminal proceedings have been concluded, including information disclosing that the police have elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reason for such postponement. Dispositions shall include, but not be limited to, acquittal, acquittal by reason of insanity, acquittal by reason of mental incompetence, case continued without finding, charge dismissed, charge dismissed due to insanity, charge dismissed due to mental incompetency, charge still pending due to insanity, charge still pending due to mental incompetence, guilty plea, nolle prosequi, no paper, nolo contendere plea, convicted, youthful offender determination, deceased, deferred disposition, dismissed—civil

action, found insane, found mentally incompetent, pardoned, probation before conviction, sentence commuted, adjudication withheld, mistrial—defendant discharged, executive clemency, placed on probation, paroled, or released from correctional supervision.

(f) "Statute" means an Act of Congress or State legislature of a provision of the Constitution of the United States or of a State.

(g) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(h) An "executive order" means an order of the President of the United States or the Chief Executive of a State which has the force of law and which is published in a manner permitting regular public access thereto.

(i) "Act" means the Omnibus Crime Control and Safe Streets Act, 42 USC 3701, *et seq.*, as amended.

(j) "Department of Justice criminal history record information system" means the Identification Division and the Computerized Criminal History File systems operated by the Federal Bureau of Investigation.

(k) "Nonconviction data" means arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals.

(l) "Direct access" means having the authority to access the criminal history record data base, whether by manual or automated methods.

Subpart B—State and Local Criminal History Record Information Systems

SOURCE: 41 FR 11715, Mar. 19, 1976, unless otherwise noted.

§ 20.20 Applicability.

(a) The regulations in this subpart apply to all State and local agencies and individuals collecting, storing, or disseminating criminal history record information processed by manual or automated operations where such collection, storage, or dissemination has been funded in whole or in part with funds made available by the Law Enforcement Assistance Administration subsequent to July 1, 1973, pursuant to Title I of the Act. Use of information obtained from the FBI Identification Division or the FBI/NCIC system shall also be subject to limitations contained in Subpart C.

(b) The regulations in this subpart shall not apply to criminal history record information contained in: (1) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons; (2) original records of entry such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if such records are organized on a chronological basis; (3) court records of public judicial proceedings; (4) published court or administrative opinions or public judicial, administrative or legislative proceedings; (5) records of traffic offenses maintained by State departments of transportation, motor vehicles or the equivalent thereof for the purpose of regulating the issuance, suspension, revocation, or renewal of driver's, pilot's or other operators' licenses; (6) announcements of executive clemency.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public criminal history record information related to the offense for which an individual is currently within the criminal justice system. Nor is a criminal justice agency prohibited from confirming prior criminal history record information to members of the news media or any other person, upon specific inquiry as to whether a named individual was arrested, detained, indicted, or whether an information or other formal charge was filed, on a specified date, if the arrest record information or criminal record information disclosed is based on data excluded by paragraph (b) of this section. The regulations do not prohibit the dissemination of criminal history record information for purposes of international travel, such as issuing visas and granting of citizenship.

§ 20.21 Preparation and submission of a Criminal History Record Information Plan.

A plan shall be submitted to LEAA by each State on March 16, 1976, to set forth all operational procedures, except those portions relating to dissemination and security. A supplemental plan covering these portions shall be submitted no later than 90 days after promulgation of these amended regulations. The plan shall set forth operational procedures to—

(a) *Completeness and accuracy.* Insure that criminal history record information is complete and accurate.

(1) Complete records should be maintained at a central State repository. To be complete, a record maintained at a central State repository which contains information that an individual has been arrested, and which is available for dissemination, must

contain information of any dispositions occurring within the State within 90 days after the disposition has occurred. The above shall apply to all arrests occurring subsequent to the effective date of these regulations. Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information to assure that the most up-to-date disposition data is being used. Inquiries of a central State repository shall be made prior to any dissemination except in those cases where time is of the essence and the repository is technically incapable of responding within the necessary time period.

(2) To be accurate means that no record containing criminal history record information shall contain erroneous information. To accomplish this end, criminal justice agencies shall institute a process of data collection, entry, storage, and systematic audit that will minimize the possibility of recording and storing inaccurate information and upon finding inaccurate information of a material nature, shall notify all criminal justice agencies known to have received such information.

(b) *Limitations on dissemination.* By December 31, 1977, insure that dissemination of nonconviction data has been limited, whether directly or through any intermediary only to:

(1) Criminal justice agencies, for purposes of the administration of criminal justice and criminal justice agency employment;

(2) Individuals and agencies for any purpose authorized by statute, ordinance, executive order, or court rule, decision, or order, as construed by appropriate State or local officials or agencies;

(3) Individuals and agencies pursuant to a specific agreement with a criminal justice agency to provide services required for the administration of criminal justice pursuant to that agreement. The agreement shall specifically authorize access to data, limit the use of data to purposes for which given, insure the security and confidentiality of the data consistent with these regulations, and provide sanctions for violation thereof;

(4) Individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. The agreement shall specifically authorize access to data, limit the use of data to research, evaluative, or statistical purposes, insure the confidentiality and security of the data consistent with these regulations and with section 524(a) of the Act and any regulations implementing section 524(a), and provide sanctions for the

violation thereof. These dissemination limitations do not apply to conviction data.

(c) *General policies on use and dissemination.* (1) Use of criminal history record information disseminated to noncriminal justice agencies shall be limited to the purpose for which it was given.

(2) No agency or individual shall confirm the existence or nonexistence of criminal history record information to any person or agency that would not be eligible to receive the information itself.

(3) Subsection (b) does not mandate dissemination of criminal history record information to any agency or individual. States and local governments will determine the purposes for which dissemination of criminal history record information is authorized by State law, executive order, local ordinance, court rule, decision or order.

(d) *Juvenile records.* Insure that dissemination of records concerning proceedings relating to the adjudication of a juvenile as delinquent or in need or supervision (or the equivalent) to noncriminal justice agencies is prohibited, unless a statute, court order, rule or court decision specifically authorizes dissemination of juvenile records, except to the same extent as criminal history records may be disseminated as provided in § 20.21(b) (3) and (4).

(e) *Audit.* Insure that annual audits of a representative sample of State and local criminal justice agencies chosen on a random basis shall be conducted by the State to verify adherence to these regulations and that appropriate records shall be retained to facilitate such audits. Such records shall include, but are not limited to, the names of all persons or agencies to whom information is disseminated and the date upon which such information is disseminated. The reporting of a criminal justice transaction to a State, local or Federal repository is not a dissemination of information.

(f) *Security.* Wherever criminal history record information is collected, stored, or disseminated, each State shall insure that the following requirements are satisfied by security standards established by State legislation, or in the absence of such legislation, by regulations approved or issued by the Governor of the State.

(1) Where computerized data processing is employed, effective and technologically advanced software and hardware designs are instituted to prevent unauthorized access to such information.

(2) Access to criminal history record information system facilities, systems operating environments, data file contents whether while in use or when

stored in a media library, and system documentation is restricted to authorized organizations and personnel.

(3)(1) Computer operations, whether dedicated or shared, which support criminal justice information systems, operate in accordance with procedures developed or approved by the participating criminal justice agencies that assure that:

(a) Criminal history record information is stored by the computer in such manner that it cannot be modified, destroyed, accessed, changed, purged, or overlaid in any fashion by non-criminal justice terminals.

(b) Operation programs are used that will prohibit inquiry, record updates, or destruction of records, from any terminal other than criminal justice system terminals which are so designated.

(c) The destruction of records is limited to designated terminals under the direct control of the criminal justice agency responsible for creating or storing the criminal history record information.

(d) Operational programs are used to detect and store for the output of designated criminal justice agency employees all unauthorized attempts to penetrate any criminal history record information system, program or file.

(e) The programs specified in paragraphs (f)(3)(1)(b) and (d) of this section are known only to criminal justice agency employees responsible for criminal history record information system control or individuals and agencies pursuant to a specific agreement with the criminal justice agency to provide such programs and the program(s) are kept continuously under maximum security conditions.

(f) Procedures are instituted to assure that an individual or agency authorized direct access is responsible for A the physical security of criminal history record information under its control or in its custody and B the protection of such information from unauthorized access, disclosure or dissemination.

(g) Procedures are instituted to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or man-made disasters.

(h) A criminal justice agency shall have the right to audit, monitor and inspect procedures established above.

(4) The criminal justice agency will:

(i) Screen and have the right to reject for employment, based on good cause, all personnel to be authorized to have direct access to criminal history record information.

(ii) Have the right to initiate or cause to be initiated administrative action leading to the transfer or removal of personnel authorized to have

direct access to such information where such personnel violate the provisions of these regulations or other security requirements established for the collection, storage, or dissemination of criminal history record information.

(iii) Institute procedures, where computer processing is not utilized, to assure that an individual or agency authorized direct access is responsible for (a) the physical security of criminal history record information under its control or in its custody and (b) the protection of such information from unauthorized access, disclosure, or dissemination.

(iv) Institute procedures, where computer processing is not utilized, to protect any central repository of criminal history record information from unauthorized access, theft, sabotage, fire, flood, wind, or other natural or man-made disasters.

(v) Provide that direct access to criminal history record information shall be available only to authorized officers or employees of a criminal justice agency and, as necessary, other authorized personnel essential to the proper operation of the criminal history record information system.

(5) Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.

(g) *Access and review.* Insure the individual's right to access and review of criminal history information for purposes of accuracy and completeness by instituting procedures so that—

(1) Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;

(2) Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;

(3) The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;

(4) Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;

(5) The correcting agency shall notify all criminal justice recipients of corrected information; and

(6) The individual's right to access and review of criminal history record information shall not extend to data

contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined by § 20.3(b).

§ 20.22 Certification of Compliance.

(a) Each State to which these regulations are applicable shall with the submission of its plan provide a certification that to the maximum extent feasible action has been taken to comply with the procedures set forth in the plan. Maximum extent feasible, in this subsection, means actions which can be taken to comply with the procedures set forth in the plan that do not require additional legislative authority or involve unreasonable cost or do not exceed existing technical ability.

(b) The certification shall include—

(1) An outline of the action which has been instituted. At a minimum, the requirements of access and review under § 20.21(g) must be completely operational;

(2) A description of any legislation or executive order, or attempts to obtain such authority that has been instituted to comply with these regulations;

(3) A description of the steps taken to overcome any fiscal, technical, and administrative barriers to the development of complete and accurate criminal history record information;

(4) A description of existing system capability and steps being taken to upgrade such capability to meet the requirements of these regulations; and

(5) A listing setting forth categories of non-criminal justice dissemination. See § 20.21(b).

§ 20.23 Documentation: Approval by LEAA.

Within 90 days of the receipt of the plan, LEAA shall approve or disapprove the adequacy of the provisions of the plan and certification. Evaluation of the plan by LEAA will be based upon whether the procedures set forth will accomplish the required objectives. The evaluation of the certification(s) will be based upon whether a good faith effort has been shown to initiate and/or further compliance with the plan and regulations. All procedures in the approved plan must be fully operational and implemented by December 31, 1977. A final certification shall be submitted in December 1977.

§ 20.24 State laws on privacy and security.

Where a State originating criminal history record information provides for sealing or purging thereof, nothing in these regulations shall be construed to prevent any other State receiving

such information, upon notification, from complying with the originating State's sealing or purging requirements.

§ 20.25 Penalties.

Any agency or individual violating Subpart B of these regulations shall be subject to a fine not to exceed \$10,000. In addition, LEAA may initiate fund cut-off procedures against recipients of LEAA assistance.

Subpart C—Federal System and Interstate Exchange of Criminal History Record Information

§ 20.30 Applicability.

The provisions of this subpart of the regulations apply to any Department of Justice criminal history record information system that serves criminal justice agencies in two or more states and to Federal, state and local criminal justice agencies to the extent that they utilize the services of Department of Justice criminal history record information systems. These regulations are applicable to both manual and automated systems.

§ 20.31 Responsibilities.

(a) The Federal Bureau of Investigation (FBI) shall operate the National Crime Information Center (NCIC), the computerized information system which includes telecommunications lines and any message switching facilities which are authorized by law or regulation to link local, state and Federal criminal justice agencies for the purpose of exchanging NCIC-related information. Such information includes information in the Computerized Criminal History (CCH) File, a cooperative Federal-State program for the interstate exchange of criminal history record information. CCH shall provide a central repository and index of criminal history record information for the purpose of facilitating the interstate exchange of such information among criminal justice agencies.

(b) The FBI shall operate the Identification Division to perform identification and criminal history record information functions for Federal, state and local criminal justice agencies, and for noncriminal justice agencies and other entities where authorized by Federal statute, state statute pursuant to Pub. L. 92-544 (86 Stat. 1115), Presidential executive order, or regulation of the Attorney General of the United States.

(c) The FBI Identification Division shall maintain the master fingerprint files on all offenders included in the NCIC/CCH File for the purposes of determining first offender status and to identify those offenders who are

unknown in states where they become criminally active but known in other states through prior criminal history records.

§ 20.32 Includable offenses.

(a) Criminal history record information maintained in any Department of Justice criminal history record information system shall include serious and/or significant offenses.

(b) Excluded from such a system are arrests and court actions limited only to nonserious charges, e.g., drunkenness, vagrancy, disturbing the peace, curfew violation, loitering, false fire alarm, non-specific charges of suspicion or investigation, traffic violations (except data will be included on arrests for manslaughter, driving under the influence of drugs or liquor, and hit and run). Offenses committed by juvenile offenders shall also be excluded unless a juvenile offender is tried in court as an adult.

(c) The exclusions enumerated above shall not apply to Federal manual criminal history record information collected, maintained and compiled by the FBI prior to the effective date of these Regulations.

§ 20.33 Dissemination of criminal history record information.

(a) Criminal history record information contained in any Department of Justice criminal history record information system will be made available:

(1) To criminal justice agencies for criminal justice purposes; and

(2) To Federal agencies authorized to receive it pursuant to Federal statute or Executive order.

(3) Pursuant to Pub. L. 92-544 (86 Stat. 115) for use in connection with licensing or local/state employment or for other uses only if such dissemination is authorized by Federal or state statutes and approved by the Attorney General of the United States. When no active prosecution of the charge is known to be pending arrest data more than one year old will not be disseminated pursuant to this subsection unless accompanied by information relating to the disposition of that arrest.

(4) For issuance of press releases and publicity designed to effect the apprehension of wanted persons in connection with serious or significant offenses.

(b) The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving departments or related agencies.

(c) Nothing in these regulations prevents a criminal justice agency from disclosing to the public factual information concerning the status of an investigation, the apprehension, arrest, release, or prosecution of an individ-

ual, the adjudication of charges, or the correctional status of an individual, which is reasonably contemporaneous with the event to which the information relates.

§ 20.34 Individual's right to access criminal history record information.

(a) Any individual, upon request, upon satisfactory verification of his identity by fingerprint comparison and upon payment of any required processing fee, may review criminal history record information maintained about him in a Department of Justice criminal history record information system.

(b) If, after reviewing his identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he must make application directly to the contributor of the questioned information. If the contributor corrects the record, it shall promptly notify the FBI and, upon receipt of such a notification, the FBI will make any changes necessary in accordance with the correction supplied by the contributor of the original information.

§ 20.35 National Crime Information Center Advisory Policy Board.

There is established an NCIC Advisory Policy Board whose purpose is to recommend to the Director, FBI, general policies with respect to the philosophy, concept and operational principles of NCIC, particularly its relationships with local and state systems relating to the collection, processing, storage, dissemination and use of criminal history record information contained in the CCH File.

(a)(1) The Board shall be composed of twenty-six members, twenty of whom are elected by the NCIC users from across the entire United States and six who are appointed by the Director of the FBI. The six appointed members, two each from the judicial, the corrections and the prosecutive sectors of the criminal justice community, shall serve for an indeterminate period of time. The twenty elected members shall serve for a term of two years commencing on January 5th of each odd numbered year.

(2) The Board shall be representative of the entire criminal justice community at the state and local levels and shall include representation from law enforcement, the courts and corrections segments of this community.

(b) The Board shall review and consider rules, regulations and procedures for the operation of the NCIC.

(c) The Board shall consider operational needs of criminal justice agencies in light of public policies, and local, state and Federal statutes and

these Regulations.

(d) The Board shall review and consider security and privacy aspects of the NCIC system and shall have a standing Security and Confidentiality Committee to provide input and recommendations to the Board concerning security and privacy of the NCIC system on a continuing basis.

(e) The Board shall recommend standards for participation by criminal justice agencies in the NCIC system.

(f) The Board shall report directly to the Director of the FBI or his designated appointee.

(g) The Board shall operate within the purview of the Federal Advisory Committee Act, Pub. L. 92-463, 86 Stat. 770.

(h) The Director, FBI, shall not adopt recommendations of the Board which would be in violation of these Regulations.

§ 20.36 Participation in the Computerized Criminal History Program.

(a) For the purpose of acquiring and retaining direct access to CCH File each criminal justice agency shall execute a signed agreement with the Director, FBI, to abide by all present rules, policies and procedures of the NCIC, as well as any rules, policies and procedures hereinafter approved by the NCIC Advisory Policy Board and adopted by the NCIC.

(b) Entry of criminal history record information into the CCH File will be accepted only from an authorized state or Federal criminal justice control terminal. Terminal devices in other authorized criminal justice agencies will be limited to inquiries.

§ 20.37 Responsibility for accuracy, completeness, currency.

It shall be the responsibility of each criminal justice agency contributing data to any Department of Justice criminal history record information system to assure that information on individuals is kept complete, accurate and current so that all such records shall contain to the maximum extent feasible dispositions for all arrest data included therein. Dispositions should be submitted by criminal justice agencies within 120 days after the disposition has occurred.

§ 20.38 Sanction for noncompliance.

The services of Department of Justice criminal history record information systems are subject to cancellation in regard to any agency or entity which fails to comply with the provisions of Subpart C.

