

**North Carolina Criminal Justice Information Network Governing Board Report**

**Submitted to the**

**Senior Chair, Chairs, Co-Chairs, and Vice Chairs of the  
Senate and House Appropriations Committees**

**and the**

**Chairs, Co-Chairs, and Vice Chairs of the  
Senate and House Appropriations Subcommittees on Justice and Public Safety**

**April 2012**

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## Executive Summary

The Criminal Justice Information Network (CJIN) Governing Board created pursuant to Section 23.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session shall report by April 1<sup>st</sup> of each year, to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Appropriations subcommittees on Justice and Public Safety, and the Fiscal Research Division of the General Assembly on:

- The operating budget of the Board, the expenditures of the Board as of the date of the report, and the amount of funds in reserve for the operation of the Board; and
- A long-term strategic plan and the cost analysis for statewide implementation of the Criminal Justice Information Network. For each component of the Network, the initial cost estimate of the component, the amount of funds spent to date on the component, the source of funds for expenditures to date, and a timetable for completion of that component, including additional resources needed at each point.

The 2012 CJIN Annual Report contains the Board's recommendations based on workshops, discussions, and presentations over the last year. One of the main objectives was to evaluate and identify enterprise solutions that were compatible with on-going projects but did not require substantial funding. The Board also addressed and resolved numerous action items that were brought to the Board's attention from a variety of sources. All of the Board's recommendations and action items are contained in the Section entitled "Strategic Direction and Recommendations."

During 2011-2012, the CJIN Board addressed various strategic issues facing the criminal justice community; Interconnecting two Regional Information Sharing Systems, DNA Expunction, Scrap Metal Dealers, Impact of Next Generation 911 on Electronic Discovery, Mobile Data and Smart Phone Applications, Crime Mapping, Electronic Interface to NCAWARE, Two-Factor Authentication, DMV's Interface to Crash Systems,

The Board continues to recommend the adoption of information exchange standards. After extensive research coupled with partnerships with both the local law enforcement agencies and their Record Management System (RMS) Vendors, the CJIN Board recommended the adoption of data exchange standards within the State of North Carolina. Adopting a specific standard will not only potentially save law enforcement tens of millions of dollars in the future but more importantly it will provide the criminal justice community with an abundance of actionable information that is not currently available to most agencies today. Furthermore, to our knowledge, North Carolina would be the first state to deploy such a strategy and this practice could be extended to other applications both within and outside of criminal justice. A section of this report is dedicated to the Board's Updated Information Sharing Initiative. Additionally, the CJIN staff has been working with numerous state and local agencies on an information sharing initiative designed for law enforcement agencies that are not automated and cannot afford the required equipment.

The Board was directed to study the feasibility of creating an automated pawn transaction database system as part of the Criminal Justice Information Network. The Board submitted the results of this study in April 2010. To facilitate this study, the CJIN Board conducted workshops

with county and municipal law enforcement agencies, information technology professionals, pawnshop owners, pawnshop lobbyists, and vendors operating in North Carolina. A significant portion of two CJIN Board meetings were dedicated to presentations and discussions regarding the study. Additionally, the CJIN staff reviewed numerous other studies that were completed by other states and participated in conversations with personnel from those states. What we did not know, and learned in the process of performing the study, was that for an incremental increase in technology coupled with legislative changes that would extend past the pawn industry to potentially include scrap metal, precious metals, secondhand dealers, etc. would have a far greater impact on reducing property crime in the State of North Carolina. Included in this report is an updated version of 2010 report. At our February 2012 Meeting, Senator Wesley Meredith shared with the Board his vision of regulating second-hand dealers that deal in cash along with his 2011 Cash Converters Bill; that is now law. The undertaking of a study of Scrap Metal should be available in the near future; an overview of this study is presented in this report.

The report also contains background information regarding the Governing Board and the membership, an update on criminal justice activities, a proposed strategic direction, and research derived from federal, state and local government initiatives that could be utilized within the state, recognition of personnel providing assistance, and a review of our 2011 opportunities.

The General Appropriations Committee, the Appropriations Justice and Public Safety Subcommittee, and the Joint Legislative Correction, Crime Control, and Juvenile Justice Oversight Committee have historically relied upon the CJIN Board to undertake high profile initiatives, requested cost allocation reports with recommendations, and allowed the Board to provide technical demonstrations. The CJIN Board has provided various presentations to the Joint Legislative Oversight Committee on Information Technology. On December 12, 2011 the Chair of the Board presented to the Joint Legislative Oversight Committees on Health and Human Services and the Legislative Oversight Committee on Information Technology the concept of providing mental health facilities with criminal history.

The CJIN Board has successfully installed a statewide criminal justice infrastructure that has made information sharing a possibility – their implemented projects included mobile voice & data, fingerprinting, court and juvenile justice applications, along with access to federal data bases. The CJIN Board is by far the most knowledgeable cross-section of criminal justice professionals assembled in North Carolina and possesses a proven track record of success. Because most statewide projects cross over the jurisdictional boundaries between the Judicial and the Executive branches, the membership of the CJIN Board is well represented by both sides and has a history of success in working together.

In summary, the Board is comprised of 21 members appointed by the Governor, Chief Justice, Speaker of the House, Senate President, Attorney General, and State Chief Information Officer. It is the background of these members that has made all the aforementioned projects and the ones highlighted in this report a success – Six Chief Information Officers/IT Directors, four from law enforcement, six Officers of the Court, three general public, DMV Commissioner, and Chief of Staff with Juvenile Justice.

## Strategic Direction & Recommendations

In keeping with our objectives, the CJIN Board adopted a strategic direction that addressed numerous initiatives over the last several years. These initiatives and the actions of the Board are outlined below:

At the October 13, 2011 Board meeting, the members approved the interface between two incident-based systems within North Carolina (based on receiving the cost summaries) – Interfacing Charlotte/Mecklenburg’s COPLINK System (55 Agencies) to the Naval Criminal Investigative Services (NCIS) LInX System (60 Agencies). Prior to making a decision, the Board received several presentations and participated in a lengthy decision with personnel from NCIS, Jacksonville PD, Northrop Grumman, Charlotte/Mecklenburg PD, i2 COPLINK, and Horry County, SC. The regional local arrest/incident reporting systems, when interfaced, will serve appropriately 50% of the State.

At the February 23, 2012 Board meeting, the members directed the CJIN staff to work with the law enforcement agencies across the state to study the impact, if any, that the Scrap Metal business is having on property crime. The staff is working with numerous law enforcement agencies, other states, several members of the legislature, the electric utilities in NC, the telecommunication companies, etc. The study will be done in a similar manner as the Pawn Transaction Study and will contain recommendations.

Additionally, at the February 23, 2012 Board meeting, the members received an overview along with some insight into one of the challenges facing the District Attorneys – Expunging DNA. As a follow-up to this issue, the Board received a presentation at the March 29, 2012 Board meeting. After discussions the board agreed to recommend handling DNA Expunction in the same manner as other states.

At the October 14, 2010 Board meeting, the members approved the following Local Law Enforcement Information Sharing recommendations:

- Adopt a specific data standard to be used for Record Management System (RMS) Vendors to exchange information with a designated repository;
- Allow the local law enforcement agencies and the regional systems to begin exchanging information with a federal agency (to be determined – FBI or NCIS);
- Request that each RMS Vendor select one of their North Carolina Law Enforcement Agencies and implement an operational data standard with a federal agency (to be determined – FBI or NCIS) as a proof of concept; and
- Redirect the routing of information from the selected federal agency back to the SBI when the state repository becomes fully operational.

The Pawn Transaction Study Report was approved by the Board on March 18, 2010 with the following Study Recommendation:

- What we did not know and learned in the process of performing the study was that for an incremental increase in technology coupled with legislative changes that would extend past the pawn brokers to potentially include scrap metal, precious metals, secondhand dealers, etc. would have a far greater impact on reducing property crime in the State of North Carolina.

- For this reason, the CJIN Board respectfully requests the Oversight Committee consider allowing the Board to broaden the original study.

Note: There are numerous other states that are either in the process of studying this or have recently implemented similar legislation.

At the March 18, 2010 Board meeting, the members agreed to support SB-144 which requires Cash Converter Businesses to keep records of purchases and to make those records available to local law enforcement.

Based on all the presentations, workshops, and input from the criminal justice community, the CJIN Board supports the following recommendations, initiatives, and projects:

- Deploy national standards for information sharing especially the ones that are already being utilized and proven to be successful, which will result in a decrease in operating costs and cost avoidance in the tens of millions, viable candidates include Local Law Enforcement Record Management Systems (RMS), Jail Management Systems (JMS), Traffic Crash Systems, etc.;
- Utilize and enhance existing systems prior to spending millions of dollars on the development of new systems, especially if the existing systems are very successful; example, expand the use of NCIS's Law Enforcement Information Exchange (LInX). The LInX System has a proven track record within the NC Local Law Enforcement community; therefore, this system should be expanded and interconnected with other state and federal agencies;
- Continue the Board's partnerships with NC businesses that assist law enforcement agencies; Pawn Brokers, RMS/JMS Vendors, Crime Mapping Vendors, etc.;
- Continue to support the Electronic Discovery Project; assist the District Attorneys, the Administrative Office of the Courts, the State Bureau of Investigation, the local law enforcement agencies, etc.;
- Investigate the possibility of securing federal funding for using North Carolina as a candidate for a statewide broadband network similar to the San Francisco/Bay Area which was the selected candidate for a regional solution;
- Continue to support the expansion of the CJLEADS Project; and
- Continue to support the expansion of the NCAWARE Project.
- Continue to support the SBI's project – NC DEx; which is still in the process of being developed.

The CJIN Board is committed to exploring opportunities that will enhance the Criminal Justice Community.

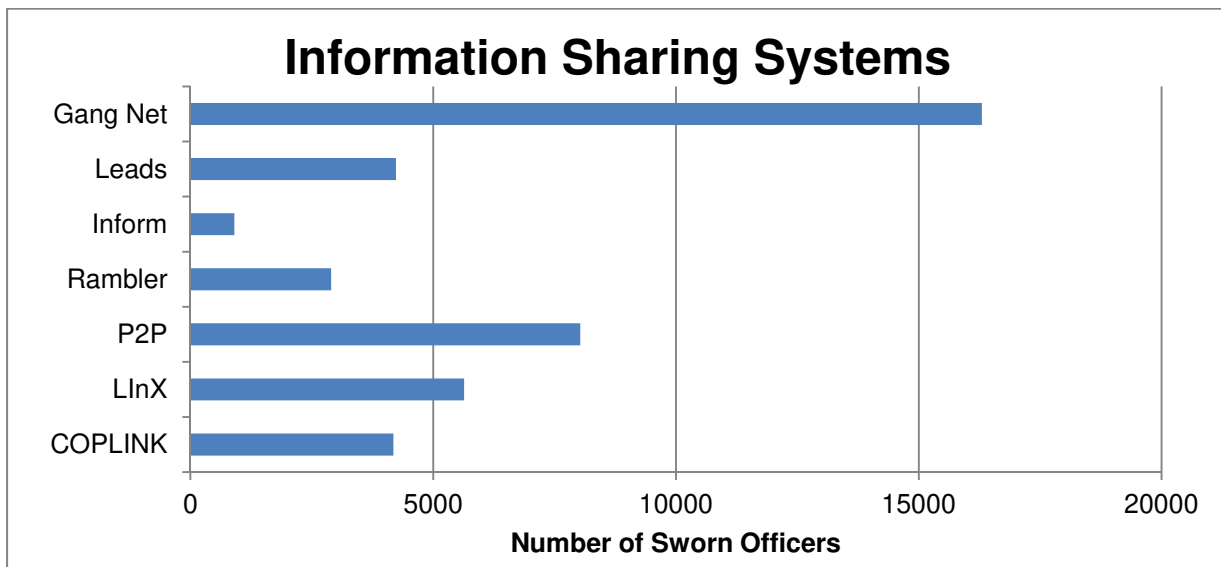
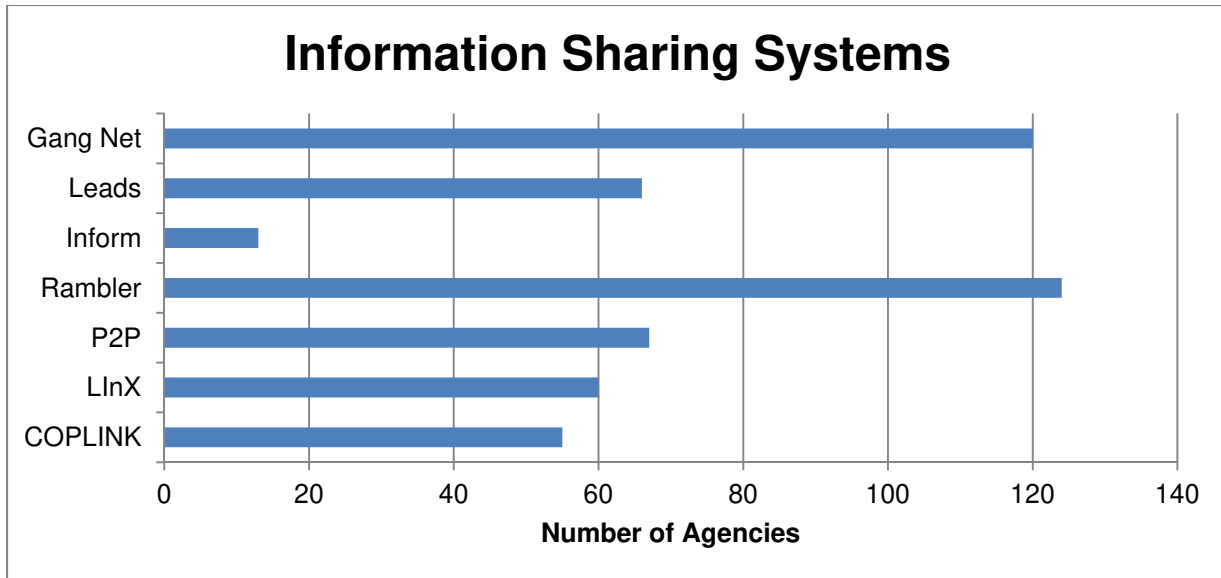
During the last year, the CJIN Board had the opportunity to coordinate with various agencies the resolution of numerous action items; the following items represent a sample of these:

- Provide the District Attorneys and the Assistant District Attorneys with access to the Division of Motor Vehicles database; the request from the DAs was completed based on the assistance of the Office of the State Controller, the CJLEADS Project Team, and the DMV Commissioner.
- Provide the RMS Companies with an electronic interface and a regular download of the NCAWARE database; the Administrative Office of the Courts has successfully provided the RMS Vendors with a nightly download of the warrants and they are considering an electronic interface in their future plans.
- Provide mental health facilities with access to criminal records; the Attorney's General Office assisted the CJIN Staff and the forensic facility that handles the pretrial evaluations has been contacted.
- Provide the DA's Office with more information technology functionality; the Administrative Office of the Courts resolved the issues of remote access to ACIS, the viewing of video evidence, and added several future enhancements to their NCAWARE Project.
- Based on requests and clarification from numerous criminal justice agencies, the CJIN Board requested and received a comprehensive presentation from the Federal Bureau of Investigation (FBI) on the subject of two-factor authentication. The power point provided by the FBI was made available to agencies and will be posted on our new website with the Office of Information Technology Services.
- Based on requests regarding future discoverable items (text & video) from next generation 911, the executive director of the NC 911 Board provided the members with a comprehensive presentation of the possibilities for processing and storing text and video. The CJIN Board is very interested in the handoff of this possible evidence to criminal justice and the impact that it could have on the Administrative Office of the Courts Electronic Discovery Project.
- During the Board's workshops with the RMS vendors, the subject of Geographical Information Systems was mentioned on various occasions. For this reason and to provide the members with a better understanding of the NC-One Map, the Board requested and received a comprehensive presentation from the Executive Director of the North Carolina Center for Geographic Information and Analysis; a download of this information is free.

#### CJIN's Criminal Justice Data Base

The CJIN Board started collecting information several years ago. The data elements are outlined in Criminal Justice Information Sharing Section of this report.

Based on the data collected, the following information sharing systems were identified (based on the number of agencies using the system and the number of sworn officers in the agency).