APPENDIX—COMMENTARY ON SELECTED SECTIONS OF THE REGULATIONS ON CRIMINAL HISTORY RECORD INFORMATION SYSTEMS

Subpart A—§ 20.3(b). The definition of criminal history record information is in-

tended to include the basic offender-based transaction statistics/computerized criminal history. (OBTS/CCH) data elements. If notations of an arrest, disposition, or other formal criminal justice transactions occur in records other than the traditional "rap sheet" such as arrest reports, any criminal history record information contained in such reports comes under the definition of this subsection.

The definition, however, does not extend to other information contained in criminal justice agency reports. Intelligence or investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property and vehicles) is not included in the definition of criminal history information.

§ 20.3(c). The definitions of criminal justice agency and administration of criminal justice of § 20.3(c) must be considered together. Included as criminal justice agencies would be traditional police, courts, and corrections agencies as well as subunits of non-criminal justice agencies performing a function of the administration of criminal justice pursuant to Federal or State statute or executive order. The above subunits of non-criminal justice agencies would include for example, the Office of Investigation of the U.S. Department of Agriculture which has as its principal function the collection of evidence for criminal prosecutions of fraud. Also included under the definition of criminal justice agency are umbrella-type administrative agencies supplying criminal history information services such as New York's Division of Criminal Justice Services.

§ 20.3(e). Disposition is a key concept in section 524(b) of the Act and in § 20.21(a)(1) and § 20.21(b). It, therefore is defined in some detail. The specific dispositions listed in this subsection are examples only and are not to be construed as excluding other unspecified transactions concluding criminal proceedings within a particular agency.

§ 20.3(k). The different kinds of acquittals and dismissals as delineated in § 20.3(e) are all considered examples of nonconviction data.

Subpart B—§ 20.20(a). These regulations apply to criminal justice agencies receiving funds under the Omnibus Crime Control and Safe Streets Act for manual or automated systems subsequent to July 1, 1973. In the hearings on the regulations, a number of those testifying challenged LEAA's authority to promulgate regulations for manual systems by contending that section 524(b) of the Act governs criminal history information contained in automated systems.

The intent of section 524(b), however, would be subverted by only regulating automated systems. Any agency that wished to circumvent the regulations would be able to create duplicate manual files for purposes contrary to the letter and spirit of the regulations.

Regulation of manual systems, therefore, is authorized by section 524(b) when coupled with section 501 of the Act which authorizes the Administration to establish rules and regulations "necessary to the exercise of its functions * * *"

The Act clearly applies to all criminal history record information collected, stored, or disseminated with LEAA support subsequent to July 1, 1973.

Limitations as contained in Subpart C also apply to information obtained from the FBI Identification Division or the FBI/NCIC System.

§ 20.20 (b) and (c). Section 20.20 (b) and (c) exempts from regulations certain types of records vital to the apprehension of fugitives, freedom of the press, and the public's right to know. Court records of public judicial proceedings are also exempt from the provisions of the regulations.

Section 20.20(b)(2) attempts to deal with the problem of computerized police blotters. In some local jurisdictions, it is apparently possible for private individuals and/or newsmen upon submission of a specific name to obtain through a computer search of the blotter a history of a person's arrests. Such files create a partial criminal history data bank potentially damaging to individual privacy, especially since they do not contain final dispositions. By requiring that such records be accessed solely on a chronological basis, the regulations limit inquiries to specific time periods and discourage general fishing expeditions into a person's private life.

Subsection 20.20(c) recognizes that announcements of ongoing developments in the criminal justice process should not be precluded from public disclosure. Thus, announcements of arrest, convictions, new developments in the course of an investigation may be made. It is also permissible for a criminal justice agency to confirm certain matters of public record information upon specific inquiry. Thus, if a question is raised: "Was X arrested by your agency on January 3, 1975" and this can be confirmed or denied by looking at one of the records enumerated in subsection (b) above, then the criminal justice agency may respond to the inquiry. Conviction data as stated in § 20.21(b) may be disseminated without limitation.

§ 20.21. The regulations deliberately refrain from specifying who within a State should be responsible for preparing the plan. This specific determination should be made by the Governor. The State has 90 days from the publication of these revised regulations to submit the portion of the plan covering §§ 20.21(b) and 20.21(f).

§ 20.21(a)(1). Section 524(b) of the Act requires that LEAA insure criminal history information be current and that, to the maximum extent feasible, it contain disposition as well as current data.

It is, however, economically and administratively impractical to maintain complete criminal histories at the local level. Arrangements for local police departments to keep track of dispositions by agencies outside of the local jurisdictions generally do not exist. It would, moreover, be bad public policy to encourage such arrangements since it would result in an expensive duplication of files.

The alternatives to locally kept criminal histories are records maintained by a central State repository. A central State repository is a State agency having the function pursuant to a statute or executive order of maintaining comprehensive statewide criminal history record information files. Ultimately, through automatic data processing the State level will have the capability to handle all requests for in-State criminal history information.

Section 20.20(a)(1) is written with a centralized State criminal history repository in mind. The first sentence of the subsection states that complete records should be retained at a central State repository. The word "should" is permissive; it suggests but does not mandate a central State repository.

The regulations do require that States es-

tablish procedures for State and local criminal justice agencies to query central State repositories wherever they exist. Such procedures are intended to insure that the most current criminal justice information is used.

As a minimum, criminal justice agencies subject to these regulations must make inquiries of central State repositories whenever the repository is capable of meeting the user's request within a reasonable time. Presently, comprehensive records of an individual's transactions within a State are maintained in manual files at the State level, if at all. It is probably unrealistic to expect manual systems to be able immediately to meet many rapid-access needs of police and prosecutors. On the other hand, queries of the State central repository for most noncriminal justice purposes probably can and should be made prior to dissemination of criminal history record information.

§ 20.21(b). The limitations on dissemination in this subsection are essential to fulfill the mandate of section 524(b) of the Act which requires the Administration to assure that the "privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes." The categories for dissemination established in this section reflect suggestions by hearing witnesses and respondents submitting written commentary.

The regulations distinguish between conviction and nonconviction information insofar as dissemination is concerned. Conviction information is currently made available without limitation in many jurisdictions. Under these regulations, conviction data and pending charges could continue to be disseminated routinely. No statute, ordinance, executive order, or court rule is necessary in order to authorize dissemination of conviction data. However, nothing in the regulations shall be construed to negate a State law limiting such dissemination.

After December 31, 1977, dissemination of nonconviction data would be allowed, if authorized by a statute, ordinance, executive order, or court rule, decision, or order. The December 31, 1977, deadline allows the States time to review and determine the kinds of dissemination for non-criminal justice purposes to be authorized. When a State enacts comprehensive legislation in this area, such legislation will govern dissemination by local jurisdictions within the State. It is possible for a public record law which has been construed by the State to authorize access to the public of all State records, including criminal history record information, to be considered as statutory authority under this subsection. Federal legislation and executive orders can also authorize dissemination and would be relevant authority.

For example, Civil Service suitability investigations are conducted under Executive Order 10450. This is the authority for most investigations conducted by the Commission. Section 3(a) of 10450 prescribes the minimum scope of investigation and requires a check of FBI fingerprint files and written inquiries to appropriate law enforcement agencies.

§ 20.21(b)(3). This subsection would permit private agencies such as the Vera Institute to receive criminal histories where they perform a necessary administration of justice function such as pretrial release. Private consulting firms which commonly assist criminal justice agencies in information sys-

tems development would also be included here.

§ 20.21(b)(4). Under this subsection, any good faith researchers including private individuals would be permitted to use criminal history record information for research purposes. As with the agencies designated in § 20.21(b)(3) researchers would be bound by an agreement with the disseminating criminal justice agency and would, of course, be subject to the sanctions of the Act.

The drafters of the regulations expressly rejected a suggestion which would have limited access for research purposes to certified research organizations. Specifically "certification" criteria would have been extremely difficult to draft and would have inevitably led to unnecessary restrictions on legitimate research.

Section 524(a) of the Act which forms part of the requirements of this section states:

"Except as provided by Federal law other than this title, no officer or employee of the Federal Government, nor any recipient of assistance under the provisions of this title shall use or reveal any research or statistical information furnished under this title by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this title. Copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action suit, or other judicial or administrative proceedings."

LEAA anticipates issuing regulations, pursuant to Section 524(a) as soon as possible.

§ 20.21(c)(2). Presently some employers are circumventing State and local dissemination restrictions by requesting applicants to obtain an official certification of no criminal record. An employer's request under the above circumstances gives the applicant the unenviable choice of invasion of his privacy or loss of possible job opportunities. Under this subsection routine certifications of no record would no longer be permitted. In extraordinary circumstances, however, an individual could obtain a court order permitting such a certification.

§ 20.21(c)(3). The language of this subsection leaves to the States the question of who among the agencies and individuals listed in § 20.21(b) shall actually receive criminal records. Under these regulations a State could place a total ban on dissemination if it so wished. The State could, on the other hand, enact laws authorizing any member of the private sector to have access to non-conviction data.

§ 20.21(d). Non-criminal justice agencies will not be able to receive records of juveniles unless the language of a statute or court order, rule, or court decision specifies that juvenile records shall be available for dissemination. Perhaps the most controversial part of this subsection is that it denies access to records of juveniles by Federal agencies conducting background investigations for eligibility to classified information under existing legal authority.

§ 20.21(e) Since it would be too costly to audit each criminal justice agency in most States (Wisconsin, for example, has 1075 criminal justice agencies) random audits of a "representative sample" of agencies are the next best alternative. The term "representative sample" is used to insure that

audits do not simply focus on certain types of agencies. Although this subsection requires that there be records kept with the names of all persons or agencies to whom information is disseminated, criminal justice agencies are not required to maintain dissemination logs for "no record" responses.

§ 20.21(f). Requirements are set forth which the States must meet in order to assure that criminal history record information is adequately protected. Automated systems may operate in shared environments and the regulations require certain minimum assurances.

§ 20.21(g)(1). A "challenge" under this section is an oral or written contention by an individual that his record is inaccurate or incomplete; it would require him to give a correct version of his record and explain why he believes his version to be correct. While an individual should have access to his record for review, a copy of the record should ordinarily only be given when it is clearly established that it is necessary for the purpose of challenge.

The drafters of the subsection expressly rejected a suggestion that would have called for a satisfactory verification of identity by fingerprint comparison. It was felt that States ought to be free to determine other means of identity verification.

§ 20.21(g)(5). Not every agency will have done this in the past, but henceforth adequate records including those required under 20.21(e) must be kept so that notification can be made.

§ 20.21(g)(6). This section emphasizes that the right to access and review extends only to criminal history record information and does not include other information such as intelligence or treatment data.

§ 20.22(a). The purpose for the certification requirement is to indicate the extent of compliance with these regulations. The term "maximum extent feasible" acknowledges that there are some areas such as the completeness requirement which create complex legislative and financial problems.

NOTE: In preparing the plans required by these regulations, States should look for guidance to the following documents: National Advisory Commission on Criminal Justice Standards and Goals, Report on the Criminal Justice System; Project SEARCH: Security and Privacy Considerations in Criminal History Information Systems, Technical Reports No. 2 and No. 13; Project SEARCH: A Model State Act for Criminal Offender Record Information, Technical Memorandum No. 3; and Project SEARCH: Model Administrative Regulations for Criminal Offender Record Information, Technical Memorandum No. 4.

Subpart C—§ 20.31. Defines the criminal history record information system operated by the Federal Bureau of Investigation. Each state having a record in the Computerized Criminal History (CCH) file must have a fingerprint card on file in the FBI Identification Division to support the CCH record concerning the individual.

Paragraph (b) is not intended to limit the identification services presently performed by the FBI for Federal, state and local agencies.

§ 20.32. The grandfather clause contained in the third paragraph of this Section is designed, from a practical standpoint, to eliminate the necessity of deleting from the FBI's massive files the non-includable offenses which were stored prior to February, 1973.

In the event a person is charged in court with a serious or significant offense arising out of an arrest involving a non-includable offense, the non-includable offense will appear in the arrest segment of the CCH record.

§ 20.33. Incorporates the provisions of a regulation issued by the FBI on June 26, 1974, limiting dissemination of arrest information not accompanied by disposition information outside the Federal government for non-criminal justice purposes. This regulation is cited in 28 CFR 50.12.

§ 20.34. The procedures by which an individual may obtain a copy of his manual identification record are particularized in 28 CFR 16.30-34.

The procedures by which an individual may obtain a copy of his Computerized Criminal History record are as follows:

If an individual has a criminal record supported by fingerprints and that record has been entered in the NCIC CCH File, it is available to that individual for review, upon presentation of appropriate identification, and in accordance with applicable state and Federal administrative and statutory regulations.

Appropriate identification includes being fingerprinted for the purpose of insuring that he is the individual that he purports to be. The record on file will then be verified as his through comparison of fingerprints.

Procedure. 1. All requests for review must be made by the subject of his record through a law enforcement agency which has access to the NCIC CCH File. That agency within statutory or regulatory limits can require additional identification to assist in securing a positive identification.

2. If the cooperating law enforcement agency can make an identification with fingerprints previously taken which are on file locally and if the FBI identification number of the individual's record is available to that agency, it can make an on-line inquiry of NCIC to obtain his record on-line or, if it does not have suitable equipment to obtain an on-line response, obtain the record from Washington, D.C., by mail. The individual will then be afforded the opportunity to see that record.

3. Should the cooperating law enforcement agency not have the individual's fingerprints on file locally, it is necessary for that agency to relate his prints to an existing record by having his identification prints compared with those already on file in the FBI, or, possibly, in the State's central identification agency.

4. The subject of the requested record shall request the appropriate arresting agency, court, or correctional agency to initiate action necessary to correct any stated inaccuracy in his record or provide the information needed to make the record complete.

§ 20.36. This section refers to the requirements for obtaining direct access to the CCH file.

§ 20.37. The 120-day requirement in this section allows 30 days more than the similar provision in Subpart B in order to allow for processing time which may be needed by the states before forwarding the disposition to the FBI.

[Order No. 662-76, 41 FR 34949, Aug. 18, 1976]

[4410-01]

Title 28—Judicial Administration CHAPTER I—DEPARTMENT OF JUSTICE PART 20—CRIMINAL JUSTICE INFORMATION SYSTEMS

Extension of Implementation Date

AGENCY: Department of Justice, Law Enforcement Assistance Administration (LEAA).

ACTION: Amendment to regulation.

SUMMARY: The amendment extends the date for implementation of the LEAA regulations governing Criminal History Record Information Systems from December 31, 1977, to March 1, 1978.

An LEAA examination of the ability of the States to meet the December 31 deadline has indicated that, with minimal exceptions, compliance with all or part of the regulations by the December deadline would be totally beyond the capability of many States. Further deadline extensions will be given only upon a finding that States have made a good faith effort to implement the regulations and have implemented the regulations to the maximum extent feasible.

EFFECTIVE DATE: This amendment is effective December 6, 1977.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Madden, General Counsel,
LEAA, 202-376-3691.

SUPPLEMENTARY INFORMATION:

The regulations governing privacy and security of criminal history information systems require that States implement procedures by December 31, 1977, to insure complete and accurate records, place limitations on dissemination, require audit, and system security. The regulations also required that States prepare, and submit to LEAA, a State Privacy and Security Plan describing the operational procedures to be developed in each of these five areas.

An LEAA examination of the ability of the States to meet the December 31 deadline has indicated that, with minimal exceptions, compliance with all or part of the regulations by the December deadline would be totally beyond the capability of many States. Essentially, LEAA has determined that only those States which had been involved in criminal justice systems and/or privacy and security activity for a substantial period of time could come into significant compliance.

There are a number of reasons why full compliance cannot be achieved. Budgetary limitations at both the Federal and State levels, for example, have precluded expenditures necessary for hardware and personnel. LEAA also found that the time required for development of statewide coordination and cooperation among components of the criminal justice community exceeded initial estimates in the regulations. In addition, there were serious difficulties

in many States in establishing a state-wide system for reporting of court dispositions to a central repository. Furthermore, the enactment of legislation considered necessary by the States for implementation of dissemination and disposition reporting requirements has required extensive policy development and coordination and necessary legislation was not passed. This problem was compounded in those States with biennial legislative sessions that were completed in 1976. These problems have impacted on the ability of States to comply with security, audit, dissemination, and completeness and accuracy requirements.

Therefore, LEAA is extending the deadline for compliance until March 1, 1978, in order to provide an opportunity for submission of State requests for further extensions. Further extensions will be granted only upon a showing that a good faith effort has been made to implement the regulations and progress has been undertaken to the maximum extent feasible. Revised schedules for implementation will be established for individual States consistent with LEAA standards.

Recognizing that certain State compliance procedures to be effective must have explicit legislative foundation, dates for full implementation will be keyed to the legislative schedules in each State. Initial conduct of audits will be required thereafter as well.

No specific time deadline is being imposed upon complete and accurate records. To the maximum extent feasible, it is expected that all States will continuously work toward the goals set out in § 20.21 (a) without undue delay.

Individual access, challenge and review requirements (§ 20.21(g)) and the ability to provide administrative security (§ 20.21(f)) should impose no significant technical or financial hardship on States; therefore, no extension will be given. By July 31, 1978, each State will be required to submit a certificate of compliance in these two areas. Administrative security refers to administrative actions rather than physical hardware to provide system security.

LEAA determined it would be more appropriate to have individual States set their own time periods for compliance within designated outer limits rather than provide a fixed two- or three-year extension for all requirements applicable to all States regardless of prior activity or level of capability. This allows for differing State capabilities and the variations between States' legislative schedules.

Not all States may need to request an extension. However, where a State does request an extension, the State should submit a brief and succinct description of activities which have been undertaken to comply with each of the five major requirements of the regulations and of the extent to which compliance is in place at this time. The State should also submit a description of specific administrative, legislative, budgetary, or technical factors which have precluded complete im-

plementation. The request should be accompanied by a projected schedule of full compliance and a justification for the selected dates consistent with the time-tables set out in the amendment. Such documentation must be received by March 1, 1978. LEAA will approve or disapprove the request within 90 days. In addition, an amendment is being made to § 20.21(a)(1) so that where a local criminal justice agency has the most up-to-date criminal history record, it need not query the central repository before disseminating the record.

This amendment does not revise in any way the rules under Part C, the criminal history record information in the FBI's NCIC and Identification Divisions.

In view of the immediacy of the time frame which would, without this amendment, require compliance by December 31, 1977, and the necessity to allow States a sufficient period of time to submit a revised implementation schedule, LEAA has determined that notice and public procedure for comment are impracticable. Furthermore, since this amendment relieves a restriction by extending the date upon which implementation must occur, LEAA has determined that good cause exists for making the rule effective immediately.

Accordingly, pursuant to the authority vested in the Law Enforcement Assistance Administration by Sections 501 and 524 of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. § 3701, et seq., as amended (Pub. L. 90-351, as amended by Pub. L. 93-83, Pub. L. 94-415, Pub. L. 94-430, Pub. L. 94-503, and Pub. L. 95-115), these amendments to Chapter I of Title 28 of the Code of Federal Regulations are hereby adopted:

§ 20.21 [Amended]

In § 20.21(a)(1), the fourth sentence is revised to read as follows: "Procedures shall be established for criminal justice agencies to query the central repository prior to dissemination of any criminal history record information unless it can be assured that the most up-to-date disposition data is being used."

b. In § 20.21(b), delete the words "By December 31, 1977" and begin the sentence with the word "Insure".

§ 20.23 [Amended]

a. In § 20.23, delete references to "December 31, 1977" in last two sentences and substitute "March 1, 1978" in each sentence.

b. At the end of § 20.23, add the following:

§ 20.23 Documentation: Approval by LEAA.

* * * Where a State finds it is unable to provide final certification that all required procedures as set forth in § 20.21 will be operational by March 1, 1978, a further extension of the deadline will be granted by LEAA upon a showing that the State has made a good faith effort to implement these regulations to the maximum extent feasible. Documentation justifying the request for the

PART 22—CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION

Sec.

- 22.1 Purpose.
- 22.2 Definitions.
- 22.20 Applicability.
- 22.21 Use of identifiable data.
- 22.22 Revelation of identifiable data.
- 22.23 Privacy certification.
- 22.24 Information transfer agreement.
- 22.25 Final disposition of identifiable materials.
- 22.26 Requests for transfer of information.
- 22.27 Notification.
- 22.28 Use of data identifiable to a private person for judicial or administrative purposes.
- 22.29 Sanctions.

AUTHORITY: Secs. 501, 524(a), Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701, et seq.), as amended (Pub. L. 90-351, as amended by Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, and Pub. L. 94-503).

SOURCE: 41 FR 54846, Dec. 15, 1976, unless otherwise noted.

§ 22.1 Purpose.

The purpose of these regulations is to:

(a) Protect privacy of individuals by requiring that information identifiable to a private person obtained in a research or statistical program may only be used and/or revealed for the purpose for which obtained;

(b) Insure that copies of such information shall not, without the consent of the person to whom the information pertains, be admitted as evidence or used for any purpose in any judicial or administrative proceedings;

(c) Increase the credibility and reliability of federally-supported research and statistical findings by minimizing subject concern over subsequent uses of identifiable information;

(d) Provide needed guidance to persons engaged in research and statistical activities by clarifying the purposes for which identifiable information may be used or revealed; and

(e) Insure appropriate balance between individual privacy and essential needs of the research community for data to advance the state of knowledge in the area of criminal justice.

§ 22.2 Definitions.

(a) **Person**—means any individual, partnership, corporation, association, public or private organization or governmental entity, or combination thereof.

(b) **Private person**—means any person defined in § 22.2(a) other than an agency, or department of Federal, State, or local government, or any component or combination thereof. Included as a private person is an individual acting in his official capacity.

extension including a proposed timetable for full compliance must be submitted to LEAA by March 1, 1978. Where a State submits a request for an extension, the implementation date will be extended an additional 90 days while LEAA reviews the documentation for approval or disapproval. To be approved, such revised schedule must be consistent with the timetable and procedures set out below:

(a) July 31, 1978—Submission of certificate of compliance with:

(1) Individual access, challenge, and review requirements;

(2) Administrative security;

(3) Physical security to the maximum extent feasible.

(b) Thirty days after the end of a State's next legislative session—Submission to LEAA of a description of State policy on dissemination of criminal history record information.

(c) Six months after the end of a State's legislative session—Submission to LEAA of a brief and concise description of standards and operating procedures to be followed by all criminal justice agencies covered by LEAA regulations in complying with the State policy on dissemination.

(d) Eighteen months after the end of a State's legislative session—Submission to LEAA of a certificate attesting to the conduct of an audit of the State central repository and of a random number of other criminal justice agencies in compliance with LEAA regulations.

JAMES M. H. GREGG,
Office of Planning and Management,
Law Enforcement Assistance Administration.

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(c) Research or statistical project—means any program, project, or component thereof which is supported in whole or in part with funds appropriated under the Act and whose purpose is to develop, measure, evaluate, or otherwise advance the state of knowledge in a particular area. The term does not include "intelligence" or other information-gathering activities in which information pertaining to specific individuals is obtained for purposes directly related to enforcement of the criminal laws.

(d) Research or statistical information—means any information which is collected during the conduct of a research or statistical project and which is intended to be utilized for research or statistical purposes. The term includes information which is collected directly from the individual or obtained from any agency or individual having possession, knowledge, or control thereof.

(e) Information identifiable to a private person—means information which either—

(1) Is labelled by name or other personal identifiers, or

(2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.

(f) Recipient of assistance—means any recipient of a grant, contract, interagency agreement, subgrant, or subcontract under the Act and any person, including subcontractors, employed by such recipient in connection with performances of the grant, contract, or interagency agreement.

(g) Officer or employee of the Federal Government—means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

(h) The act—means the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, et seq., as amended.

(i) Applicant—means any person who applies for a grant, contract, or subgrant to be funded pursuant to the Act.

§ 22.20 Applicability.

(a) These regulations govern use and revelation of research and statistical information obtained, collected, or produced either directly by LEAA or under any interagency agreement, grant, contract, or subgrant awarded under the Act.

(b) The regulations do not apply to any records from which identifiable research or statistical information was originally obtained; or to any records which are designated under existing statutes as public; or to any informa-

tion extracted from any records designated as public.

(c) The regulations do not apply to information gained regarding future criminal conduct.

§ 22.21 Use of identifiable data.

Research or statistical information identifiable to a private person may be used only for research or statistical purposes.

§ 22.22 Revelation of identifiable data.

(a) Except as noted in paragraph (b), of this section, research and statistical information relating to a private person may be revealed in identifiable form on a need-to-know basis only to—

(1) Officers, employees, and subcontractors of the recipient of assistance;

(2) Such individuals as needed to implement sections 303(a)(12), 402(c), 515(a), 518, and 521 of the Act; and

(3) Persons or organizations for research or statistical purposes. Information may only be transferred for such purposes upon a clear demonstration that the standards of § 22.26 have been met and that, except where information is transferred under paragraphs (a) (1) and (2) of this section, such transfers shall be conditioned on compliance with a § 22.24 agreement.

(b) Information may be revealed in identifiable form where prior consent is obtained from an individual or where the individual has agreed to participate in a project with knowledge that the findings cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity.

§ 22.23 Privacy certification.

(a) Each applicant for LEAA support either directly or under a State plan shall submit a Privacy Certificate as a condition of approval of a grant application or contract proposal which has a research or statistical project component under which information identifiable to a private person will be collected.

(b) The Privacy Certificate shall briefly describe the project and shall contain assurance by the applicant that:

(1) Data identifiable to a private person will not be used or revealed, except as authorized under §§ 22.21, 22.22.

(2) Access to data will be limited to those employees having a need therefore and that such persons shall be advised of and agree in writing to comply with these regulations.

(3) All subcontracts which require access to identifiable data will contain conditions meeting the requirements of § 22.24.

(4) To the extent required by § 22.27 any private persons from whom identi-

fiable data are collected or obtained, either orally or by means of written questionnaire, shall be advised that the data will only be used or revealed for research or statistical purposes and that compliance with requests for information is not mandatory. Where the notification requirement is to be waived, pursuant to § 22.27(c), a justification must be included in the Privacy Certificate.

(5) Adequate precautions will be taken to insure administrative and physical security of identifiable data.

(6) A log will be maintained indicating that identifiable data have been transmitted to persons other than LEAA or grantee/contractor staff or subcontractors, that such data have been returned, or that alternative arrangements have been agreed upon for future maintenance of such data.

(7) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, name-stripping, coding of data, or other similar procedures.

(8) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person except as authorized under § 22.22.

(c) The applicant shall attach to the Privacy Certification a description of physical and/or administrative procedures to be followed to insure the security of the data to meet the requirements of § 22.25.

§ 22.24 Information transfer agreement.

Prior to the transfer of any identifiable information to persons other than LEAA or project staff, an agreement shall be entered into which shall provide, as a minimum, that the recipient of data agrees that:

(a) Information identifiable to a private person will be used only for research and statistical purposes.

(b) Information identifiable to a private person will not be revealed to any person for any purpose except where the information has already been included in research findings (and/or data bases) and is revealed on a need-to-know basis for research or statistical purposes, provided that such transfer is approved by the person providing information under the agreement, or authorized under § 22.24(e).

(c) Knowingly and willfully using or disseminating information contrary to the provisions of the agreement shall constitute a violation of these regulations, punishable in accordance with the Act.

(d) Adequate administrative and physical precautions will be taken to assure security of information obtained for such purpose.

(e) Access to information will be limited to those employees or subcontractors having a need therefore in connection with performance of the activity for which obtained, and that such persons shall be advised of, and agree to comply with, these regulations.

(f) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, required name-stripping and/or coding of data or other similar procedures.

(g) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person.

(h) Information identifiable to a private person (obtained in accordance with this agreement) will, unless otherwise agreed upon, be returned upon completion of the project for which obtained and no copies of that information retained.

§ 22.25 Final disposition of identifiable materials.

Upon completion of a research or statistical project the security of identifiable research or statistical information shall be protected by:

(a) Complete physical destruction of all copies of the materials or the identifiable portion of such materials after a three-year required recipient retention period or as soon as authorized by law, or

(b) Removal of identifiers from data and separate maintenance of a name-code index in a secure location.

The Privacy Certificate shall indicate the procedures to be followed and shall, in the case of paragraph (b) of this section, describe procedures to secure the name index.

§ 22.26 Requests for transfer of information.

(a) Requests for transfer of information identifiable to an individual shall be submitted to the person submitting the Privacy Certificate pursuant to § 22.23.

(b) Except where information is requested by LEAA, the request shall describe the general objectives of the project for which information is requested, and specifically justify the need for such information in identifiable form. The request shall also indicate, and provide justification for the conclusion that conduct of the project will not, either directly or indirectly, cause legal, economic, physical, or social harm to individuals whose identification is revealed in the transfer of information.

(c) Data may not be transferred pursuant to this section where a clear showing of the criteria set forth above

is not made by the person requesting the data.

§ 22.27 Notification.

(a) Any person from whom information identifiable to a private person is to be obtained directly, either orally, by questionnaire, or other written documents, shall be advised:

(1) That the information will only be used or revealed for research or statistical purposes; and

(2) That compliance with the request for information is entirely voluntary and may be terminated at any time.

(b) Except as noted in paragraph (c) of this section, where information is to be obtained through observation of individual activity or performance, such individuals shall be advised:

(1) Of the particular types of information to be collected;

(2) That the data will only be utilized or revealed for research or statistical purposes; and

(3) That participation in the project in question is voluntary and may be terminated at any time.

(c) Notification, as described in paragraph (b) of this section, may be eliminated where information is obtained through field observation of individual activity or performance and in the judgment of the researcher such notification is impractical or may seriously impede the progress of the research.

(d) Where findings in a project cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity, an individual shall be so advised.

§ 22.28 Use of data identifiable to a private person for judicial or administrative purposes.

(a) Copies of research or statistical information identifiable to a private person shall be immune from legal process and shall only be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding with the written consent of the individual to whom the data pertains.

(b) Where consent is obtained, such consent shall:

(1) Be obtained at the time that information is sought for use in judicial or administrative proceedings;

(2) Set out specific purposes in connection with which information will be used;

(3) Limit, where appropriate, the scope of the information subject to such consent.

§ 22.29 Sanctions.

Where LEAA believes that a violation has occurred of section 524(a), these regulations, or any grant or contract conditions entered into thereun-

der, it may initiate administrative actions leading to termination of a grant or contract, commence appropriate personnel and/or other procedures in cases involving Federal employees, and/or initiate appropriate legal actions leading to imposition of a fine of not to exceed \$10,000 against any person responsible for such violations.



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19-250. Reproduction and preservation of public records, other than court records; minimum standards. The board of county commissioners of any county in the state may, by resolution, provide for and authorize any officer of the county to photograph, microphotograph or reproduce or to have photographed, microphotographed or reproduced on film any of the records, papers or documents which are by law placed in the custody and control of such officer, except court records, and to acquire necessary facilities and equipment, and to acquire, maintain and use all such appropriate containers and files as shall be necessary to accommodate and preserve the photographs, microphotographs or films so obtained. Such photographing, microphotographing or filming may be so authorized for the reproducing of lists and records in the usual day by day official activities of any such officer, where to do so will greatly promote efficiency in the office, or as a method of preserving old or worn records, papers or documents. The photographic film and prints or reproductions therefrom shall comply with federal standard No. 125a, dated April 24, 1958, or the latest revision thereof, issued pursuant to the federal property and administrative services act of 1949, and any amendments thereto, and the device used to reproduce such records on such film shall be one which accurately reproduces the original thereof in all details.

History: K.S.A. 19-250; L. 1977, ch. 104, § 5; July 1.

Cross References to Related Sections:

Court records, see 20-159.

19-254. Destruction of certain records or documents over 20 years old, when; petition; exception for election and court records. The board of county commissioners of any county and any one or more elected officers of such county having previously offered to the state historical society and having received notice in writing from said society that it has no interest therein, may jointly petition the district court having jurisdiction in such county for permission to destroy any records, papers, or documents which are more than twenty (20) years old and which are located in or on any county-owned property or building, except court records. Notwithstanding the provisions of this section, election records may be destroyed as provided by K.S.A. 1977 Supp. 19-256, 25-2708, 25-2709 and 25-3301.

History: K.S.A. 19-254; L. 1977, ch. 104, § 6; July 1.

19-256. Destruction of certain records or documents over 20 years old, when; application of act. This act shall apply to all records, papers and documents which are more than twenty (20) years old except court records and election records.

History: K.S.A. 19-256; L. 1976, ch. 145, § 46; L. 1977, ch. 104, § 7; July 1.

19-1904. Calendar. The sheriff of each county must keep a true and exact calendar of all prisoners committed to the county jail, which calendar must contain the names of all persons who are committed, their place of abode, the time of their commitment, the time of their discharge, the cause of their commitment, the authority that committed them, and the description of their persons; and when any person is liberated, such calendar must state the time when and the authority by which such liberation took place; and if any person escape, it must state particularly the time and manner of such escape. [G. S. 1868, ch. 53, § 4; Oct. 31; R. S. 1923, 19-1904.]

19-1905. Copies of calendar for judges. At the opening of each term of the district or criminal court within his county, the sheriff must return a copy of such calendar, under his hand, to the judge of such court; and if any sheriff neglect or refuse so to do, he shall be punished by fine not exceeding five hundred dollars. [G. S. 1868, ch. 53, § 5; Oct. 31; R. S. 1923, 19-1905.]

21-2501. Officers to take fingerprints of suspected law violators; identification data to national bureau of identification and to the state bureau of investigation. It is hereby made the duty of every sheriff and police department in the state, immediately upon the arrest of any person or persons wanted for the commission of a felony or believed to be a fugitive from justice, or upon the arrest of any person or persons who may be in the possession at the time of arrest of any goods or property reasonably believed to have been stolen by such person or persons, or in whose possession may be found firearms or other concealed weapons, burglary tools, high explosives, or other appliances believed to be used solely for criminal purposes, or who may be known to be vagrants, or who are wanted for any offense which involves sexual conduct prohibited by law, or for violation of article 25 (uniform narcotic drug act) or article 26 (hypnotic, somnifacient or stimulating drugs) of chapter 65 of the Kansas statutes annotated, or suspected of being or known to be habitual criminals or violators of the intoxicating liquor law, to cause two sets of fingerprint impressions to be made of such person or persons, on the forms provided by the department of justice of the United States or the bureau of investigation of the state of Kansas, and forward one set of such impressions to the national bureau of identification and investigation, department of justice, at Washington, D. C., and forward one set of such impressions to the bureau of investigation of the state of Kansas at Topeka, Kansas, together with a comprehensive description of such individual or individuals and such other data and information as to the identification of such person or persons arrested as the department of justice and bureau of investigation may require; and such sheriff and police department as aforesaid may take and retain copies of such fingerprint impressions for their own use, together with a comprehensive description and such other data and information as may be necessary to properly identify such person or persons. This section shall not be construed to include violators of any city, town or local ordinance. [L. 1931, ch. 178, § 1; L. 1959, ch. 165, § 1; L. 1969, ch. 183, § 1; July 1.]

Research and Practice Aids:

Criminal Law 1222.

C. J. S. Criminal Law § 2003 et seq.

Law Review and Bar Journal References:

Amendment of 1959 mentioned in survey of criminal law and procedure, Paul E. Wilson, 8 K. L. R. 244, 256 (1959).