The criminal justice data base is still being developed; therefore, systems such as CJLEADS, NCAWARE, CJIN Mobile Data, DAS, etc. are being added on a per agency/sworn officer basis. There are approximately 550 agencies and 22,000 sworn officers within North Carolina and it is important that we ensure that these valuable systems reach these officers and not just their agency.

At some point, we need to perform traffic studies to determine the value of each one of these systems. Usage is very important as we move toward integration, web services, single sign-on, advanced authentication, etc. because it will allow us to prioritize projects and allocate expenditures based on return on investment.



## Background

The North Carolina Criminal Justice Information Network (CJIN) initiative is a project which will allow the sharing of information between state and local criminal justice agencies.

During the 1994 Special Crime Session, the North Carolina General Assembly created the CJIN Study Committee and appropriated monies to study and develop a plan for a statewide criminal justice information network. The CJIN Study Final Report, dated April 7, 1995, outlined a comprehensive strategic plan that provided the vision for the statewide Criminal Justice Information Network in North Carolina. Based on recommendations and strategies identified in the plan, the General Assembly established the Criminal Justice Information Network (CJIN) Governing Board in Section 23.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session.

North Carolina is recognized today in the nation as one of the leading states in developing a statewide criminal justice infrastructure. Our success is due directly in part to the North Carolina General Assembly recognizing the need for further coordination and cooperation between state and local agencies in establishing standards for sharing of criminal justice information.

The CJIN Governing Board created the following vision:

*To develop a statewide criminal justice information network in North Carolina that will enable a properly authorized user to readily and effectively use information, regardless of its location in national, state, or local databases.*

The Governing Board has built an outstanding reputation for successfully implementing statewide programs. This success can be directly attributable to the hard work and dedication of the board members along with their experience and diversity. The composition of the board is made up of professionals from the state, county, and municipal levels representing law enforcement, the court system, corrections, juvenile justice, information technology, and the public.

### Study Final Report Findings

The North Carolina Legislature, during their 1994 Special Crime Session, created a 'Blue Ribbon' Study Committee to identify alternative strategies for developing and implementing a statewide criminal justice information network in North Carolina that would permit the sharing of information between state and local agencies. An examination of the state's current criminal justice information systems revealed the following deficiencies:

- It takes too long to positively identify persons. From fingerprints to photographs, information is scattered across different databases and filing systems.
- A single, comprehensive source for a person's criminal history is not available in North Carolina. Bits and pieces must be assembled on each individual, causing valuable time to be wasted on information collection.
- There is no single source of outstanding warrants. A person wanted in one county could be stopped in another while the officer has no knowledge of an outstanding warrant. This situation compromises public and officer safety.

- Data is entered excessively and redundantly. There is no single, centralized location for all information and records so data is entered and reentered over and over again into separate databases using different coding systems.
- There is no statewide, interagency mobile voice and data communications system. Officers cannot talk to their counterparts across their own county, much less to those across the state.

### Study Final Report Recommendations

The CJIN Study Committee outlined the following major recommendations for removing these barriers that hindered the establishment and implementation of a comprehensive criminal justice information network. These recommendations also took into account the major building blocks for a statewide criminal justice information network that were already in place in 1995.

- Establish a CJIN Governing Board to create, promote, and enforce policies and standards.
- Adopt system architecture standards, end-user upgrades, and system security standards to facilitate movement of data between systems.
- Establish data standards for sharing information, including common definitions, code structures, and formats.
- Implement Live Scan digitized fingerprint systems and Statewide Automated Fingerprint Identification System (SAFIS) technology to accomplish positive fingerprint identification within two hours of arrest.
- Implement a statewide magistrate system to streamline the process of warrant and case creation.
- Build a statewide warrant repository that contains all new and served warrant information.
- Implement a statewide fingerprint-based criminal history that includes all arrests and dispositions.
- Build a statewide identification index that includes information from all state and local agencies, as well as necessary linkages to federal justice agencies.
- Establish standards for, and implement a mobile voice and data communication network that allows state and local law enforcement and public safety agencies to communicate with each other, regardless of location within the state.

### Participants

CJIN is comprised of state, local, public and private representatives. The Department of Public Safety (Division of Correction, the Division of Law Enforcement, & the Division of Juvenile Justice and Delinquency Prevention), the Administrative Office of the Courts, the Division of Motor Vehicles, and the State Chief Information Officer are participating CJIN state agencies. Local representation includes Police Chiefs, Sheriffs, County Commissioners, County Information System Directors, North Carolina Chapter of Public Communications Officials International, Court Clerks of Superior Court, Judges, District Attorneys, general public appointments by the Speaker of the House of Representatives and President Pro Tempore of the Senate, and the North Carolina Local Government Information System Association (NCLGISA).

### Initiatives

The following CJIN initiatives evolved from the CJIN Study Final Report Recommendations:

- Voice Interoperability Plan for Emergency Responders (VIPER)
- Statewide Automated Fingerprint Identification System (SAFIS)
- CJIN-Mobile Data Network (CJIN-MDN)
- North Carolina Juvenile Online Information Network (NC-JOIN)
- Statewide Magistrate System
- End-User Technology
- CJIN Network Security
- CJIN Data Sharing Standards

## **Governing Board**

Section 23.3 of Chapter 18 of the Session Laws of the 1996 Second Extra Session established the Criminal Justice Information Network Governing Board within the Department of Justice (DOJ) for administrative and budgetary purposes. Section 17.1.(a) of the Session Law 2003-284 House Bill 397 transferred CJIN to the Department of Crime Control and Public Safety (DCC&PS). The CJIN Governing Board is established within the DCC&PS for organizational and budgetary purposes only and the Board exercises all of its statutory power independent of control by the DCC&PS.

### **CJIN Governing Board Membership**

There are twenty-one legislatively defined members on the Board. The CJIN Executive Director serves as an advisory member to the Board and is supported by an Administrative Assistant. There is also an ex-officio advisory member that represents the local city and county Information System (IS) directors.

Mr. Robert Brinson, Department of Public Safety, Chief Information Officer, was re-elected as the CJIN Chair and Mr. Bill Stice, Town of Cary, Technology Service Director, resigned as the Vice Chair. The Board has an open action item to elect a Vice Chair.

The CJIN Web Site reflects almost all of the presentations provided at each meeting, all CJIN reports, minutes of all the meetings, board membership, projects, and other relevant CJIN activities. A CJIN email address is available for questions on CJIN operations. Based on all the presentations and workshops over the last two years an information sharing section was added to the Web Site that reflects projects from the federal, state, and local levels – power point presentations, handouts, contact information, etc. Within the next month, the web site will be relocated to the Office of Information Technology Services Home Page. The CJIN Staff applied for and received a new domain name for the CJIN Site; [www.cjin.nc.gov](http://www.cjin.nc.gov).

### **CJIN Governing Board Financials**

Office of Information Technology Services  
Criminal Justice Information Network  
Period Ending: February 29, 2012

Authorized Budget – Purchased Services	\$18,542.00
Balance to Date	\$15,822.16

Note: Does not contain expenditures for Web Site (\$5,000), Office Supplies (\$750), Board Travel (March & possibly June - \$2,000), and computer & telecommunication support for remainder of the fiscal year (\$1,800).