21-2501a. Maintenance of records of felony offenses and certain misdemeanors by law enforcement agencies; reports to bureau of investigation; form. (a) All law enforcement agencies having responsibility for law enforcement in any political subdivision of this state shall maintain, on forms approved by the attorney general, a permanent record of all felony offenses reported or known to have been committed within their respective jurisdictions, and of all misdemeanors or other offenses which involve the violation of article 25 (uniform narcotic drug act) or article 26 (hypnotic, somnifacient or stimulating drugs) of chapter 65 of the Kansas statutes annotated.

(b) All law enforcement agencies having the responsibility of maintaining a permanent record of offenses shall file with the bureau of investigation, on a form approved by the attorney general, a report on each offense for which a permanent record is required within seventy-two (72) hours after such offense is reported or known to have been committed. [L. 1969, ch. 183, § 2; July 1.]

21-2503. Finger-print records admissible in evidence. A photostatic copy of the finger-print impression of any person convicted of a felony or misdemeanor that has been filed and kept according to law, and duly certified as a true and correct copy by the director or other person having charge of such records, shall be admissible in evidence and received in evidence in any subsequent prosecution of that person for the purpose of identification where otherwise competent. [L. 1931, ch. 178, § 3; March 16.]

21-2504. Attorney general may call upon designated officers for information; forms. (a) For the purpose of controlling crime and obtaining reliable statistics about crime and criminals, the attorney general may call upon and obtain from the clerks of district courts, sheriffs, police departments and county attorneys all information that said attorney general may deem necessary in ascertaining the true condition of the crime situation; and it shall be the duty of the above-mentioned officers to furnish the information so requested by the attorney general.

(b) The attorney general shall provide, upon request, forms for fingerprint impressions, for the permanent record of offenses, and for the reports of offenses required by K.S.A. 21-2501 and 21-2501a.

History: K.S.A. 21-2504; L. 1976, ch. 156, § 1; Jan. 10, 1977.

21-2505. Same; nonperformance of duties; penalty. Neglect or refusal of the officers herein mentioned to furnish the information herein required or to do or perform any other act or duty on his part to be done or performed shall constitute a misdemeanor, and such officer shall, upon conviction thereof, be punished by a fine of not less than five dollars (\$5) nor more than twenty-five dollars (\$25), or by imprisonment in the county jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment, at the discretion of the court. Such neglect or refusal shall also constitute nonfeasance in office and subject the officer to removal from office. [L. 1931, ch. 178, § 5; March 16.]

21-4006. Maliciously exposing a paroled or discharged person. Maliciously exposing a paroled or discharged person is maliciously and willfully communicating or threatening to communicate to another any oral or written statement that any person has been charged with or convicted of a felony, with intent to interfere with the employment or business of the person so charged or convicted: *Provided*, That the above shall not apply to any person or organization who furnishes information about a person to another person or organization requesting the same.

Maliciously exposing a paroled or discharged person is a class B misdemeanor. [L. 1969, ch. 180, § 21-4006; July 1, 1970.]

Source or prior law: 21-2451.

Judicial Council, 1968: The purpose of this section is to prevent malicious harassment of persons who have been convicted of crime. Obtaining money or other thing of value by this means is a species of theft and is prohibited by section 21-3701.

This section restates part of former K. S. A. 21-2451.

Chapter 120, 1978 Session Laws

Sec. 2. K.S.A. 21-3827 is hereby amended to read as follows:
21-3827. An unlawful disclosure of a warrant is ~~revealing or making public in any way, not necessary for~~ *except at the request of a law enforcement officer for the purpose of assisting in the execution of such warrant, the fact that a search warrant or warrant for arrest has been applied for or issued or the contents of the affidavit or testimony on which such warrant is based, prior to the execution thereof but the above shall not apply to personnel of a law enforcement agency disclosing a warrant for the purpose of encouraging the person named in the warrant to voluntarily surrender.*

An unlawful disclosure of a warrant is a class B misdemeanor.

Chapter 120, 1978 Session Laws

Sec. 6. On and after January 1, 1979, K.S.A. 21-4604 is hereby amended to read as follows: 21-4604. (1) Whenever a defendant is convicted of a ~~crime or offense~~ *misdemeanor*, the court before whom the conviction is had may request a presentence investigation by a probation officer. *Whenever a defendant is convicted of a felony, the court shall require that a presentence investigation be conducted by a probation officer or in accordance with K.S.A. 1977 Supp. 21-4603, as amended, unless the court finds that adequate and current information is available in a previous presentence investigation report or from other sources.*

(2) Whenever an investigation is requested, the probation officer shall promptly inquire into the circumstances of the offense; the attitude of the complainant or victim, and of the victim's immediate family, where possible, in cases of homicide; and the criminal record, social history, and present condition of the defendant. *Except where specifically prohibited by law, all local governmental and state police agencies shall furnish to the probation officer conducting the presentence investigation such criminal records as the probation such officer may request. Where in the opinion of the court it is desirable If ordered by the court, the presentence investigation shall include a physical and mental examination of the defendant. If a defendant is committed to any institution, the investigating agency shall send a report of its investigation to the institution at the time of commitment.*

(3) *In all cases, presentence investigation reports shall be in the form and contain the information prescribed by rules and regulations of the secretary of corrections adopted in accordance with K.S.A. 77-415 et seq., and amendments thereto, and shall contain such other information as may be prescribed by the court.*

Sec. 7. On and after January 1, 1979, K.S.A. 21-4605 is hereby amended to read as follows: 21-4605. (1) The judge shall make available the presentence report, any report that may be received from the *Kansas state diagnostic center or the state security hospital*, and other diagnostic reports to the attorney for the state and to the counsel for the defendant when requested by them, or either of them. *Such Except as otherwise provided in this section, all these reports shall be part of the record but shall be sealed and opened only on order of the court.*

(2) *If a defendant is committed to a state institution or to the custody of the secretary of corrections such all reports under subsection (1) shall be sent to the secretary of corrections and, in accordance with K.S.A. 75-5220, as amended, to the superintendent of such director of the state correctional institution to which the defendant is conveyed.*

(3) *Nothing in this section shall be construed as prohibiting the attorney for the defendant from disclosing the report of the presentence investigation, or other diagnostic reports, to the defendant after receiving court approval to do so.*

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Chapter 158, 1978 Session Laws

Sec. 2. K.S.A. 1977 Supp. 38-805 is hereby amended to read as follows: 38-805. (a) The record in the district court for proceedings pursuant to the Kansas juvenile code shall consist of the petition, process and the service thereof, orders and writs, and *reports and evaluations received or considered by the court*. Such documents shall be recorded and kept by the court, separate from other records of the court.

(b) ~~The official records of the district court for proceedings pursuant to the Kansas juvenile code shall be open to inspection only by consent of the judge of the district court, or upon order of a judge of the court of appeals, or upon order of the supreme court.~~

(c) ~~(b)~~ All records, files or other information maintained, obtained and records or prepared by any officer or employee of the district court for in connection with proceedings under the Kansas juvenile code shall be privileged and shall not be disclosed, directly or indirectly, to anyone other than the judge of the district court or others entitled under this act to receive such information, unless and until otherwise ordered by such judge except:

- (1) A judge of the district court and members of the staff of the court designated by a judge of the district court;
- (2) parties to the proceeding and their counsel;
- (3) a public or private agency or institution providing supervision or having custody of the child under court order;
- (4) to any other person when authorized by a judge of the district court, subject to any conditions imposed by the judge; or
- (5) a court in which such person is convicted of a criminal offense for the purpose of a presentence report or other dispositional proceeding, officials of penal institutions and other penal facilities to which such person is committed or a parole board considering such person's parole or discharge or exercising supervision over such person.

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45-201. Official public records open to inspection; exceptions; "official public records" defined. (a) All official public records of the state, counties, municipalities, townships, school districts, commissions, agencies and legislative bodies, which records by law are required to be kept and maintained, except those of the district court concerning proceedings pursuant to the juvenile code which shall be open unless specifically closed by the judge or by law, adoption records, records of the birth of illegitimate children, and records specifically closed by law or by directive authorized by law, shall at all times be open for a personal inspection by any citizen, and those in charge of such records shall not refuse this privilege to any citizen.

(b) For the purposes of this act and the act of which this act is amendatory, the term "official public records" shall not be deemed to apply to personally identifiable records, files, and data which are described in K.S.A. 1976 Supp. 72-6214 and the accessibility and availability of which is limited by the terms of said section.

History: K.S.A. 45-201; L. 1976, ch. 228, § 2; L. 1976, ch. 151, § 6; Jan. 10, 1977.

Revisor's Note:

For restrictions on fingerprints, photographs and records of juveniles, see 38-815a.

Cross References to Related Sections:

Public and confidential files of the department of social and rehabilitation services, see 39-713b.

Law Review and Bar Journal References:

Mentioned in "The 1974 Family Educational Rights and Privacy Act," Arvid V. Jacobsen, 45 J.B.A.K. 185, 193 (1976).

CASE ANNOTATIONS

1. Section inapplicable to investigation files of administrative agencies; applicable only to public records. *Atchison, T. & S. F. Rly. Co. v. Commission on Civil Rights*, 215 K. 911, 919, 920, 529 P.2d 666.

2. Applied; subpoena issued pursuant to 44-1004 for employee's records not constitutionally impermissible as violation of right to privacy. *Atchison, T. & S. F. Rly. Co. v. Lopez*, 216 K. 108, 124, 531 P.2d 455.

45-202. Same; photographing records, when; rules. In all cases where the public or any person interested has a right to inspect or take extracts or make copies from any such public records, instruments or documents, any such person shall have the right of access to said records, documents or instruments for the purpose of making photographs of the same while in the possession, custody and control of the lawful custodian thereof, or his authorized deputy. Such work shall be done under the supervision of the lawful custodian of the said records who shall have the right to adopt and enforce reasonable rules governing the said work. Said work shall, where possible, be done in the room where the said records, documents or instruments are by law kept, but if the same in the judgment of the lawful custodian of the said records, documents or instruments be impossible or impracticable, then the said work shall be done in such other room or place as nearly adjacent as may be available. [L. 1957, ch. 455, § 2; June 29.]

Research and Practice Aids:

Hatcher's Digest, Records and Recording Law, § 2.

Law Review and Bar Journal References:

Application to registration books provided under 12-906, considered, opinion of attorney general, 11 K.L.R. 579 (1962).

45-203. Same; penalties for violations. Any official who shall violate the provisions of this act shall be subject to removal from office and in addition shall be deemed guilty of a misdemeanor. [L. 1957, ch. 455, § 3; June 29.]

46-1106. Audits of state agencies, when required; examination of books and accounts of state treasurer and director of accounts and reports; duties of post auditor; disposition of audit reports; prosecution of violations; access to records of state agencies and certain persons; duty of confidentiality. (a) The post auditor shall audit the financial affairs and transactions of every state agency at least once every two (2) fiscal years, and more often if specifically provided by law or if so directed by the legislative post audit committee. Such audits shall be conducted according to accepted auditing standards. The post auditor shall make a full, complete and written report of each audit as may be directed by the legislative post audit committee. Books and accounts of the state treasurer and the director of accounts and reports, including the bond register of the state treasurer, may be examined monthly if such committee so determines, and such examination may include detailed checking of every transaction or test checking.

(b) The post auditor, under supervision of the legislative post audit committee, shall determine whether all requirements of law with respect to the installation and use of accounting systems, books, records, forms, rules and regulations are being complied with by each state agency.

(c) A copy of the audit report of the financial affairs and transactions of each state agency shall be furnished by the post auditor to the governor, director of accounts and reports, director of the budget, the state agency which is audited, and to the legislative post audit committee. Other written reports of the post auditor shall be furnished only in accordance with the directions of the legislative post audit committee, except as is otherwise provided in this section.

(d) The post auditor shall report immediately in writing to the legislative post audit committee, governor and attorney general whenever it shall appear in the opinion of the post auditor that there may have occurred any violation of penal statutes or any instances of misfeasance, malfeasance or nonfeasance by a state officer or employee disclosed by any audit of any state agency. The post auditor shall furnish the attorney general all information in his or her possession relative to any report referred to the attorney general. The attorney general shall institute and prosecute civil proceedings against any such delinquent officer or employee, or upon such officer or employee's official bond, or both, as may be needed to recover for the state any funds or other assets misappropriated. The attorney general shall also prosecute such ouster and criminal

proceedings as the evidence in the case warrants.

(e) The post auditor shall immediately report to the committee on surety bonds and insurance when any audit of a state agency discloses a shortage in the accounts of any official or employee of such state agency.

(f) The post auditor, in the discharge of the duties imposed under the legislative post audit act, may require state agencies to preserve and make available their accounts, records, documents, vouchers, requisitions, payrolls, cancelled checks or vouchers and coupons, and other evidence of financial transactions.

(g) In the discharge of the duties imposed under the legislative post audit act, the post auditor shall have access to all books, accounts, records, files, documents, and correspondence, confidential or otherwise, of any person or state agency subject to the legislative post audit act or in the custody of any such person or state agency. Except as otherwise provided in this subsection, the post auditor and all employees in the division of post audit shall be subject to the same duty of confidentiality imposed by law on any such person or state agency with regard to any such books, accounts, records, files, documents, and correspondence, and any information contained therein, and shall be subject to any civil or criminal penalties imposed by law for violations of such duty of confidentiality. The duty of confidentiality imposed on the post auditor and all employees in the division of post audit shall be subject to the provisions of subsection (d) of this section and the post auditor may furnish all such books, accounts, records, files, documents, and correspondence, and any information contained therein to the attorney general pursuant to subsection (d). Upon receipt thereof, the attorney general and all assistant attorneys general and all other employees in the office of attorney general shall be subject to the same duty of confidentiality with the exceptions that any such information contained therein may be disclosed in civil proceedings, ouster proceedings and criminal proceedings which may be instituted and prosecuted by the attorney general in accordance with subsection (d) of this section and any such books, accounts, records, files, documents, and correspondence furnished to the attorney general in accordance with subsection (d) of this section may be entered into evidence in any such proceedings. Nothing in this subsection shall be construed to supersede any specific prohibition imposed by federal law.

History: K.S.A. 46-1106; L. 1974, ch. 220, § 3; L. 1974, ch. 364, § 5; L. 1976, ch. 232, § 2; L. 1977, ch. 186, § 2; Feb. 17.

Cross References to Related Sections:

Post audit of certain corporations contracting with state board of regents or its institutions, see 76-721.

50-712. Public record information for employment purposes. A consumer reporting agency which furnishes a consumer report for employment purposes and which for that purpose compiles and reports items of information on consumers which are matters of public record and are likely to have an adverse effect upon a consumer's ability to obtain employment shall

(a) at the time such public record information is reported to the user of such consumer report, notify the consumer of the fact that public record information is being reported by the consumer reporting agency, together with the name and address of the person to whom such information is being reported; or

(b) maintain strict procedures designed to insure that whenever public record information which is likely to have an adverse effect on a consumer's ability to obtain employment is reported it is complete and up to date. For purposes of this paragraph, items of public record relating to arrests, indictments, convictions, suits, tax liens, and outstanding judgments shall be considered up to date if the current public record status of the item at the time of the report is reported. [L. 1973, ch. 85, § 147; Jan. 1, 1974.]

75-712. Same; powers and duties; reports of investigations. It shall be the duty of the members of the bureau to make full and complete investigations at the direction of the attorney general. Each member of the bureau shall possess all powers and privileges which are now or may be hereafter given to the sheriffs of the state of Kansas. The bureau shall be vested with the duty of acquiring, collecting, classifying, and preserving criminal identification and other crime records, and the exchanging of said criminal identification records with the duly authorized officials of governmental agencies, of states, cities and penal institutions. Reports of all investigations made by the members of the bureau shall be made to the attorney general of the state of Kansas.

History: L. 1939, ch. 310, § 2; April 8.

CASE ANNOTATIONS

1. Mentioned; murder prosecution; no instructions given on second degree manslaughter; no error. *State v. Noble*, 175 K. 398, 400, 264 P.2d 479.

Chapter 120, 1978 Session Laws

Sec. 19. On and after January 1, 1979, K.S.A. 75-5218 is hereby amended to read as follows: 75-5218. (a) When any person is sentenced to the custody of the secretary of corrections pursuant to the provisions of K.S.A. 1977 Supp. 21-4609, the clerk of the court wherein said conviction was had which imposed such sentence shall within three (3) days notify the secretary of corrections.

(b) Together with the order of commitment to the custody of the secretary of corrections said clerk shall also deliver to the officer having said offender in charge a record containing (1) a copy of the indictment or information, (2) the verdict of the jury, (3) the name and residence of the officer before whom the preliminary trial was had, the judge presiding at the trial, and of the witnesses sworn on said trial, together with the commitment to the Kansas reception and diagnostic center, which and (4) a copy of all presentence investigation reports and other diagnostic reports on the offender received by the district court, including any reports received from the Kansas state reception and diagnostic center or the state security hospital. This record shall be delivered to the officers conveying said offender to the Kansas state reception and diagnostic center or such other correctional institution prescribed by K.S.A. 75-5220, as amended, or by the secretary of corrections in accordance with said statute. Any female offender sentenced according to the provisions of K.S.A. 75-5220 shall not be committed to the Kansas reception and diagnostic center but shall be conveyed directly to the Kansas correctional institution for women.

Sec. 20. On and after January 1, 1979, K.S.A. 75-5220 is hereby amended to read as follows: 75-5220. (a) Within three (3) days of receipt of the notice provided for in K.S.A. 75-5218, as amended, the secretary of corrections shall notify the sheriff having such offender in his or her custody to convey said offender forthwith to the Kansas state reception and diagnostic center or if space is not available at such center, then to some other state correctional institution until space at the center is available, except that, in the case of first offenders who are conveyed to a state correctional institution other than the Kansas state reception and diagnostic center, such offenders shall be segregated from the inmates of such correctional institution who are not being held in custody at such institution pending transfer to the Kansas state reception and diagnostic center when space is available therein. Any offender conveyed to a state correctional institution pursuant to this section shall be accompanied by the record of such offender's trial and conviction as made up by the clerk. The expenses of any such conveyance shall be charged against and paid out of the general fund of the county whose sheriff shall convey said offender to the institution as herein provided.

(b) Any female offender sentenced according to the provisions of K.S.A. 75-5229 shall not be conveyed to the Kansas state reception and diagnostic center but shall be conveyed by the sheriff having such offender in his or her custody directly to the Kansas correctional institution for women. The expenses of such conveyance to the Kansas correctional institution for women shall be charged against and paid out of the general fund of the county whose sheriff shall convey such female offender to such institution.

(c) Each offender conveyed to a state correctional institution pursuant to this section shall be accompanied by the record of the offender's trial and conviction as prepared by the clerk of the district court in accordance with K.S.A. 75-5218, as amended.

75-5221. Record of inmates. The secretary shall keep a record of each inmate sentenced to his or her custody with the date of his or her admission, place of residence, the county which he or she is from; if transferred, the institution from which he or she was transferred, crime for which convicted, age, education and such other facts pertaining to his or her early social influences, habits and former life and character as will aid in determining his or her natural tendencies and the best plan of treatment; also records showing each inmate's progress and standing in the institutions, date of parole, final discharge and any facts of personal history obtainable subsequent to parole; also a record showing all punishment inflicted and the purpose therefor, and such other records and information as the secretary may direct.

History: L. 1973, ch. 339, § 30; July 1, 1974.

Source or prior law:
76-2312, 76-2421, 76-2511.

75-5266. Psychiatric evaluation reports privileged. Psychiatric evaluation reports of the reception and diagnostic center and the Kansas correctional institution for women shall be privileged and shall not be disclosed directly or indirectly to anyone except as provided herein. The court, the county attorney, the attorney for the defendant or inmate, the Kansas adult authority and its staff, the classification committees of the state correctional institutions and those persons authorized by the secretary shall have access to such reports. Such reports may be disclosed to the defendant or inmate, the members of his or her family or his or her friends or the superintendent or director of any other state institution when authorized by the director of the Kansas reception and diagnostic center, secretary of corrections or the director of the Kansas correctional institution for women. Employees of the institutions under the supervision of the secretary are expressly forbidden from disclosing the contents of such reports to anyone except as provided herein. Nothing in this section shall be construed as preventing the attorney for the defendant or inmate from discussing such reports with said defendant or inmate.

History: L. 1973, ch. 339, § 57; L. 1977, ch. 307, § 2; July 1.

Source or prior law:
76-24a10.

RULES OF THE SUPREME COURT

Rule No. 184.

ANNULMENT OF CONVICTION AND EXPUNGEMENT OF RECORD PROCEDURE. The court may permit a defendant to withdraw his plea of guilty or the court may set aside the verdict of guilty as provided by K. S. A. 21-4616 as amended or may permit a defendant to have his record expunged as provided by K. S. A. 21-4617 as amended.

The following procedure will be adhered to on either application for relief: Defendant shall file a written motion in the criminal case and make service of the motion upon the prosecution in accordance with K. S. A. 60-205.

The motion shall be presented to the sentencing court and the court may request the probation officer to make an investigation and report to the court within thirty (30) days, with copies furnished to the prosecution and the defendant.

The motion will be set for hearing by the court upon notice to the parties.

The order granting relief will be filed with the criminal case and the clerk shall be authorized to make the necessary notation in the criminal docket book that said conviction has been annulled or the record expunged by order of the court.

The clerk will furnish a certified copy of the order annulling the conviction or expunging the record to the Federal Bureau of Investigation, the Kansas Bureau of Investigation, the Secretary of Corrections, and any local law enforcement agencies who may have a record of conviction.

1978 Session Laws

CHAPTER 118 *

Senate Bill No. 406

AN ACT relating to crimes; concerning the collection, storage and dissemination of certain criminal justice system information; establishing a privacy and security advisory board; establishing a criminal justice system information central repository; authorizing the promulgation of rules and regulations; declaring certain acts to be a crime.

Be it enacted by the Legislature of the State of Kansas:

Section 1. As used in this act, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them herein:

(a) "Central repository" means the criminal justice information system central repository created by this act.

(b) "Criminal history record information" means data initiated or collected by a criminal justice agency on a person pertaining to a reportable event. The term does not include:

(1) Data contained in intelligence or investigatory files or police work-product records used solely for police investigation purposes;

(2) data pertaining to a proceeding pursuant to the Kansas juvenile code, but it does include data pertaining to a person following waiver of jurisdiction pursuant to K.S.A. 1977 Supp. 38-808;

(3) wanted posters, police blotter entries, court records of public judicial proceedings, or published court opinions;

(4) data pertaining to violations of the traffic laws of the state or any other traffic law or ordinance, other than vehicular homicide;

(5) presentence investigation and other reports prepared for use by a court in the exercise of criminal jurisdiction or by the governor in the exercise of the power of pardon, reprieve or commutation; or

(c) "Criminal justice agency" means any government agency or subdivision of any such agency which is authorized by law to exercise the power of arrest, detention, prosecution, adjudication, correctional supervision, rehabilitation, or release of persons suspected, charged, or convicted of a crime and which allocates a substantial portion of its annual budget to any of these functions. The term includes, but is not limited to, the following agencies, when exercising jurisdiction over criminal matters or criminal history record information:

(1) State, county, municipal and railroad police departments, sheriffs' offices and county-wide law enforcement agencies, correctional facilities, jails, and detention centers;

(2) the offices of the attorney general, county or district attorneys, and any other office in which are located persons authorized by law to prosecute persons accused of criminal offenses;

(3) the district courts, the court of appeals, the supreme court, the municipal courts and the offices of the clerks of these courts.

(d) "Criminal justice information system" means the equipment (including computer hardware and software), facilities, procedures, agreements, and personnel used in the collection, processing, preservation, and dissemination of criminal history record information.

(e) "Disseminate" means to transmit criminal history record information in any oral or written form. The term does not include:

- (1) The transmittal of such information within a criminal justice agency;
 - (2) the reporting of such information as required by this act;
- or
- (3) the transmittal of such information between criminal justice agencies in order to permit the initiation of subsequent criminal justice proceedings against a person relating to the same offense.

(f) "Reportable event" means an event specified or provided for in section 5.

(g) "Director" means the director of the Kansas bureau of investigation.

Sec. 2. There is hereby established a privacy and security advisory board composed of eleven (11) members to be appointed as provided in this section. The attorney general shall appoint four members one of which shall be a county or district attorney, one of which shall be an assistant or deputy attorney general, one of which shall be a sheriff or the head of a county-wide law enforcement agency, and one of which shall be a police chief of a city in this state. The chief justice of the supreme court shall appoint one member who is a chief clerk of the district court. The governor shall appoint one member from the general public. A vacancy shall be filled by the appointing authority. The remaining five members shall be as follows: (1) The director of the Kansas bureau of investigation; (2) the superintendent of the highway patrol or the superintendent's designee; (3) the secretary of corrections or said secretary's designee; (4) the chairperson of the judiciary committee of the house of representatives of this state, or such chairperson's designee from among members of the house of representatives; and (5) the chairperson of the judiciary committee of the state senate, or such chairperson's designee from among members of the senate. The chairperson of the advisory board shall be the chairperson of the senate judiciary committee or such chairperson's designee from among members of the senate. Members shall receive no compensation for their services, but shall receive mileage and expenses as provided in subsections (c) and (d) of K.S.A. 75-3223. The first meeting of the board shall be at a time and place designated by the director. For administrative and budgeting purposes the advisory board shall be deemed an adjunct of the Kansas bureau of investigation.

Sec. 3. (a) The advisory board created pursuant to section 2 shall perform the duties set forth in this section and those of an advisory nature that may otherwise be delegated to it in accordance with law.

(b) It shall advise the director on matters pertaining to the development, operation, and maintenance of the criminal justice information system, and shall monitor the operation of the system.

(c) It shall propose and recommend to the director, rules and regulations necessary to the development, operation, and maintenance of the criminal justice information system.

(d) It shall: (1) Recommend procedures and methods for the use of criminal history record information for the purpose of research, evaluation, and statistical analysis of criminal activity;

(2) recommend any legislation necessary for the implementation, operation, and maintenance of the criminal justice information system; and

(3) report to the governor and the legislature on the development and operation of the criminal justice information system.

Sec. 4. (a) The director shall adopt appropriate rules and regulations for agencies in the executive branch of government and for criminal justice agencies other than those that are part of the judicial branch of government to implement the provisions of this act. Any rule and regulation to be adopted by the director shall first be submitted by the director to the speaker of the house of representatives and the president of the senate at the beginning of the next legislative session. Such rules and regulations shall not become effective until the same are approved by resolution of both houses.

(b) The director shall develop procedures to permit and encourage the transfer of criminal history record information among and between courts and affected agencies in the executive branch, and especially between courts and the central repository.

(c) The rules and regulations adopted by the director shall include those: (1) Governing the collection, reporting, and dissemination of criminal history record information by criminal justice agencies;

(2) necessary to insure the security of all criminal history record information reported, collected and disseminated by and through the criminal justice information system;

(3) necessary for the coordination of all criminal justice data and information processing activities as they relate to criminal history record information;

(4) governing the dissemination of criminal history record information;

(5) governing the procedures for inspection and challenging of criminal history record information;

(6) governing the auditing of criminal justice agencies to insure that criminal history record information is accurate and complete and that it is collected, reported, and disseminated in accordance with this act;

(7) governing the development and content of agreements between the central repository and criminal justice and noncriminal justice agencies;

(8) governing the exercise of the rights of inspection and challenge provided in this act.

(d) Rules and regulations adopted by the director may not be inconsistent with the provisions of this act.

Sec. 5. (a) The following events are reportable events under this act:

(1) Issuance of an arrest warrant;

(2) an arrest;

(3) release of a person after arrest without the filing of a charge;

(4) dismissal or quashing of an indictment or criminal information;

(5) an acquittal, conviction, or other disposition at or following trial, including a finding of probation before judgment;

(6) imposition of a sentence;

(7) commitment to a correctional facility, whether state or locally operated;

(8) release from detention or confinement;

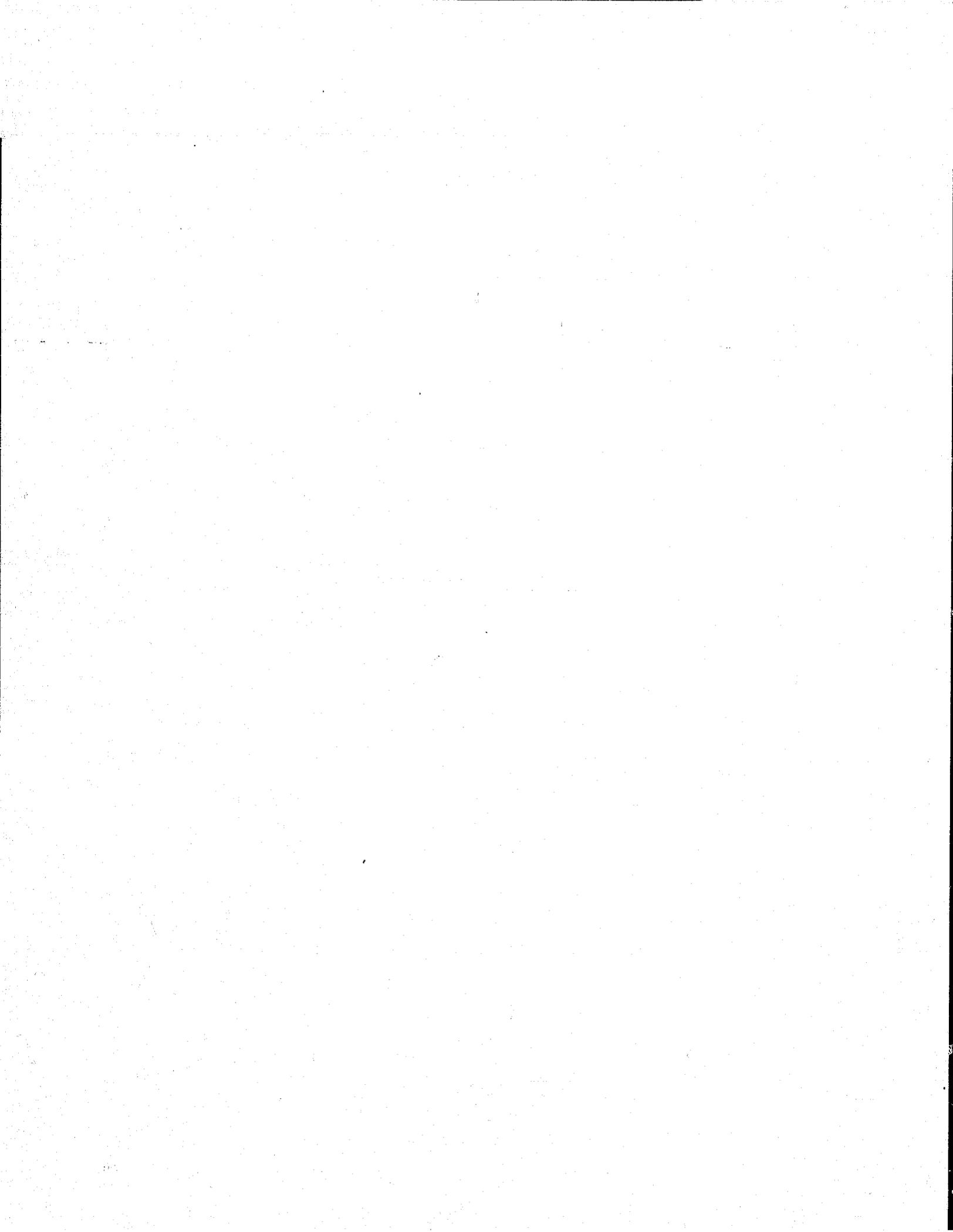
(9) an escape from confinement;

(10) a pardon, reprieve, commutation of sentence, or other change in a sentence, including a change ordered by a court;

(11) judgment of an appellate court that modifies or reverses the lower court decision;

(12) order of a court in a collateral proceeding that affects a person's conviction, sentence, or confinement, including any expungement or annulment of arrests or convictions pursuant to state statute; and

(13) any other event arising out of or occurring during the course of criminal justice proceedings declared to be reportable by rule or regulation of the director.



CONTINUED

1 OF 2

SUPPLEMENT

(b) There is hereby established a criminal justice information system central repository for the collection, storage, and dissemination of criminal history record information. The central repository shall be operated by the Kansas bureau of investigation under the administrative control of the director.

(c) Every criminal justice agency shall report criminal history record information, whether collected manually or by means of an automated system, to the central repository, in accordance with rules and regulations adopted pursuant to this act.

(d) Reporting methods may include: (1) Submittal of criminal history record information by a criminal justice agency directly to the central repository;

(2) if the information can readily be collected and reported through the court system, submittal to the central repository by the administrative office of the courts; or

(3) if the information can readily be collected and reported through criminal justice agencies that are part of a geographically based information system, submittal to the central repository by such agencies.

(e) Nothing in this section shall prevent a criminal justice agency from maintaining more detailed information than is required to be reported to the central repository. However, the dissemination of any such criminal history record information is governed by the provisions of this act.

(f) The director may determine, by rule and regulation, the reportable events to be reported by each criminal justice agency, in order to avoid duplication in reporting.

Sec. 6. The director, pursuant to the rules and regulations adopted, shall develop agreements between the central repository and criminal justice agencies pertaining to:

(a) The method by which the agency will report information, including the method of identifying an offender in a manner that permits other criminal justice agencies to locate the offender at any stage in the criminal justice system, the time of reporting, the specific data to be reported by the agency, and the place of reporting;

(b) the services to be provided to the agency by the central repository;

(c) the conditions and limitations upon the dissemination of criminal history record information by the agency;

(d) the maintenance of security in all transactions between the central repository and the agency;

(e) the method of complying with the right of a person to inspect, challenge, and correct criminal history record information maintained by the agency;

(f) audit requirements to ensure the accuracy of all information reported or disseminated;

(g) the timetable for the implementation of the agreement;

(h) sanctions for failure of the agency to comply with any of the provisions of this act, including the revocation of any agreement between the agency and the central repository and appropriate judicial or administrative proceedings to enforce compliance; and

(i) other provisions that the director may deem necessary.

Sec. 7. (a) A criminal justice agency and the central repository may not disseminate criminal history record information except in strict accordance with laws including applicable rules and regulations adopted pursuant to this act. A criminal justice agency may not request such information from the central repository or another criminal justice agency unless it has a legitimate need for the information.

(b) Noncriminal justice persons and agencies may receive criminal history record information for such purposes and under such conditions as may be authorized by law, including rules and regulations adopted pursuant to this act.

(c) The central repository or a criminal justice agency may not subvert the requirements of this section by merely confirming or denying the existence or nonexistence of criminal history record information relating to a person.

(d) In addition to any other remedy or penalty authorized by law, any individual violating or causing a violation of the provisions of this section shall be deemed guilty of a class A misdemeanor. If the person is employed or licensed by a state or local government agency, a conviction shall constitute good cause to terminate employment or to revoke or suspend a license.

Sec. 8. Notwithstanding the provisions of the preceding section, a criminal justice agency may disclose the status of a pending investigation of a named person, or the status of a pending proceeding in the criminal justice system, if the request for information is reasonably contemporaneous with the event to which the information relates and the disclosure is otherwise appropriate.