## CJIN Governing Board

Appointed By	Description	Current Member
Governor	Employee of Department of Crime Control & Public Safety	Captain Robert West, NC State Highway Patrol
Governor	Director or employee of State Correction Agency	Robert Brinson, CIO, Dept. of Public Safety
Governor	Representative recommended by the Association of Chiefs of Police	Chief Glen Allen, City of Clayton P.D.
Governor	Employee of Department of Juvenile Justice and Delinquency Prevention	David Jones, Deputy Secretary
Governor	Employee of Division of Motor Vehicles	Commissioner Mike Robertson
General Assembly	Representative of general public, recommended by the President Pro Tempore of the Senate	Robert Lee
General Assembly	Representative of general public, recommended by the President Pro Tempore of the Senate	Doug Logan, Emergency Management Coordinator, Granville County
General Assembly	Individual who is member of or working directly for the governing board of a NC municipality and recommended by President Pro Tempore of the Senate	Crystal Cody, Program Manager, Charlotte/Mecklenburg PD
General Assembly	Representative of the general public, recommended by the Speaker of the House of Representatives	Victor Watts
General Assembly	Representative of the general public, recommended by the Speaker of the House of Representatives	Norlan Graves, ADA, Halifax County
General Assembly	Individual who is a working member of or working directly for the governing board of a NC county, recommended by the Speaker of the House of Representatives	Todd Jones, Orange County, Chief Information Officer
Attorney General	Employee of the Attorney General	Renee Robinson, Assistant Director, SBI
Attorney General	Representative recommended by the Sheriffs' Association	Sheriff Dewey Jones , Person County
Chief Justice, Supreme Court	Director or employee of the Administrative Office of the Courts	Basil McVey, Chief Information Officer, AOC
Chief Justice, Supreme Court	Clerk of the Superior Court	Honorable Mike McArthur, Chowan County
Chief Justice, Supreme Court	Judge, trial court of the General Court of Justice	Honorable Henry "Chip" Hight, Jr., Superior Court Judge, District 9
Chief Justice, Supreme Court	Judge, trial court of the General Court of Justice	Honorable H. Thomas Jarrell, Jr., District Court Judge, Judicial District 18
Chief Justice, Supreme Court	District Attorney	Al Williams, Sr. Assistant District Attorney, Judicial District 28
Chief Justice, Supreme Court	Magistrate	Eric Van Vleet, Durham County
State Chief Information Officer	Appointment by the State Chief Information Officer	George Bakolia, Deputy State Chief Information Officer
NC Chapter of Public Safety Communications Officials International, President	Active member of the NC Chapter of Public Safety Communications Officials International	Steve Lingerfelt, Information Technology Director, City of High Point

Governing Board Counsel – Lars Nance, Technical Advisor – Earl Bunting, Administrative Assistant – LaVonda Fowler, Executive Director – Eugene Vardaman

# DNA Expunction

## Background

### The Statute

Since February 1, 2011 the North Carolina DNA Database has been in effect. (§ 15A-266.3A) This Act requires defendants arrested for certain felony offenses to provide DNA samples at arrest rather than waiting for conviction. These samples are collected by local Law Enforcement while fingerprinting defendants at arrest. These samples are forwarded to the SBI to be analyzed and added to the DNA Database. They are then to be used to identify guilty parties as well as exonerate the innocent. If the defendant is later found not guilty, or pleads guilty to a misdemeanor not covered by this statute then the SBI is directed to destroy the sample. (Unless other grounds exist to allow them to keep the sample: i.e. the defendant's DNA was taken pursuant to a previous felony conviction)

### The Problem for District Attorneys

15A-266(3A) requires that in cases where the defendant has been found not guilty, case dismissed or never charged the Defendant shall have his DNA sample expunged from the DNA Database. The statute directs that that the local District Attorney notify the SBI when DNA should be expunged from the Database. There are **several major problems with this procedure.**

1. There is **nothing in the current Statute that requires** local Law Enforcement and the SBI to notify the District Attorney that a sample has ever been taken or entered into the DNA Database.
2. District Attorneys have no supervisory relationship with either of these agencies and in fact the SBI is supervised by the Attorney General's office.
3. There is **no automated system** that currently exists or can be created to assist the District Attorneys in determining whether a sample was collected or whether the SBI already has previous samples in its Database. Instead, numerous phone calls and legwork are required to determine these issues even before analyzing whether the Defendant's final conviction status precludes his sample from being kept in the Database.
4. Currently, **26** States collect DNA from either all felony arrestees or certain ones such as North Carolina. Only **1** State in addition to North Carolina places this burden on their prosecutors.
5. While it may have been contemplated that this process could be automated the District Attorneys and AOC have not been able to achieve this goal despite great effort for several good reasons including; complicated arrest scenarios involving one DNA sample taken for more than

one offense at the time of arrest and different dispositions of those cases on different dates. Each determination requires human interaction and cannot be computer driven.

6. No additional DA staff or technology staff was provided for in this statute and the requirements of this statute will delay regular and automated full discovery which the General Assembly required in all felony cases.

### The Solution

The original DNA Database bill put the burden on the Defendant or his counsel to request expunction if they believed the defendant qualified under the law. There are several good reasons for this approach.

1. No middleman. The District Attorney, who has no control over any sample taken is out of the equation and the defendant only has to deal with 1 State agency to get their sample removed.
2. No other criminal expunction statute under NCGS 15A puts the burden on the DA to request that a case or charge be expunged. The defendant, the person who is in the best position to know whether he qualifies must start the expunction process.
3. Most States follow this approach and the original Bill placed the burden on the Defendant and the SBI when it was initially introduced.

### Survey of Other States

What States collect DNA on arrest and who is responsible for expunging DNA if applicable?

ALABAMA: Collects DNA [Code of Ala. § 36-18-25](#)

**Requires Defendant to request Expungement**

Upon the reversal of conviction, the director shall be authorized and empowered to expunge DNA records upon request of the person from whom the sample was taken.

[Code of Ala. § 36-18-26](#)

ALASKA: Collects DNA

**Requires Defendant to request Expungement**

(i) The Department of Public Safety shall destroy the material in the system relating to a person or minor on the written request of the person or minor, if the request is accompanied by a certified copy of a court order making the written findings required by this subsection.

(ii) [Alaska Stat. § 44.41.035](#)

ARIZONA: Collects DNA

**Requires Defendant to request Expungement**

**J.** If the conviction or adjudication of a person who is subject to this section or section 8-238 is overturned on appeal or post conviction relief and a final mandate has been issued, on petition of the person to the superior court in the county in which the conviction occurred, the court shall order that the person's deoxyribonucleic acid profile resulting from that conviction or adjudication be expunged from the Arizona deoxyribonucleic acid identification system established by section 41-2418 unless the person has been convicted or adjudicated delinquent of another offense that would require the person to submit to deoxyribonucleic acid testing pursuant to this section.

[A.R.S. § 13-610](#)

ARKANSAS: Collects DNA

**Requires Defendant to request Expungement**

(a) (1) Any person whose DNA record has been included in the State DNA Database and whose DNA sample is stored in the State DNA Databank may apply to any circuit court for removal and destruction of the DNA record and DNA sample on the grounds that the adjudication of guilt that resulted in the inclusion of the person's DNA record in the database or the inclusion of the person's DNA sample in the databank has been reversed and the case dismissed.

(b) [A.C.A. § 12-12-1113](#)

CALIFORNIA: Collects DNA

**Requires Defendant to request Expungement**

(b) Pursuant to subdivision (a), a person who has no past or present qualifying offense, and for whom there otherwise is no legal basis for retaining the specimen or sample or searchable profile, may make a written request to have his or her specimen and sample destroyed and searchable database profile expunged from the data bank program if:

[Cal Pen Code § 299](#)

COLORADO: Collects DNA

**Requires Defendant to request Expungement**

(2) A person who qualifies for expungement under subsection (1) of this section may submit a written request for expungement to the Colorado bureau of investigation. The request shall include the items listed in this subsection (2) and may include any additional information that may assist the bureau in locating the records of arrest or charges or the biological substance sample or testing results. The following information shall be included in the submitted request:

[C.R.S. 16-23-105](#)

CONNECTICUT: Do not collect DNA on arrest

DELAWARE: Do not collect DNA on arrest

FLORIDA: Collects DNA



**Requires Defendant to request Expungement**

(16) Procedures for removal. –Unless the department determines that a person is otherwise required by law to submit a DNA sample for inclusion in the statewide DNA database, the department shall, upon receipt and completion of such verification of the information noted below as may be required, promptly remove from the statewide DNA database the DNA analysis and any DNA biological samples that may have been retained of a person included therein:

(a) On the basis of a conviction for a qualifying offense specified in subparagraph (2) (g) 2., if the department receives, from the person seeking removal of DNA information from the statewide DNA database, for each qualifying offense, a certified copy of a final court order establishing that such conviction has been overturned on direct appeal or set aside in a post conviction proceeding; or

[Fla. Stat. § 943.325](#)

GEORGIA: Do not collect DNA on arrest

HAWAII: Do not collect DNA on arrest

IDAHO: Do not collect DNA on arrest

ILLINOIS: Collects DNA

**Requires Defendant to request Expungement**

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when:

(2) [20 ILCS 2630/5.2](#)

INDIANA: Do not collect DNA on arrest

IOWA: Do not collect DNA on arrest

KANSAS: Collects DNA

**Requires the Defendant to request Expungement**

(4) If a court later determines that there was not probable cause for the arrest, charge or placement in custody or the charges are otherwise dismissed, and the case is not appealed, the Kansas bureau of investigation, upon petition by such person, shall expunge both the DNA sample and the profile record of such person.