Sec. 9. (a) Subject to the provisions of this act and rules and regulations adopted pursuant thereto, any person may inspect and challenge criminal history record information maintained by a criminal justice agency concerning themselves. A person's attorney may inspect such information if such attorney satisfactorily establishes his or her identity and presents a written authorization from his or her client.

(b) Nothing in this section requires a criminal justice agency to make a copy of any information or allows a person to remove any document for the purpose of making a copy of it. A person having the right of inspection may make notes of the information.

Sec. 10. (a) It is unlawful for any employer or prospective employer to require a person to inspect or challenge any criminal history record information relating to that person for the purpose of obtaining a copy of the person's record in order to qualify for employment.

(b) Any person violating the provisions of this section shall be deemed guilty of a class A misdemeanor.

Sec. 11. Criminal history record information which was recorded prior to the effective date of this act is subject to the right of access and challenge in accordance with this act. However, the duty of a criminal justice agency is to make a reasonable search for such information. There is no duty to provide access to criminal history record information that cannot be located after a reasonable search.

Sec. 12. From and after July 1, 1979, sections 2 and 3 of this act shall be and are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its publication in the official state paper.

Approved February 24, 1978.

Published in the official state paper March 1, 1978.

Chapter 120, 1978 Session Laws

New Sec. 27. (a) Except as provided in subsection (b), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction if two or more years have elapsed since the person: (1) Satisfied the sentence imposed; or (2) was discharged from probation, parole or a suspended sentence.

(b) In the case of a conviction for the violation of a city ordinance which would also constitute a violation of any of the items enumerated in subsection (a) of K.S.A. 1977 Supp. 8-285, and any amendments thereto, no person may petition for expungement until five or more years have elapsed since the person: (1) Satisfied the sentence imposed; or (2) was discharged from probation, parole or a suspended sentence.

(c) When a petition for expungement is filed, the court shall set a date for a hearing thereon and shall give notice thereof to the prosecuting attorney. The petition shall state: (1) The defendant's full name (2) the full name of the defendant at the time of arrest and conviction, if different than (1); (3) the defendant's sex, race, and date of birth; (4) the crime for which the defendant was convicted; (5) the date of the defendant's conviction; and (6) the identity of the convicting court. A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas adult authority.

(d) At the hearing on the petition, the court shall order the petitioner's conviction expunged if the court finds:

(1) That the petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) that the circumstances and behavior of the petitioner warrant the expungement; and

(3) that the expungement is consistent with the public welfare.

(e) When the court has ordered a conviction expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the federal bureau of investigation, the Kansas bureau of investigation, the secretary of corrections and any other criminal justice agency who may have a record of the conviction. After the order of expungement is entered, the petitioner shall be treated as not having been convicted of the crime, except that:

(1) Upon conviction for any subsequent crime the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) in any application for employment: (A) as a detective with a private detective agency, as defined by K.S.A. 75-7b01; (B) as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01; or (C) with a criminal justice agency, as defined by section 1 of Senate Bill No. 406, as enacted by the 1978 legislature, the petitioner, if asked about previous convictions, must disclose that the conviction took place;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(f) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation or is placed on parole or probation or is given a suspended sentence for such a violation, the person shall be informed of the ability to expunge the conviction.

(g) Subject to the disclosures required pursuant to subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose conviction of an offense has been expunged under this statute may state that he or she has never been convicted of such offense.

(h) Whenever the record of any conviction has been expunged under the provisions of this section or K.S.A. 1977 Supp. 12-4515, 21-4616, 21-4617 or the statutory predecessor of such sections, the custodian of the records of arrest, conviction and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a criminal justice agency, private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) a person entitled to such information pursuant to the terms of the expungement order; or
- (5) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense.

New Sec. 28. (a) Except as provided in subsection (b), any person convicted in this state of a misdemeanor or a class D or E felony may petition the convicting court for the expungement of such conviction if two or more years have elapsed since the person: (1) Satisfied the sentence imposed; or (2) was discharged from probation, parole, conditional release or a suspended sentence.

(b) In the case of a conviction for a class A, B or C felony or any violation enumerated in subsection (a) of K.S.A. 1977 Supp. 8-285, and any amendments thereto, no person may petition for expungement until five or more years have elapsed since the person: (1) Satisfied the sentence imposed; or (2) was discharged from probation, parole, conditional release or a suspended sentence.

(c) When a petition for expungement is filed, the court shall set a date for a hearing thereon and shall give notice thereof to the prosecuting attorney. The petition shall state: (1) the defendant's full name; (2) the full name of the defendant at the time of arrest and conviction, if different than (1); (3) the defendant's sex, race and date of birth; (4) the crime for which the defendant was convicted; (5) the date of the defendant's conviction; and (6) the identity of the convicting court. In the district court there shall be a thirty-five dollar (\$35) docket fee for filing a petition pursuant to this section and the provisions of subsections (b) and (c) of K.S.A. 60-2001 shall be applicable to such docket fee. Any person who

may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas adult authority.

(d) At the hearing on the petition, the court shall order the petitioner's conviction expunged if the court finds:

(1) That the petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) that the circumstances and behavior of the petitioner warrant the expungement; and

(3) that the expungement is consistent with the public welfare.

(e) When the court has ordered a conviction expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the federal bureau of investigation, the Kansas bureau of investigation, the secretary of corrections and any other criminal justice agency who may have a record of the conviction. After the order of expungement is entered, the petitioner shall be treated as not having been convicted of the crime, except that:

(1) Upon conviction for any subsequent crime the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) in any application for employment: (A) as a detective with a private detective agency, as defined by K.S.A. 75-7b01; (B) as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01; or (C) with a criminal justice agency, as defined by section 1 of Senate Bill No. 406 as enacted by the 1978 legislature, the petitioner, if asked about previous convictions, must disclose that the conviction took place;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(f) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime or is placed on parole or probation or is given a suspended sentence or conditional release, the person shall be informed of the ability to expunge the conviction.

(g) Subject to the disclosures required pursuant to subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose conviction of a crime has been expunged under this statute may state that he or she has never been convicted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

(h) Whenever the record of any conviction has been expunged under the provisions of this section or K.S.A. 1977 Supp. 12-4515, 21-4616, 21-4617 or the statutory predecessor of such sections, the custodian of the records of arrest, conviction and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a criminal justice agency, private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) a person entitled to such information pursuant to the terms of the expungement order; or
- (5) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense.

Chapter 158, 1978 Session Laws

New Sec. 3. (a) Neither the fingerprints nor a photograph shall be taken of any child less than eighteen (18) years of age, taken into custody for any purposes, without the consent of the judge of the district court having jurisdiction. When the judge permits the fingerprinting of any such child, the prints shall be taken as a civilian and not as a criminal record.

(b) Except as provided in subsection (c), all records of law enforcement officers or agencies, municipal courts and other governmental entities in this state concerning a public offense committed or alleged to have been committed by a child less than eighteen (18) years of age, shall be kept separate from criminal or other records, and shall not be disclosed to anyone, except:

- (1) The judge, and members of the court staff designated by the judge, of a district court having the child before it in any proceeding;
- (2) the parties to the proceeding and their counsel;
- (3) the officers of public institutions or agencies to whom the child is committed;
- (4) law enforcement officers of other jurisdictions when necessary for the discharge of their official duties; or
- (5) to any other person, when ordered by a judge of a district court in this state, under such conditions as the judge may prescribe.

(c) Subsections (b) and (d) shall not apply to records and files:

- (1) Made in conjunction with prosecutions pursuant to the code of criminal procedure;
- (2) concerning an offense for which a district court has directed prosecution pursuant to K.S.A. 1977 Supp. 38-808;

(3) concerning a traffic offense described in subsection (e) of K.S.A. 1977 Supp. 38-802, as amended, which was committed or alleged to have been committed by a child fourteen (14) years of age or more; or

(4) specified in K.S.A. 1977 Supp. 38-805, as amended.

(d) It shall be the duty of any law enforcement officer, judge or other public officer, making or causing to be made any record or file concerning an offense committed or alleged to have been committed by a person less than eighteen (18) years of age, to promptly report to the judge of the district court of the district of such officer or judge the fact that such record or file has been made and the substance thereof together with all of the information in the possession of the officer or judge pertaining to the making of such record or file.

New Sec. 12. (a) When any records or files specified in K.S.A. 1977 Supp. 38-805, as amended, or in subsection (b) of section 3 have been made concerning a person less than eighteen (18) years of age, such person may apply in his or her own behalf or, if such person is a minor, such person's parent, guardian or guardian *ad litem* may apply to the judge of the district court of any county in which such records or files are maintained to have the records or files in such county expunged. The application shall specify the records or files sought to be expunged and shall state the offense to which such records or files relate. After hearing, the court shall order the expungement of such records and files if the court finds that:

(1) The person has reached an age of twenty-one (21) years or more or that two (2) years have elapsed since the final discharge of the person;

(2) since the final discharge of the person, such person has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated a delinquent or miscreant child and no proceeding is pending seeking such conviction or adjudication; and

(3) such person has been rehabilitated.

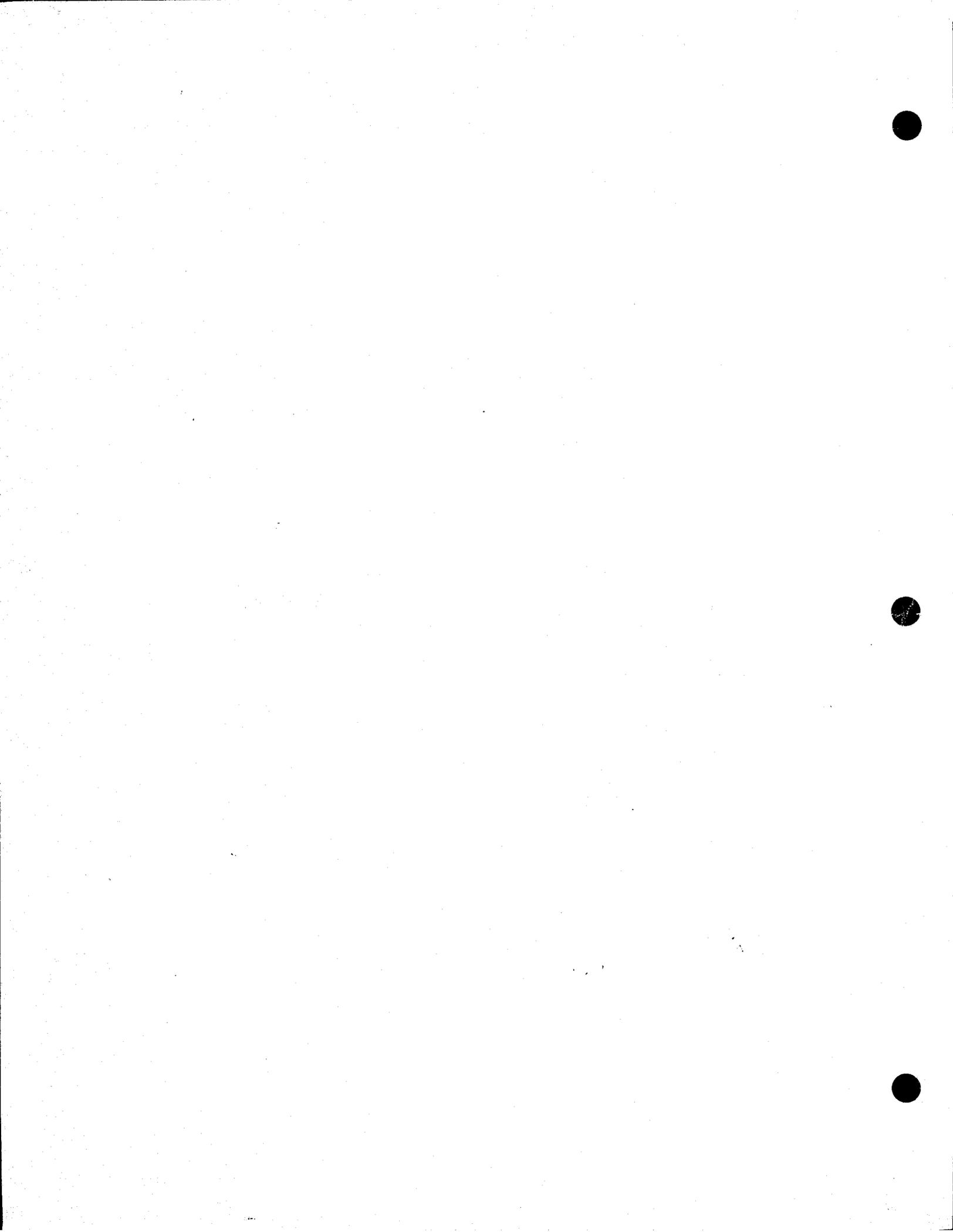
(b) When any records or files specified in K.S.A. 1977 Supp. 38-805, as amended, or subsection (b) of section 3 have been made concerning a person less than eighteen (18) years of age, the judge of the district court of the county in which such records or files are maintained may order the expungement of such records or files at any time on the judge's own motion and after hearing.

(c) Notice of any hearing held pursuant to this section shall be given to (1) the county or district attorney of the county in which the records or files are maintained and (2) the person who is the subject of the records or files sought to be expunged.

(d) Upon entry of an order expunging records or files, the offense which such records or files concern shall be treated as if it never occurred, except that upon conviction of a subsequent crime or disposition in a subsequent juvenile code action the offense may be considered in considering the sentence to be imposed or disposition to be made. The person, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the person. Inspection of the expunged files or records thereafter may be permitted by order of the district court upon petition by the person who is the subject thereof. Such inspection shall be limited to inspection by the person who is the subject of the files or records and those persons designated by such person.

(e) Copies of any order made pursuant to subsection (a) or (b) of this section shall be sent to each public officer and agency in the county having possession of any records or files ordered to be expunged. If any such officer or agency fails to comply with such order within a reasonable time after its receipt, such officer or agency may be adjudged in contempt of court and punished accordingly.

(f) The court shall inform any child that has been adjudicated a delinquent, miscreant, wayward or deprived child or traffic offender or truant of the provisions of this section.



The Valid Users list is not intended to be an iron-clad list of which agencies and individuals may or may not receive criminal history records from or through Kansas agencies. Instead, it is an attempt to reduce the amount of bureaucratic paperwork needed to make an effective user agreement system work. If you receive a request from an agency or individual not on the list, and you want to honor the request, you may provide the information, as long as you have a reasonable assurance that the information will be handled properly under the regulations by the receiver. It is the advice of the KBI that the best way to obtain the necessary assurance is to receive it in writing (the user agreement). Once you complete a user agreement with any other agency not already on the list, please provide the KBI with a copy of that agreement, so the other party can be included on the next updated version of the list.

PART I

Criminal Justice agencies that have completed either a Kansas CHRI users agreement or certificate of agreement, for both conviction and non-conviction data.

FEDERAL

Department of Defense

Office of Secretary of Defense - Security Division
 USAF Office of Special Investigations
 Naval Investigation Service
 Ft. Leavenworth Provost Marshal
 Ft. Riley Provost Marshal
 U.S. Army Intelligence - Ft. Riley

Department of Justice

Federal Bureau of Investigation
 U.S. Marshal's Service
 Drug Enforcement Administration

Department of the Treasury

Secret Service
 Customs
 Alcohol, Tobacco & Firearms Bureau
 IRS Security

Department of Commerce

U.S. Coast Guard
 Investigations and Security

Department of Agriculture

Soil Conservation Service

Federal Aviation Administration

U. S. Probation Offices - Kansas and Missouri Districts
 U. S. Postal Inspection Service
 U. S. Capitol Police

Department of Health, Education and Welfare

Social Security Administration - Kansas City Office

STATE AGENCIES

Attorney General

Department of Corrections

Forestry, Fish & Game Commission

Kansas Bureau of Investigation

Livestock Brand Division - Animal Health Department

Alcoholic Beverage Control Division - Revenue Department

Kansas Highway Patrol

State Fire Marshal

Park & Resources Authority

State Security Hospital - Larned

Department of Human Resources

RAILROAD POLICE (STATEWIDE)

M.K.T.

Missouri-Pacific

Rock Island

Santa Fe

Union Pacific

Kansas City Southern

St. Louis-San Francisco (Frisco)

LOCAL

Abilene - Dickinson County

SO

PD

County Attorney

Allen County - see Iola

Alma - Wabaunsee County

SO

Anderson County - see Garnett

Andover - Butler County

PD

Anthony - Harper County

SO

PD

County Attorney

Arkansas City - Cowley County

PD

Ashland - Clark County

SO

Atchison - Atchison County

SO

PD

County Attorney

Municipal Court

Atwood - Rawlins County

SO

County Attorney

Augusta - Butler County

Department of Public Safety (PD)

Baldwin City - Douglas County

PD

Barber County - see Medicine Lodge

Barton County - See Great Bend

Belle Plaine - Sumner County

PD

Belleville - Republic County

SO

PD

Beloit - Mitchell County

SO

PD

Bonner Springs - Wyandotte County

PD

Bourbon County - see Fort Scott

Brown County - see Hiawatha

Burlingame - Coffey County

PD

Burlington - Coffey County

SO

PD

District Court

Burr Oak - Jewell County

City Marshall

Butler County - see El Dorado

Carbondale - Osage County

PD

Cawker City - Mitchell County

PD

Chanute/Erie - Neosho County

PD

Chase County - see Cottonwood Falls

Chautauqua County - See Sedan

Cheney - Sedgwick County

PD

Cherokee County - see Columbus

Cherryvale - Montgomery County

PD

Chetopa - Labette County

Municipal Court

Cheyenne County - see St. Francis

Cimarron - Gray County

SO

PD

Claflin - Barton County

PD

Clark County - See Ashland

Clay County - See Clay Center

Clay Center - Clay County

SO
PD
County Attorney
City Attorney
Clerk of District Court

Clearwater - Sedgwick County

PD

Cloud County - See Concordia

Coffey County - See Burlington

Coffeyville - Montgomery County

PD
City Prosecutor
Municipal Court

Colby - Thomas County

SO
PD

Coldwater - Comanche County

SO

Columbus - Cherokee County

SO
PD
County Attorney
District Court

Colwich - Sedgwick County

PD

Comanche County - See Coldwater

Concordia - Cloud County

SO
PD

Conway Springs - Sumner County

PD

Cottonwood Falls - Chase County

SO
County Attorney
Municipal Court

Council Grove - Morris County

SO
PD
County Attorney

Cowley County - See Winfield

Crawford County - See Pittsburg

Decatur County - See Oberlin

Derby - Sedgwick County
PD

Dickinson County - See Abilene

Dighton - Lane County
SO

Dodge City - Ford County
SO
PD

Doniphan County - See Troy

Douglas County - See Lawrence

Eastborough - Sedgwick County
PD

Edgerton - Johnson County
PD

Edwards County - See Kinsley

Edwardsville - Wyandotte County
PD

Effingham - Atchison County
PD

El Dorado - Butler County
Department of Public Safety (PD)
SO
County Attorney

Ellinwood - Barton County
PD

Ellis - See Hays

Ellsworth - Ellsworth County
SO

Emporia - Lyons County
SO
PD
Emporia State University PD
Probation Office
County Attorney

Erie - Neosho County
SO
County Attorney
Probation and Parole
District Court

Eudora - Douglas County
PD

Eureka - Greenwood
SO
PD
County Attorney
Municipal Court

Fairway - Johnson County
PD
Municipal Court

Finney County - See Garden City

Florence - Marion County
PD

Ford County - See Dodge City

Franklin County - See Ottawa

Frankfort - Marshall County
PD

Fredonia - Wilson County
SO
PD
District Court

Ft. Scott - Bourbon County
SO
PD

Galena - Cherokee County
PD

Garden City - Finney County
SO
PD
County Attorney
Municipal Court
District Court

Garden Plain - Sedgwick County
PD

Gardner - Johnson County
PD
City Prosecutor

Garnett - Anderson County
SO
PD
District Court
County Attorney
City Attorney

Geary County - See Junction City

Goddard - Sedgwick County
PD

Goodland - Sherman County
SO
PD

Gove - Gove County
SO

Graham County - See Hill City

Grandview Plaza - Geary County
PD
City Marshall
Municipal Court

Grant County - See Ulysses

Gray County - See Cimarron

Great Bend - Barton County
SO
PD

Greeley County - See Tribune

Greensburg - Kiowa County
SO

Greenwood County - See Eureka

Halstead - Harvey County
PD
Municipal Court

Hamilton County - See Syracuse

Harper County - See Anthony

Harvey County - See Newton

Haskell County - See Sublette

Hays - Ellis County
SO
FD

Fort Hays State University PD

Haysville - Sedgwick County
PD

Herington - Dickinson County
PD

Hesston - Harvey County
PD
City Attorney
Municipal Court

Hiawatha - Brown County

SO
PD

Hill City - Graham County

SO
PD

Hodgeman County - See Jetmore

Hoisington - Barton County

PD

Holton - Jackson County

SO

Hope - Dickinson County

PD

Howard - Elk County

SO

Hoxie - Sheridan County

SO

PD

County Attorney

Hugoton - Stevens County

SO

PD

County Attorney

District Court

Hutchinson - Reno County

SO

County Attorney

City Prosecutor

City Fire Marshall

Hutchinson (South) - Reno County

PD

Independence - Montgomery County

SO

PD

Iola - Allen County

SO

PD

District Court

Jackson County - See Holton

Jefferson County - See Oskaloosa

Jetmore - Hodgeman County

SO

Jewell - Jewell County
PD

Jewell County - See Mankato

Johnson - Stanton County
SO

Johnson County - See Olathe

Junction City - Geary County
SO
PD
Public Defender

Kansas City - Wyandotte County
SO
PD
Wyandotte County Park PD
Wyandotte County Probation Office
KU Medical Center PD

Kansas State University - See Manhattan

Kansas University - See Lawrence

Kearny County - See Lakin

Kingman - Kingman County
SO
PD
Municipal Court

Kinsley - Edwards County
SO
PD

Kiowa - Barber County
PD

Kiowa County - See Greensburg

Labette County - See Oswego

LaCrosse - Rush County
SO
PD
District Magistrate Judge

Lane County - See Dighton

Lake Quivia - Johnson/Wyandotte Counties
PD

Lakin - Kearny County
SO
County Attorney
District Court

Lansing - Leavenworth County
PD

Larned - Pawnee County
PD
County Attorney

Lawrence - Douglas County
SO
PD
Douglas County Corrections
University of Kansas PD
County Attorney
Municipal Court

Lebo - Coffey County
Municipal Court

Lenexa - Johnson County
PD

Leavenworth - Leavenworth County
SO
PD
County Attorney
Probation Office
Court Services

Leawood - Johnson County
PD

Leoti - Wichita County
SO
District Court

Lewis - Edwards County
PD

Liberal - Seward County
SO
PD

Lincoln - Lincoln County
SO

Lindsborg - McPherson County
City Attorney

Linn County - See Mound City

Logan County - See Oakley

Louisburg - Miami County
Municipal Court

Lyon County - See Emporia

Lyons - Rice County
SO
PD

Lyndon - Osage County

SO

PD

District Court
County Attorney

Macksville - Stafford County

PD

Madison - Greenwood County

PD

Manhattan - Riley County

PD

County Attorney

City Prosecutor

Municipal Court

Dept. Of Security and Traffic - Kansas State University

Mankato - Jewell County

SO

PD

City Administrator

City Attorney

Municipal Court

Marion - Marion County

SO

County Attorney

Marshall County - See Marysville

Marysville - Marshall County

SO

PD

City Attorney

Municipal Court

Maize - Marshall County

PD

McLouth - Jefferson County

PD

McPherson - McPherson County

SO

PD

District Court

Meade - Meade County

SO

Medicine Lodge - Barber County

SO

PD

Melvern - Osage County

PD

Meriden - Jefferson County

PD

Merriam - Johnson County
PD

Miami County - See Paola

Minneapolis - Ottawa County
SO

Mission - Johnson County
PD

Mitchell County - See Beloit

Montgomery County - See Independence

Morris County - See Council Grove

Morton County - Se Elkhart

Mound City - Linn County
SO

Mount Hope - Sedgwick County
PD

Mulvane - Sumner County
PD

Nemaha County - See Seneca

Neodesha - Wilson County
PD

Neosha County - See Erie/Chanute

Ness County - See Ness City

Ness City - Ness County
SO
PD
County Attorney

Newton - Harvey County
SO
PD
District Court

Norton - Norton County
SO

Nortonville - Jefferson County
PD

Oakley - Logan County
SO
PD
Municipal Court

Oberlin - Decatur County

SO
PD

Olathe - Johnson County

SO
PD
District Attorney
Johnson County Park Police
Courts Program for Alcohol Related Cases
Adult Probation
County Attorney

Osage County - See Lyndon

Osage City - Osage County

PD

Osawatomie - Miami County

Dept. of Public Safety (PD)
City Attorney

Osborne - Osborne County

SO
County Attorney

Oskaloosa - Jefferson County

SO

Oswego - Labette County

SO

Ottawa County - See Minneapolis

Ottawa - Franklin County

Dept. of Public Safety (PD)
District Court
SO

Overbrook - Osage County

PD

Overland Park - Johnson County

PD
Municipal Court
City Attorney

Oxford - Sumner County

PD

Paola - Miami County

SO
PD

Parsons - Labette County

PD
District Court
County Attorney

Pawnee County - See Larned

Peabody - Marion County
PD

Phillips County - See Phillipsburg

Phillipsburg - Phillips County
SO
PD

Pittsburg - Crawford County
PD
County Attorney
District Court

Plains - Meade County
PD

Plainville - Rooks County
PD

Pottawatomie County - See Westmoreland

Prairie Village - Johnson County
PD
Municipal Court

Pratt - Pratt County
SO
PD
County Attorney
District Court

Quenemo - Osage County
pd

Quinter - Gove County
SO

Randall - Jewell County
PD

Rawlins County - See Atwood

Reno County - See Hutchinson

Republic County - See Belleville

Rice County - See Lyons

Riley County - See Manhattan

Roeland Park - Johnson County
PD

Rooks County - See Stockton

Rush Center - Rush County
Municipal Court

Rush County - See LaCrosse

Russell - Russell County
SO
PD

Sabetha - Nemaha County
PD
Municipal Court

Salina - Saline County
SO
PD

Saline County - See Salina

Scott County - See Scott City

Scott City - Scott County
District Court

Sedan - Chautauqua County
SO
PD

Sedgwick County - See Wichita

Sedgwick - Harvey County
PD

Seneca - Nemaha County
SO
PD

Seward County - See Liberal

Sharon Springs - Wallace County
SO
County Attorney
District Court

Shawnee County - See Topeka

Shawnee - Johnson County
PD

Sheridan County - See Hoxie

Sherman County - See Goodland

Silver Lake - Shawnee County
PD

Smith County - See Smith Center

Smith Center - Smith County
SO

Solomon - Dickinson County
PD

Spring Hill - Johnson County
PD

St. Francis - Cheyenne County
SO
PD

St. John - Stafford County
SO

Stafford County - See St. John

Stanton County - See Johnson

Stevens County - See Hugoton

Sterling - Rice County
PD

Stockton - Rooks County
SO
PD

Sublette - Haskell County
SO

Sumner County - See Wellington

Syracuse - Hamilton County
SO
County Attorney
District Court

Thomas County - See Colby

Tonganoxie - Leavenworth County
PD

Topeka - Shawnee County
SO
PD

Third Judicial District Court Services
Topeka Public Schools, USD #501 Security Police
Topeka State Hospital
Topeka Fire Department, Arson Unit
Municipal Court
City Attorney
District Attorney

Trego County - See WaKeeney

Tribune - Greeley County

SO

District Court

Troy - Doniphan County

SO

County Attorney

PD

Ulysses - Grant County

SO

PD

Valley Center - Sedgwick County

PD

Valley Falls - Jefferson County

PD

Wabaunsee county - See Alma

WaKeeney - Trego County

SO

PD

Wakefield - Clay County

PD

Wallace County - See Sharon Springs

Wamego - Pottawatomie County

PD

Municipal Court

Washington - Washington County

County Attorney

Wellington - Sumner County

SO

PD

County Attorney

Westmoreland - Pottawatomie County

SO

County Attorney

Wellsville - Franklin County

PD

Westwood - Johnson County

PD

Wichita County - See Leoti

Wichita - Sedgwick County

SO

PD

Municipal Court

Dept. of Security and Traffic - Wichita State University

Dept. of Corrections - Division of Community Correctional Services

Wichita Law Department

Wichita Airport Police

Wichita Public Schools, USD #259 - Security Police

District Attorney - 18th Judicial District

Dept. of Emergency Communications

Wilson County - See Fredonia

Winfield - Cowley County

SO

PD

Probation Department

Woodson County - See Yates Center

Wyandotte County - See Kansas City

Yates Center - Woodson County

SO

District Court

OUT-OF-STATEArizona

State Department of Public Safety

Colorado

Burlington - Kit Carson County

SO

Colorado Springs

PD

Iowa

8th Judicial District Court Services Dept.

Missouri

Blue Springs

PD

Kansas City

PD

Excelsior Springs

PD

Jefferson City

Missouri State Highway Patrol

Lake Lotawana

PD

Liberty

PD

Platte City - Platte County

SO

Richmond

PD

Riverside

Dept. of Public Safety

Nebraska

Bellevue

PD

York

Multi County Probation

Lincoln

Nebraska Liquor Control Commission

Papillion

Nebraska State Probation

Oklahoma

Bartlesville

PD

Oklahoma County

SO

Norman

State Probation and Parole Office

State Department of Corrections

Ohio

Warren

Trumbull County Adult Probation

Texas

Amarillo

PD

Dallas

Pre-trial Services - U. S. Courts

060178

Agencies/individuals that have completed a Non-disclosure Agreement for receiving both conviction and non-conviction information on a continuing basis.

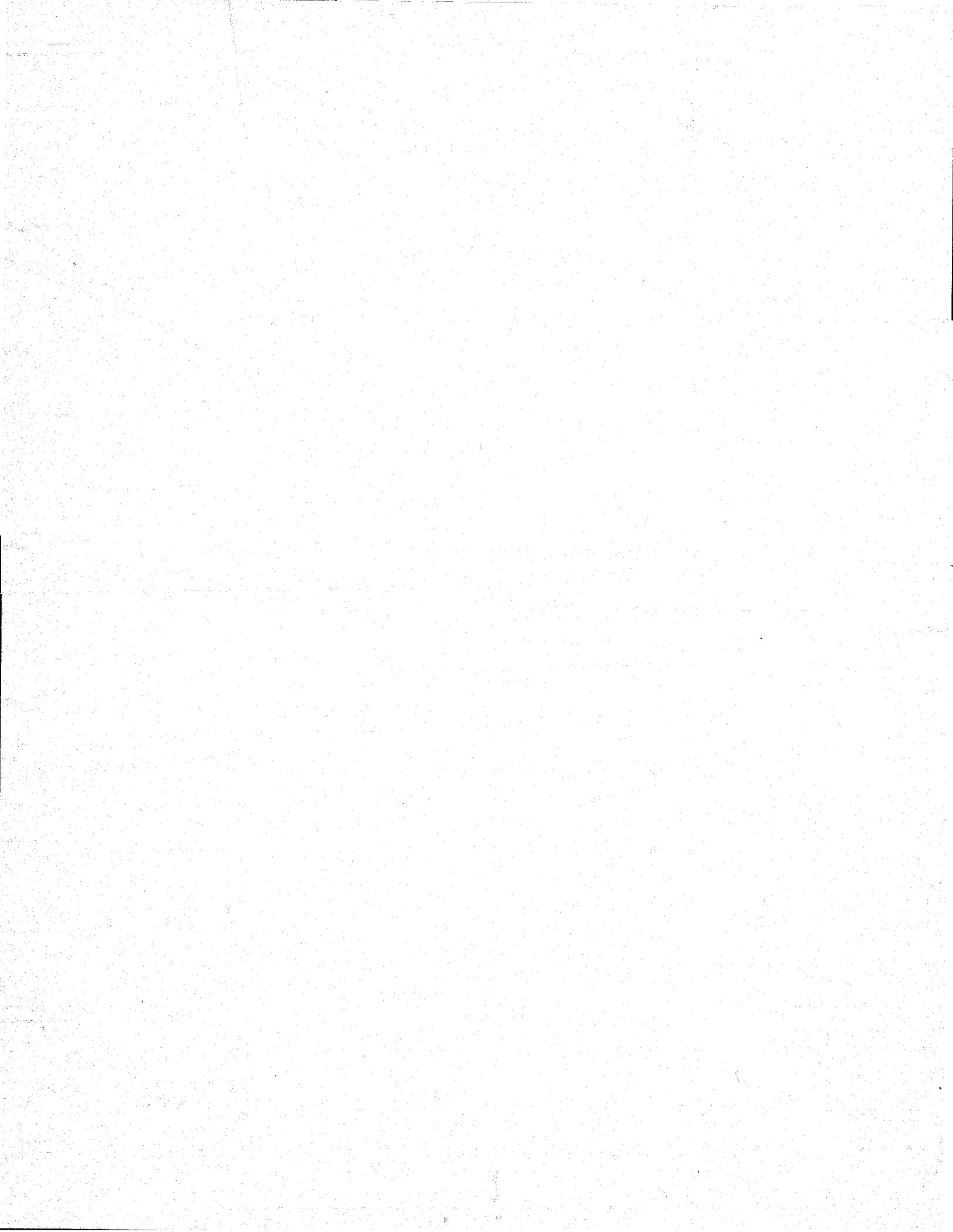
Overland Park, KS
City Manager

U. S. Civil Service Commission

Defense Investigative Service

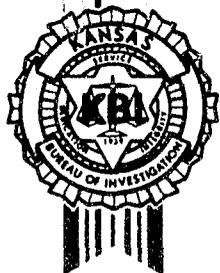
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Southwestern Bell Security
Adjutant General (Kansas National Guard, Air, and Army)
Highway Carriers Assn., Inc. - Kansas City, MO
First National Bank of Topeka
U. S. Army Recruiting Command (Kansas City District)
American Republic Insurance Company
U. S. Navy Recruiting District (Kansas City, MO)
Modern American Life Insurance Co.
U. S. Marine Corps Recruiting
Bendix Corp.
Kansas Board of Agriculture
Research and Data, Inc.
State Dept. of Revenue - Division of Motor Vehicles
Kansas Insurance Department
State Dept. of Health
Legislative Post Audit
National Football League
Parallax Drug Program - Wichita
Pinkerton's - Kansas City Division
Arizona Dept. of Economic Security - Phoenix
Kansas Board of Veterinary Examiners
Wichita Area SRS Office
Kansas Securities Commission
Project DART (Drug Abuse & Research) - Wichita
United Parcel Service



END

SUPPLEMENT



KANSAS BUREAU OF INVESTIGATION

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JUSTICE SERVICES

W. L. ALBOTT
DIRECTOR

Criminal Records Manual Revision #1
February 15, 1978

The attached pages are the first revision to the Kansas Criminal Records Manual. This revision only provides a new section, nine, which constitutes the valid users list needed for criminal history records operations as of March 1, 1978.

A Reader's Comment Form is included in the revision. It may be used to make comments, recommendations, or to inform the KBI of any discovered errors. It is not essential that the form be used, the KBI will be glad to receive comments, criticisms, etc. in any form. Due to time constraints, readers who provided comments following the manual's initial release will not see them implemented until the second revision is issued.

This page should be kept as part of the manual, until the next revision is received. By checking the revision pages when they are received, you can be sure you have not missed a revision, and your manual is up to date.