(5) If a conviction against a person, who is required to submit such specimen or sample, is expunged or a verdict of acquittal with regard to such person is returned, the Kansas bureau of investigation shall, upon petition by such person, expunge both the DNA sample and the profile record of such person.

[K.S.A. § 21-2511](#)

KENTUCKY: Do not collect DNA on arrest

LOUISIANA: Collects DNA

**Require the Defendant to request Expungement**

A. A person whose DNA record or profile has been included in the data base or data bank pursuant to this Chapter may request that his record or profile be removed on the following grounds:

(1) The arrest on which the authority for including his DNA record or profile was based does not result in a conviction or plea agreement resulting in a conviction.

(2) The conviction on which the authority for including his DNA record or profile was based has been reversed and the case dismissed.

[La. R.S. 15:614](#)

MAINE: Do not collect DNA on arrest

MARYLAND: Collects DNA

**As of Dec. 2013, will require the Defendant to request Expungement**

(A) In general. – An individual whose DNA record or profile is included in the statewide DNA data base system and whose DNA sample is stored in the statewide DNA repository may request that information be expunged on the grounds that the conviction that resulted in the inclusion meets the expungement criteria specified in § 10-105 or § 10-106 of the Criminal Procedure Article.

[Md. PUBLIC SAFETY Code Ann. § 2-511](#)

MASSACHUSETTS: Do not collect DNA on arrest

MICHIGAN: Collects DNA

**Does not put burden on State to expunge DNA, but State can request it if no longer necessary for investigation or prosecution**

(a) The department receives a written request for disposal from the investigating police agency or prosecutor indicating that the sample or profile is no longer necessary for a criminal investigation or criminal prosecution.

(b) The department receives a written request for disposal and a certified copy of a final court order establishing that the charge for which the sample was obtained has been dismissed or has resulted in an acquittal or that no charge was filed within the applicable limitations period

[MCLS § 28.176](#)

MINNESOTA: Collects DNA

**Requires Defendant to request Expungement**

(a) The bureau shall destroy the biological specimen and return all records to a person who submitted a biological specimen under subdivision 1 but who was found not guilty of a felony. Upon the request of a person who submitted a biological specimen under subdivision 1 but where the charge against the person was later dismissed, the bureau shall destroy the person's biological specimen and return all records to the individual.

[Minn. Stat. § 299C.105](#)

MISSISSIPPI: Does not collect DNA on arrest

MISSOURI: Collects DNA

**Requires Defendant to request Expungement**

(1) A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section, section 488.5050, and sections 650.050, 650.052, and 650.100 may request expungement on the grounds that the conviction has been reversed, or the guilty plea or plea of nolo contendere on which the authority for including that person's DNA record or DNA profile was based has been set aside.

[§ 650.055 R.S.Mo.](#)

MONTANA: Does not collect DNA on arrest

NEBRASKA: Does not collect DNA on arrest

NEVADA: Does not collect DNA on arrest

NEW HAMPSHIRE: Does not collect DNA on arrest

NEW JERSEY: Collects DNA

**Requires Defendant to request Expungement**

(1) Any person whose DNA record or profile has been included in the State DNA database and whose DNA sample is stored in the State DNA databank may apply for expungement on the grounds that the conviction that resulted in the inclusion of the person's DNA record or profile in the State database or the inclusion of the person's DNA sample in the State databank has been reversed and the case dismissed. The person, either individually or through an attorney, may apply to the court for expungement of the record. A copy of the application for expungement shall be served on the prosecutor for the county in which the conviction was obtained not less than 20 days prior to the date of the hearing on the application. A certified copy of the order reversing and dismissing the conviction shall be attached to an order expunging the DNA record or profile insofar as its inclusion rests upon that conviction.

[N.J. Stat. § 53:1-20.25](#)

NEW MEXICO: Collects DNA

**Requires Defendant to request Expungement of arrest information, no specific DNA expungement statute**

1. A person may petition the department to expunge arrest information on the person's state record or federal bureau of investigation record if the arrest was for a misdemeanor or petty misdemeanor offense and the arrest was not for a crime of moral turpitude. If the department cannot locate a final disposition after contacting the arresting law enforcement agency, the administrative office of the courts and the administrative office of the district attorneys, the department shall expunge the arrest information.

[N.M. Stat. Ann. § 29-3-8.1](#)

NEW YORK: Does not collect DNA on arrest

NORTH CAROLINA:

[N.C. Gen. Stat. § 15A-266.3](#)

NORTH DAKOTA: Collects DNA

**Requires Defendant to request Expungement**

1. An individual whose DNA profile has been included in the database under this chapter may petition the district court to seal the court record on the grounds that the arrest that led to the inclusion of the DNA profile has not resulted in a felony charge within one year; has been resolved by a dismissal, acquittal, or misdemeanor conviction; has not resulted in a felony conviction; or the conviction on which the authority for including the DNA profile was based has been reversed or the case dismissed.

[N.D. Cent. Code, § 31-13-07](#)

OHIO: Collects DNA

[ORC Ann. 2901.07](#)

OKLAHOMA: Does not collect DNA on arrest

OREGON: Does not collect DNA on arrest

PENNSYLVANIA: Does not collect DNA on arrest

RHODE ISLAND: Does not collect DNA on arrest

SOUTH CAROLINA: Collects DNA

### **Requires the State to start expungement process**

(B) The solicitor in the county in which the person was charged must notify SLED when the person becomes eligible to have his DNA record and DNA profile expunged. Upon receiving this notification, SLED must begin the expungement procedure.

[S.C. Code Ann. § 23-3-660](#)

SOUTH DAKOTA: Collects DNA

### **Does not put burden on State to expunge DNA**

Upon receipt of written request for expungement; certified copy of the final court order reversing and dismissing the conviction or delinquency adjudication; and any other information necessary to ascertain the validity of the request, the South Dakota State Forensic Laboratory shall expunge all DNA records and identifiable information in the database pertaining to the person and destroy the DNA sample from the person, unless the South Dakota State Forensic Laboratory determines that the person has otherwise become obligated to submit a DNA sample.

[S.D. Codified Laws § 23-5A-29](#)

TENNESSEE: Collects DNA

### **Requires the Clerk to notify TBI of final disposition and TBI to destroy DNA if applicable**

1. The clerk of the court in which the charges against a person described in subdivision I (1) are disposed of shall notify the Tennessee bureau of investigation of final disposition of the criminal proceedings. If the charge for which the sample was taken is dismissed or the defendant is acquitted at trial, then the bureau shall destroy the sample and all records of the sample; provided, that there is no other pending qualifying warrant or capias for an arrest or felony conviction that would otherwise require that the sample remain in the data bank.

[Tenn. Code Ann. § 40-35-321](#)

TEXAS: Collects DNA

### **Requires Defendant to request Expungement**

- (1) The director shall expunge a DNA record of an individual from a DNA database if the person:
- (2) notifies the director in writing that the DNA record has been ordered to be expunged under this section or Chapter 55, Code of Criminal Procedure, and provides the director with a certified copy of the court order that expunges the DNA record; or

[Tex. Gov't Code § 411.151](#)

UTAH: Collects DNA

### **Requires Defendant to request Expungement**

(6) A person whose DNA specimen has been obtained under this part may, personally or through a legal representative, submit to the court a motion for a court order requiring the destruction of the person's DNA specimen and any criminal identification record created in connection with that specimen if:

[Utah Code Ann. § 53-10-406](#)

**AND Bureau if:**

(i) destroy a DNA specimen obtained under this part if criminal charges have not been filed within 90 days after booking for an alleged offense under Subsection 53-10-403(2)I; and

[Utah Code Ann. § 53-10-406](#)

VERMONT: Collects DNA

**Requires the Court or Governor to start expungement process**

(b) If any of the circumstances in subsection (a) of this section occur, the court with jurisdiction or, as the case may be, the governor, shall so notify the department, and the person's DNA record in the state DNA database and CODIS and the person's DNA sample in the state DNA data bank shall be removed and destroyed. The laboratory shall purge the DNA record and all other identifiable information from the state DNA database and CODIS and destroy the DNA sample stored in the state DNA data bank. If the person has more than one entry in the state DNA database, CODIS, or the state DNA data bank, only the entry related to the dismissed case shall be deleted. The department shall notify the person upon completing its responsibilities under this subsection, by certified mail addressed to the person's last known address.