46466
suppl.

NCJRS

MAR 6 1978

ACQUISITIONS

CRIMINAL RECORDS, MANUAL

READER'S
COMMENT
FORM

Your views about this manual may help improve its usefulness; this form will be sent to the author for appropriate action. Using this form to request assistance or additional publications will delay responses, however. For more direct handling of such request, please contact your KBI agent or the KBI office serving your locality.

Possible topics for comment are:

Clarity - Is the manual clear and easy to understand?

Accuracy - Did you find any errors in the manual:

Completeness - Are you aware of any additional information or forms that should be included?

Organization - Could the manual be put together in a more effective way?

Index - Could the index be expanded, how would it be organized?

Examples - How can the forms examples be improved?

Legibility - Are there any problems with physically reading the manual?

What is your position? _____

Number of latest revision (if any) concerning this publication _____

Please indicate if you wish a reply _____ YES _____ NO

If yes: NAME _____

ADDRESS _____

Thank you for your cooperation.

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CHRI
VALID USERS LIST

PART I

Criminal Justice Agencies that have completed either a Kansas CHRI Agreement or Certificate of Agreement, for both conviction and non-conviction data.

FEDERAL

Federal Bureau of Investigation
U. S. Marshall's Service
U. S. Probation Office - Missouri District
U. S. Probation Office - Kansas District
U. S. Secret Service
U. S. Customs
U. S. Civil Service Commission
Federal Aviation Administration

STATE

Kansas Bureau of Investigation
Attorney General
State Security Hospital - Larned
Department of Corrections
State Fire Marshal
Kansas Animal Health Department - Livestock Brand Division
Kansas Department of Revenue - Alcoholic Beverage Control Div.
Kansas Highway Patrol
State Park and Resources Authority
Security and Special Service Dept. - Union Pacific Railroad
Special Service Dept. - Kansas City Southern Railroad
Santa Fe Railway Police
Rock Island Railroad Police
Missouri-Pacific Railroad Police

LOCAL

Abilene - Dickinson County

SO

PD

Allen County - see Iola

Alma - Wabaunsee County

SO

Anderson County - see Garnett

Andover - Butler County

PD

Anthony - Harper County

SO

PD

County Attorney

Arkansas City - Cowley County

PD

Ashland - Clark County

SO

Atchison - Atchison County

SO

PD

Barber County - see Medicine Lodge

Barton County - see Great Bend

Belle Plaine - Sumner County

PD

Belleville - Republic County

SO

PD

Beloit - Mitchell County

SO

PD

Bonner Springs - Wyandotte County

PD

Bourbon County - see Fort Scott

Brown County - see Hiawatha

Burlington - Coffey County

SO

PD

District Court

Burr Oak - Jewell County
City Marshall

Butler County - See El Dorado

Carbondale - Osage County
PD

Cawker City - Mitchell County
PD

Chanute/Erie - Neosho County
County Attorney
PD
Probation/Parole Office

Chase County - See Cottonwood Falls

Chautauqua County - See Sedan

Cherokee County - See Columbus

Cherryvale - Montgomery County
PD

Chetopa - Labette County
Municipal Court

Cheyenne County - See St. Francis

Cimarron - Gray County
SO
PD

Claflin - Barton County
PD

Clark County - See Ashland

Clay County - See Clay Center

Clay Center - Clay County
SO
PD
County Attorney
City Attorney
Clerk of District Court

Clearwater - Sedgwick County
PD

Cloud County - See Concordia

Coffey County - See Burlington

Coffeyville - Montgomery County
PD
City Prosecutor
Municipal Court

Colby - ,Thomas County
SO
PD

Coldwater - Comanche County
SO

Columbus - Cherokee County
SO
PD
County Attorney

Comanche County - See Coldwater

Concordia - Cloud County
SO
PD

Conway Springs - Sumner County
PD

Cottonwood Falls - Chase County
SO
County Attorney
Municipal Court

Council Grove - Morris County
SO
PD

Cowley County - See Winfield

Crawford County - See Pittsburg

Decatur County - See Oberlin

Derby - Sedgwick County
PD

Dickinson County - See Abilene

Dighton - Lane County
SO

Dodge City - Ford County
SO
PD

Doniphan County - See Troy

Douglas County - See Lawrence

Edwards County - See Kinsley

Edwardsville - Wyandotte County

PD

Effingham - Atchison County

PD

El Dorado - Butler County

Department of Public Safety

SO

County Attorney

Ellinwood - Barton County

PD

Ellis - See Hays

Ellsworth - Ellsworth County

SO

Emporia - Lyons County

SO

PD

Emporia State University PD

Erie - Neosho County

SO

Eureka - Greenwood County

SO

PD

County Attorney

Municipal Court

Fairway - Johnson County

PD

Municipal Court

Finney County - See Garden City

Ford County - See Dodge City

Franklin County - See Ottawa

Frankfort - Marshall County

PD

Fredonia - Wilson County

SO

PD

Ft. Riley - Geary County

Provost Marshall

Ft. Scott - Bourbon County

SO

PD

Galena - Cherokee County
PD

Garden City - Finney County
SO
PD
County Attorney
Municipal Court

Gardner - Johnson County
PD

Garnett - Anderson County
SO
PD
District Court

Geary County - See Junction City

Goodland - Sherman County
PD

Gove - Gove County
SO

Graham County - See Hill City

Grandview Plaza - Geary County
PD
City Marshall
Municipal Court

Grant County - See Ulysses

Gray County - See Cimarron

Great Bend - Barton County
SO
PD

Greeley County - See Tribune

Greensburg - Kiowa County
SO

Greenwood County - See Eureka

Halstead - Harvey County
PD
Municipal Court

Hamilton County - See Syracuse

Harper County - See Anthony

Harvey County - See Newton

Haskell County - See Sublette

Hays - Ellis County
SO
PD
Fort Hays State University PD

Herington - Dickinson County
PD

Hesston - Harvey County
PD
City Attorney
Municipal Court

Hiawatha - Brown County
SO
PD

Hill City - Graham County
SO
PD

Hodgeman County - See Jetmore

Hugoton - Stevens County
SO
PD

Hutchinson - Reno County
SO
City Fire Marshall

Hutchinson (South) - Reno County
PD

Hoisington - Barton County
PD

Holton - Jackson County
SO

Hope - Dickinson County
PD

Howard - Elk County
SO

Hoxie - Sheridan County
SO

Independence - Montgomery County
SO

Iola - Allen County
SO
PD
District Court

Jackson County - See Holton

Jefferson County - See Oskaloosa

Jetmore - Hodgeman County
SO

Jewell - Jewell County
PD

Jewell County - See Mankato

Johnson - Stanton County
SO

Johnson County - See Olathe

Junction City - Geary County
SO
PD

Kansas City - Wyandotte County
SO
PD
Wyandotte County Park PD
Wyandotte County Probation Office

Kearney County - See Lakin

Kingman - Kingman County
SO
PD
Municipal Court

Kinsley - Edwards County
SO
PD

Kiowa - Barber County
PD

Kiowa County - See Greensburg

Labette County - See Oswego

LaCrosse - Rush County
SO
PD
District Magistrate Judge

Lana County - See Dighton

Lake Quivia - Johnson/Wyandotte Counties
PD

Lakin - Kearney County
SO
County Attorney
Clerk of District Court

Lansing - Leavenworth County
PD

Larned - Pawnee County
PD
County Attorney

Lawrence - Douglas County
SO
PD
Douglas County Corrections
University of Kansas PD

Lebo - Coffey County
Municipal Court

Lenexa - Johnson County
PD

Leavenworth - Leavenworth County
SO
PD
County Attorney

Leawood - Johnson County
PD

Leoti - Wichita County
SO

Lewis - Edwards County
PD

Liberal - Seward County
SO
PD

Lincoln - Lincoln County
SO

Lindsborg - McPherson County
City Attorney

Linn County - See Mound City

Logan County - See Oakley

Louisburg - Miami County
Municipal Court

Lyon County - See Emporia

Lyons - Rice County

SO

PD

Lyndon - Osage County

SO

PD

District Court

Macksville - Stafford County

PD

Madison - Greenwood County

PD

Manhattan - Riley County

PD

County Attorney

City Prosecutor

Municipal Court

Dept. of Security and Traffic-Kansas State University

Mankato - Jewell County

SO

PD

Marion - Marion County

SO

County Attorney

Marshall County - See Marysville

Marysville - Marshall County

SO

PD

City Attorney

Municipal Court

McLouth - Jefferson County

PD

McPherson - McPherson County

SO

PD

Meade - Meade County

SO

Medicine Lodge - Barber County

SO

PD

Meriden - Jefferson County

PD

Merriam - Johnson County
PD

Miami County - See Paola

Minneapolis - Ottawa County
SO

Mission - Johnson County
PD

Mitchell County - See Beloit

Montezuma - Gray County
Municipal Court

Montgomery County - See Independence

Morris County - See Council Grove

Morton County - See Elkhart

Mound City - Linn County
SO

Mulvane - Sumner County
PD

Nemaha County - See Seneca

Neodesha - Wilson County
PD

Neosha County - See Erie/Chanute

Ness County - See Ness City

Ness City - Ness County
SO
PD
County Attorney

Newton - Harvey County
SO
PD
District Court

Norton - Norton County
SO

Nortonville - Jefferson County
PD

Oakley - Logan County

SO

PD

Municipal Court

Oberlin - Decatur County

SO

Olathe - Johnson County

SO

PD

District Attorney

Johnson County Park Police

Courts Program for Alcohol Related Cases

Osage County - See Lyndon

Osawatomie - Miami County

Dept. of Public Safety

City Attorney

Osborne - Osborne County

SO

County Attorney

Oskaloosa - Jefferson County

SO

Oswego - Labette County

SO

Ottawa County - See Minneapolis

Ottawa - Franklin County

Dept. of Public Safety

District Court

SO

Overland Park - Johnson County

PD

Municipal Court

City Attorney

Oxford - Sumner County

PD

Paola - Miami County

SO

PD

Parsons - Labette County

PD

Pawnee County - See Larned

Peabody - Marion County

PD

Phillips County - See Phillipsburg

Phillipsburg - Phillips County
SO

Pittsburg - Crawford County
PD
County Attorney

Plains - Meade County
PD

Plainville - Rooks County
PD

Pottawatomie County - See Westmoreland

Prairie Village - Johnson County
PD
Municipal Court

Pratt - Pratt County
SO
PD
County Attorney
District Court

Quenemo - Osage County
PD

Quinter - Gove County
SC

Randall - Jewell County
PD

Rawlins County - See Atwood

Reno County - See Hutchinson

Republic County - See Belleville

Rice County - See Lyons

Riley County - See Manhattan

Roeland Park - Johnson County
PD

Rooks County - See Stockton

Rush County - See LaCrosse

Russell - Russell County

PD

Sabetha - Nemaha County

PD

Municipal Court

Salina - Saline County

SO

PD

Saline County - See Salina

Scott County - See Scott City

Scott City - Scott County

SO

PD

Scranton - Osage County

PD

Sedan - Chautauqua County

SO

PD

Sedgwick County - See Wichita

Sedgwick - Harvey County

PD

Seneca - Nemaha County

SO

PD

Seward County - See Liberal

Sharon Springs - Wallace County

SO

County Attorney

District Court

Shawnee County - See Topeka

Shawnee - Johnson County

PD

Sheridan County - See Hoxie

Sherman County - See Goodland

Silver Lake - Shawnee County

PD

Smith County - See Smith Center

Smith Center - Smith County

SO

Solomon - Dickinson County
PD

Spring Hill - Johnson County
PD

St. Francis - Cheyenne County
SO
PD

St. John - Stafford County
SO

Stafford County - See St. John

Stanton County - See Johnson

Stevens County - See Hugoton

Sterling - Rice County
PD

Stockton - Rooks County
SO
PD

Sublette - Haskell County
SO

Sumner County - See Wellington

Syracuse - Hamilton County
SO
County Attorney

Thomas County - See Colby

Tonganoxie - Leavenworth County
PD

Topeka - Shawnee County
SO
PD
Third Judicial District Court Services
Topeka Public Schools, USD #501 Security Police
Municipal Court
City Attorney

Trego County - See WaKeeney

Tribune - Greeley County
SO

Troy - Doniphan County
SO
County Attorney
City Marshall

Ulysses - Grant County
SO
PD

Valley Center - Sedgwick County
PD

Wabaunsee County - See Alma

WaKeeney - Trego County
SO
PD

Wakefield - Clay County
PD

Wallace County - See Sharon Springs

Wamego - Pottawatomie County
PD
Municipal Court

Washington - Washington County
County Attorney

Wellington - Sumner County
SO
PD

Westmoreland - Pottawatomie County
SO

Wellsville - Franklin County
PD

Westwood - Johnson County
PD

Wichita County - See Leoti

Wichita - Sedgwick County
SO
PD
Municipal Court
Dept. of Security and Traffic-Wichita State University
Dept. of Corrections-Div. of Community Correctional Services
Wichita Law Department
Wichita Airport Police

Wilson County - See Fredonia

Winfield - Cowley County

SO

PD

Probation Department

Woodson County - See Yates Center

Wyandotte County - See Kansas City

Yates Center - Woodson County

SO

District Court

OUT-OF-STATEColorado

Burlington - Kit Carson County
SO

Iowa

8th Judicial District Court Services Dept.

Missouri

Blue Springs
PD

Kansas City
PD

Platte City - Platte County
SO

Riverside
Dept. of Public Safety

Lake Lotawana
PD

Richmond

Excelsior Springs
PD

Liberty
PD

Nebraska

Bellevue
PD

York
Multi County Probation

Oklahoma

Bartlesville
PD

Oklahoma County
SO

Texas

Amarillo
PD

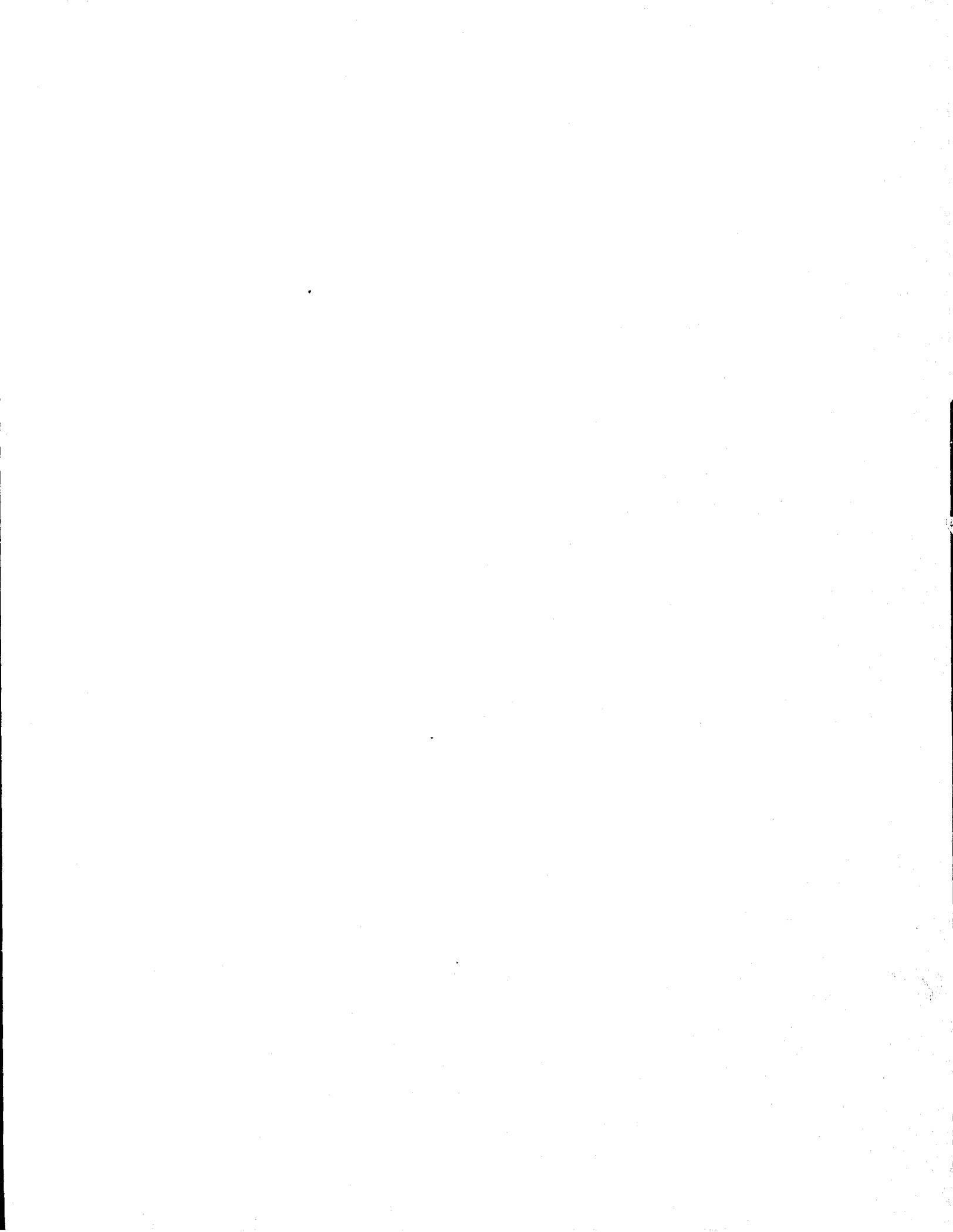
Dallas
Pre-trial Services - U. S. Courts

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Overland Park, KS
City Manager

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First National Bank of Topeka
U. S. Army Recruiting Command (Kansas City District)
Defense Investigative Service
American Republic Insurance Company
U. S. Navy Recruiting District (Kansas City, MO)
Modern American Life Insurance Co.
U. S. Marine Corps Recruiting



END

SUPPLEMENT