[20 V.S.A. § 1940](#)

VIRGINIA: Collects DNA

**Requires Defendant to request Expungement**

A person whose DNA profile has been included in the data bank pursuant to § 19.2-310.2 may request expungement on the grounds that the felony conviction on which the authority for including his DNA profile was based has been reversed and the case dismissed. The Department of Forensic Science shall purge all records and identifiable information in the data bank pertaining to the person and destroy all samples from the person upon receipt of (i) a written request for expungement pursuant to this section and (ii) a certified copy of the court order reversing and dismissing the conviction.

[Va. Code Ann. § 19.2-310.7](#)

WASHINGTON: Does not collect DNA on arrest

WEST VIRGINIA: Does not collect DNA on arrest

WISCONSIN: Does not collect DNA on arrest

WYOMING: Does not collect DNA on arrest

Other Sources:

DNA Saves: 26 States Have Passed the Law, <http://www.katieslaw.org/> .

**State of California DNA Expungement Form**

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

**STREAMLINED DNA EXPUNGEMENT APPLICATION FORM DLE 244**

(Orig. 02/2011)

PAGE 1 of 3

**REQUEST TO THE CALIFORNIA DEPARTMENT OF JUSTICE CAL-DNA DATA BANK PROGRAM**

**TO EXPUNGE MY STATE DNA DATABASE PROFILE AND REMOVE MY SAMPLE**

I,

**(Insert Name) SET FORTH UNDER PENALTY OF PERJURY AS FOLLOWS:**

1. My name is **(Insert legal name and other name(s) used)**, and my address, or an address that I can be reached at, is:
2. My email address is: **(Insert email address if you have one and would like to be contacted by email)**
3. My Social Security Number (SSN) is; my Date of Birth is; and my Driver's License Number (or State Identification Card Number) is.
4. My CA Identification & Information (CII) Number is **(Insert number if known)**.
5. On or about **(Date/Year)**, I provided a DNA sample for inclusion in the CAL-DNA Data Bank Program (Penal Code section 295 et seq.) to a law enforcement agency in County, under the name I entered above.

**(Name of County where sample taken; Insert prison name if taken at a prison)**

6. To the best of my knowledge, the crime for which my DNA database sample was taken was: **(Describe or name crime if known)**.

7. **I contend I am not required by law to provide a DNA Data Bank Sample, and there is no legal basis for the California Department of Justice to retain my DNA sample, or searchable DNA profile.**

8. **I certify to the best of my knowledge that all of the following statements are true:**

1. I have no past or present criminal offense that qualifies me for inclusion in the CAL-DNA Data Bank Program.

**[Note:** (1) If you provided a DNA sample after you were validly convicted of a felony, the fact you subsequently had that felony conviction expunged under Penal Code section 1203.4, or reduced to a misdemeanor, etc., under Penal Code section 17, does not entitle you to also have your DNA profile expunged or sample removed from the Data Bank. (See, Cal. Pen. Code, § 299 (f).);

- a. If you provided a DNA sample after a conviction for a misdemeanor and had any past felony conviction at that time, your sample is not eligible for expungement or removal from the Data Bank. (See, Cal. Pen. Code, § 296.1(a) (2) & (3).)]
- b. I have no past or present duty to register as a sex or arson offender. **[Note:** Termination of the duty to register does not qualify as a reason for sample expungement. (See, Pen. Code, § 299I.).]
- c. I did not provide a DNA sample as part of a plea bargain.

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE  
**STREAMLINED DNA EXPUNGEMENT APPLICATION FORM DLE 244**  
(Orig. 02/2011)

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9. I request that the California Department of Justice destroy my DNA sample and expunge my searchable

DNA database profile as provided for in Penal Code section 299, on the following grounds (**CHECK ONE AND ATTACH THE DOCUMENTATION DESCRIBED**):

- a. No qualifying felony charges were or will be filed after my arrest. [Attach Letter in Support of Expungement from a District Attorney or prosecutor, providing the case name and number, and certifying that no charge(s) will be filed based on the arrest; or attach a certified or file stamped copy of a complaint reflecting that only misdemeanor charge(s) were filed based on the arrest.]
- b. The felony charge(s) which formed the basis of my DNA sample collection was dismissed. [Attach a certified or file-stamped copy of the court docket or minute order dismissing the charge(s), or a trial court's Clerk Certificate verifying this fact.]
- c. The conviction which formed the basis of my DNA collection has been reversed and the case dismissed. [Attach a certified or file-stamped copy of the court order(s) or opinion reversing the conviction and dismissing the charge(s).]
- d. I have been found factually innocent under Penal Code section 851.8 or Welfare and Institutions

Code section 781.5 of the offense which qualified me for inclusion in the CAL-DNA Data Bank Program. [Attach a certified or file-stamped copy of the court docket or minute order making this finding.]



- e. I was acquitted or found not guilty of the offense which qualified me for inclusion in the CAL-DNA Data Bank Program. [Attach a certified or file-stamped copy of the court docket or minute order stating this finding.]
- f. My previously sustained delinquency petition alleging an offense that would be a felony, if committed by an adult, has been reversed and dismissed. [Attach a certified or file-stamped copy of the court order(s) or opinion reversing the conviction and dismissing the charge(s).]

10. Additional information supporting my request for DNA sample expungement is as follows:

11. **I declare under penalty of perjury that the foregoing is true and correct.**

Executed on: at, State of

**(Date) (City) (State)**

**PRINT NAME:**

**SIGNATURE (person requesting DNA profile expungement and sample removal)**

**MAIL THE REQUEST FOR DNA SAMPLE EXPUNGEMENT TO:**

**Department of Justice CAL-DNA Data Bank Program**

**Attn. EXPUNGEMENT REQUESTS**

**1001 West Cutting Blvd., Suite 110**

**Richmond, CA 94804**

STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

**STREAMLINED DNA EXPUNGEMENT APPLICATION FORM DLE 244**

(Orig. 02/2011)

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### **Privacy Notice**

The information requested on this form is being requested by the State of California, Department of Justice (DOJ), Division of Law Enforcement, CAL-DNA Data Bank Program, for the purpose of determining eligibility for DNA sample/profile removal and expungement through use of DOJ's streamlined procedures. The maintenance of the information collected on this form is authorized by Penal Code Section 299. All information requested on this form is voluntary. However, failure to provide the requested information/documentation (e.g. identity, legal status and criminal history), as applicable, to enable DOJ to make a determination regarding a sample/profile's eligibility for removal/expungement, will likely result in denial of the DNA sample/profile removal and expungement request. Your information provided on this form may be disclosed to federal, state and/or local law enforcement agencies, probation and parole officers, your attorney, and attorneys for the Department of Justice, and/or courts. Pursuant to Civil Code Section 1798.30 et seq., individuals have the right [with some exceptions] to access records containing the personal information about themselves that are maintained by the agency. The CAL-DNA Data Bank Program is the agency official responsible for the system of records that maintains the information provided on this form. For more information regarding the location of your records and the categories of any persons who use the information in those

records, you may contact the CAL-DNA Data Bank Program, Department of Justice, at 1001 West Cutting Blvd., Suite 110, Richmond, CA 94804, or via telephone at (510) 620-3300.

## North Carolina HB1403

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009  
SESSION LAW 2010-94  
HOUSE BILL 1403  
\*H1403-v-3\*

AN ACT TO REQUIRE THAT A DNA SAMPLE BE TAKEN FROM ANY PERSON ARRESTED FOR COMMITTING CERTAIN OFFENSES, AND TO AMEND THE STATUTES THAT PROVIDE FOR A DNA SAMPLE UPON CONVICTION.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known and may be cited as “The DNA Database Act of 2010.”

SECTION 2. G.S. 15A-266.2 reads as rewritten:

“§ 15A-266.2. Definitions. As used in this Article, unless another meaning is specified or the context clearly requires otherwise, the following terms have the meanings specified:

- (1) “CODIS” means the FBI’s national DNA identification index system that allows the storage and exchange of DNA records submitted by federal, State and local forensic DNA laboratories. The term “CODIS” is derived from Combined DNA Index System. System (NDIS) administered and operated by the Federal Bureau of Investigation.
- (1a) “Custodial Agency” means the governmental entity in possession of evidence collected as part of a criminal investigation or prosecution. This term includes a central evidence storage facility operated by a State agency.
- (2) “DNA” means deoxyribonucleic acid. DNA is located in the nucleus of cells and provides an individual’s personal genetic blueprint. DNA encodes genetic information that is the basis of human heredity and forensic identification.
- (3) “DNA Record” means DNA identification information stored in the State DNA Database or CODIS for the purpose of generating investigative leads or supporting statistical interpretation of DNA test results. The DNA record is the result obtained from the DNA typing tests. Analysis. The DNA record is comprised of the characteristics of a DNA sample which are of value in establishing the identity of individuals. The results of all DNA identification tests analyses on an individual’s DNA sample are also collectively referred to as the DNA profile of an individual.
- (4) “DNA Sample” in this Article means a blood, buccal, cheek swabs, or any other biological sample containing cells provided by any person with respect to convicted of offenses covered by this Article or submitted to the SBI Laboratory State Bureau

of Investigation pursuant to this Article for analysis pursuant to a criminal investigation or storage or both.

(5) "FBI" means the Federal Bureau of Investigation.

(5a) "NDIS" means the National DNA Index System that is the national DNA database system of DNA profile records which that meet federal quality assurance and privacy standards.

(6) "SBI" means the State Bureau of Investigation. The SBI is responsible for the policy management policy, management, and administration of the State DNA identification record system to support law enforcement, and for liaison with the FBI regarding the State's participation in CODIS enforcement and other criminal justice agencies.

(7) "State DNA Database" means the SBI's DNA identification record system to support law enforcement. It is administered by the SBI and provides DNA records to the FBI for storage and maintenance in CODIS. The SBI's DNA Page 2 Session Law 2010-94 SL2010-0094 Database system is the collective capability provided by computer software and procedures administered by the SBI to store and maintain DNA records related to forensic casework, to convicted offenders required to provide a DNA sample under this Article, and to anonymous DNA records used for research or quality control. To: forensic casework; convicted offenders and arrestees required to provide a DNA sample under this Article; persons required to register as sex offenders under G.S. 14-208.7; unidentified persons or body parts; missing persons; relatives of missing persons; and anonymous DNA profiles used for forensic validation, forensic protocol development, or quality control purposes or establishment of a population statistics database for use by criminal justice agencies.

(8) "State DNA Databank" means the repository of DNA samples collected under the provisions of this Article.

(9) "Criminal Justice Agency" means an agency or institution of a federal, State, or local government, other than the office of the public defender, that performs as part of its principal function, activities relating to the apprehension, investigation, prosecution, adjudication, incarceration, supervision, or rehabilitation of criminal offenders.

(10) "Arrestee" means any person arrested for an offense in G.S. 15A-266.3A (d) or I.

(11) "Conviction" includes a conviction by a jury or a court, a guilty plea, a plea of nolo contendere, or a finding of not guilty by reason of insanity or mental disease or defect."

SECTION 3. G.S. 15A-266.3 reads as rewritten:

"§ 15A-266.3. Procedural compatibility with the FBI establishment of State DNA database and databank. The DNA identification system as established by the SBI shall be compatible with the procedures specified by the FBI, including use of comparable test procedures, laboratory equipment, supplies, and computer software. There is established under the administration of the SBI, the State DNA Database and State DNA Databank. The SBI shall provide DNA records to the FBI for the searching of DNA records nationwide and storage and maintenance by

CODIS. The State DNA Databank shall serve as the repository for DNA samples obtained pursuant to this Article. The State DNA Database shall be compatible with the procedures specified by the FBI, including use of comparable test procedures, laboratory and computer equipment, supplies and computer platform and software. The State DNA Database shall have the capability provided by computer software and procedures administered by the SBI to store and maintain DNA records related to all of the following:

- (1) Crime scene evidence and forensic casework.
- (2) Arrestees, offenders, and persons found not guilty by reason of insanity, who are required to provide a DNA sample under this Article.
- (3) Persons required to register as sex offenders under G.S. 14-208.7.
- (4) Unidentified persons or body parts.
- (5) Missing persons.
- (6) Relatives of missing persons.
- (7) Anonymous DNA profiles used for forensic validation, forensic protocol development, or quality control purposes or establishment of a population statistics database, for use by criminal justice agencies.”

SECTION 4. Article 13 of Chapter 15A of the General Statutes is amended by adding a new section to read:

“§ 15A-266.3A. DNA sample required for DNA analysis upon arrest for certain offenses.

(a) Unless a DNA sample has previously been obtained by lawful process and the DNA record stored in the State DNA Database, and that record and sample has not been expunged pursuant to any provision of law, a DNA sample for DNA analysis and testing shall be obtained from any person who is arrested for committing an offense described in subsection (d) or I of this section.

(b) The arresting law enforcement officer shall obtain, or cause to be obtained, a DNA sample from an arrested person at the time of arrest, or when fingerprinted. However, if the person is arrested without a warrant, then the DNA sample shall not be taken until a probable cause determination has been made pursuant to G.S. 15A-511(c)(1). The DNA sample shall be SL2010-0094 Session Law 2010-94 Page 3 by cheek swab unless a court order authorizes that a DNA blood sample be obtained. If a DNA blood sample is taken, it shall comply with the requirements of G.S. 15A-266.6(b). The arresting law enforcement officer shall forward, or cause to be forwarded, the DNA sample to the appropriate laboratory for DNA analysis and testing.

(b1) At the time a DNA sample is taken pursuant to this section, the person obtaining the DNA sample shall record, on a form promulgated by the SBI, the date and time the sample was taken, the name of the person taking the DNA sample, the name and address of the person from whom the sample was taken, and the offense or offenses for which the person was arrested. This record shall be maintained in the case file and shall be available to the prosecuting district attorney for the purpose of completing the requirements of subsection (g1) of this section.

(b2) After taking a DNA sample from an arrested person required to provide a DNA sample pursuant to this section, the person taking the DNA sample shall provide the arrested person with a written notice of the procedures for seeking an expunction of the DNA sample pursuant to subsections (f), (g), (g1), (g2), and (g3) of this section. The Department of Justice shall provide the written notice required by this subsection.

(b3) I The DNA record of identification characteristics resulting from the DNA testing and the DNA sample itself shall be stored and maintained by the SBI in the State DNA Databank pursuant to this Article.

(b4) This section shall apply to a person arrested for violating any one of the following offenses in Chapter 14 of the General Statutes:

(1) G.S. 14-17, First and Second Degree Murder.

(2) G.S. 14-18, Manslaughter.

(3) Any offense in Article 7A, Rape and Other Sex Offenses.

(4) G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; G.S. 14-32.4(a), Assault inflicting serious bodily injury; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; and G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility.

(5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A, Human Trafficking.

(6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of dwelling house burglary; G.S. 14-54.1, Breaking or entering a place of religious worship; and G.S. 14-57, Burglary with explosives.

(7) Any offense in Article 15, Arson.

(8) G.S. 14-87, Armed robbery.

(9) Any offense which would require the person to register under the provisions of Article 27A of Chapter 14 of the General Statutes, Sex Offender and Public Protection Registration Programs.

(10) G.S. 14-196.3, Cyber stalking.

(11) G.S. 14-277.3A, Stalking.

I This section shall also apply to a person arrested for attempting, solicitation of another to commit, conspiracy to commit, or aiding and abetting another to commit, any of the violations included in subsection (d) of this section.

(f) The State Bureau of Investigation shall remove a person's DNA record, and destroy any DNA biological samples that may have been retained, from the State DNA Database and DNA Databank if both of the following are determined pursuant to subsection (g) of this section:

(1) As to the charge, or all charges, resulting from the arrest upon which a DNA sample is required under this section, a court or the district attorney has taken action resulting in any one of the following:

a. The charge has been dismissed.

b. The person has been acquitted of the charge. Page 4 Session Law 2010-94 SL2010-0094

c. The defendant is convicted of a lesser-included misdemeanor offense that is not an offense included in subsection (d) or I of this section.

d. No charge was filed within the statute of limitations, if any.

e. No conviction has occurred, at least three years has passed since the date of arrest, and no active prosecution is occurring.

(2) The person's DNA record is not required to be in the State DNA Database under some other provision of law, or is not required to be in the State DNA Database based upon an offense from a different transaction or occurrence from the one which was the basis for the person's arrest.

(g) Prior to June 1, 2012, upon the occurrence of one of the events in sub-subdivision d. or e. of subdivision (1) of subsection (f) of this section, the defendant or the defendant's counsel shall provide the prosecuting district attorney with a signed request form, promulgated by the Administrative Office of the Courts, requesting that the defendant's DNA record be expunged from the DNA Database and that any biological samples in the DNA Databank be destroyed. On or after June 1, 2012, upon the occurrence of one of the events in sub-subdivision d. or e. of subdivision (1) of subsection (f) of this section, no request form shall be required and the prosecuting district attorney shall initiate the procedure provided in subsection (g1) of this section.

(g1) Prior to June 1, 2012, within 30 days of the receipt of the form required by subsection (g) of this section or the occurrence of one of the events in sub-subdivision a., b., or c. of subdivision (1) of subsection (f) of this section; and on or after June 1, 2012, within 30 days of the occurrence of one of the events in subdivision (1) of subsection (f) of this section, the prosecuting district attorney shall determine if a DNA sample was taken pursuant to this section, and if so, shall:

- (1) Verify and indicate the facts of the qualifying event on a verification form promulgated by the Administrative Office of the Courts.
- (2) Include the last known address of the defendant, as reflected in the court files, on the verification form.
- (3) Sign the verification form or, if the defendant was acquitted or the charges were dismissed by the court, obtain the signature of a judge.
- (4) Transmit the verification form to the SBI.

(g2) Within 30 days of receipt of the verification form, the SBI shall:

- (1) Determine whether the requirement of subdivision (2) of subsection (f) of this section has been met.
  - (2) If the requirement has been met, remove the defendant's DNA record and samples as required by subsection (f) of this section.
  - (3) Mail to the defendant, at the address specified in the verification form, a notice either:
    - a. Documenting expunction of the DNA record and destruction of the DNA sample, or
    - b. Notifying the defendant that the DNA record and sample do not qualify for expunction pursuant to subsection (f) of this section.
- (g3) The defendant may file a motion with the court to review the denial of the defendant's request or the failure of either the district attorney or the SBI to act within the prescribed time period.

(h) Any identification, warrant, probable cause to arrest, or arrest based upon a database match of the defendant's DNA sample which occurs after the expiration of the statutory periods prescribed for expunction of the defendant's DNA sample, shall be invalid and inadmissible in the prosecution of the defendant for any criminal offense.

(i) Notwithstanding subsection

(f) Of this section, the SBI is not required to destroy or remove an item of physical evidence obtained from a sample if evidence relating to another person would thereby be destroyed. (j) The SBI shall adopt procedures to comply with this section.”

SECTION 5. G.S. 15A-266.4 reads as rewritten:

“§ 15A-266.4. Blood sample DNA sample required for DNA analysis upon conviction or finding of not guilty by reason of insanity.

(a) Unless a DNA sample has previously been obtained by lawful process and a record stored in the State DNA database, Database, and that sample has record and sample have not SL2010-0094 Session Law 2010-94 Page 5 been expunged pursuant to G.S. 15A-148, on or after December 1, 2003, a person any provision of law, a person:

(1) Who is convicted of any of the crimes listed in subsection (b) of this section or who is found not guilty of any of these crimes by reason of insanity and committed to a mental health facility in accordance with G.S. 15A-1321G.S. 15A-1321, shall have provide a DNA sample drawn upon intake to jail, prison, or the mental health facility. In addition, every person convicted on or after December 1, 2003, of any of these crimes, but who is not sentenced to a term of confinement, shall provide a DNA sample as a condition of the sentence.

(2) A person who has been convicted and incarcerated as a result of a conviction of one or more of these crimes prior to December 1, 2003, the crimes listed in subsection (b) of this section, or who was found not guilty of any of these crimes by reason of insanity and committed to a mental health facility in accordance with G.S. 15A-1321 before December 1, 2003,G.S. 15A-1321, shall have provide a DNA sample drawn before parole or release from the penal system or before release from the mental health facility.

(b) Crimes covered by this Article include all of the following:

- (1) All felonies.
- (2) G.S. 14-32.1 – Assaults on handicapped persons.
- (3) G.S. 14-277.3A or former G.S. 14-277.3 – Stalking.
- (4) G.S. 14-27.5A – Sexual battery.
- (5) All offenses described in G.S. 15A-266.3A.”

SECTION 6. G.S. 15A-266.5 reads as rewritten: “§ 15A-266.5. Tests to be performed on blood sample.DNA sample.

(a) The tests to be performed on each blood DNA sample are:

- (1) To analyze and type only the genetic markers that are used for identification purposes contained in or derived from the DNA.
- (2) For law enforcement identification purposes.
- (3) For research and administrative purposes, including
  - a. Development of a population database when personal identifying information is removed.
  - b. To support identification research and protocol development of forensic DNA analysis methods.
  - c. For quality control purposes.

- d. To assist in the recovery or identification of human remains from mass disasters or for other humanitarian purposes, including identification of missing persons.
- (b) The DNA record of identification characteristics resulting from the DNA testing shall be stored and maintained by the SBI in the State DNA Database. The DNA sample itself will be stored and maintained by the SBI in the State DNA Databank.
- (c) The SBI shall report annually to the Joint Legislative Commission on Governmental Operations and to the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee, on or before February 1, with information for the previous calendar year, which shall include: a summary of the operations and expenditures relating to the DNA Database and DNA Databank; the number of DNA records from arrestees entered; the number of DNA records from arrestees that have been expunged; and the number of DNA arrestee matches or hits that occurred with an unknown sample, and how many of those have led to an arrest and conviction; and how many letters notifying defendants that a record and sample have been expunged, along with the number of days it took to complete the expunction and notification process, from the date of the receipt of the verification form from the State.
- (d) The Department of Justice, in consultation with the Administrative Office of the Courts and the Conference of District Attorneys, shall study, develop, and recommend an automated procedure to facilitate the process of expunging DNA samples and records taken pursuant to G.S. 15A-266.3A, and shall report to the Joint Legislative Commission on Governmental Operations, the Joint Legislative Corrections, Crime Control and Juvenile Justice Oversight Committee, and the Courts Commission, on or before February 1, 2011.”

SECTION 7. G.S. 15A-266.6 reads as rewritten: Page 6 Session Law 2010-94 SL2010-0094 “§ 15A-266.6. Procedures for withdrawal of blood sample for obtaining DNA analysis. Sample for analysis; refusal to provide sample.

- 1. Each DNA sample required to be drawn provided pursuant to G.S. 15A-266.4 from persons who are incarcerated shall be drawn obtained at the place of incarceration.  
DNA

Samples from persons who are not sentenced to a term of confinement shall be drawn obtained immediately following sentencing. The sentencing court shall order any person not sentenced to a term of confinement, who has not previously provided a DNA sample pursuant to any provision of law requiring a sample and whose DNA record and sample have not been expunged pursuant to law, to report immediately following sentencing to the location designated by the sheriff. If the sample cannot be taken immediately, the sheriff shall inform the court of the date, time, and location at which the sample shall be taken, and the court shall enter that date, time, and location into its order. A copy of the court order indicating the date, time, and location the person is to appear to have a sample taken shall be given to the sheriff. If a person not sentenced to a term of confinement fails to appear immediately following sentencing or at the date, time, and location designated in the court order, the sheriff shall inform the court of the failure to appear and the court may issue an order to show cause pursuant to G.S. 5A-15 and may issue an order for arrest pursuant to G.S. 5A-16. The defendant shall continue to be subject to the court’s order to provide a DNA sample until such time as his or her DNA sample is analyzed and a record is successfully entered into the State DNA Database.



2. If, for any reason, the defendant provides a DNA blood sample instead of a cheek swab, only a correctional health nurse technician, physician, registered professional nurse, licensed practical nurse, laboratory technician, phlebotomist, or other health care worker with phlebotomy training shall draw any the DNA blood sample to be submitted for analysis. No civil liability shall attach to any person authorized to draw blood by this section as a result of drawing blood from any person if the blood was drawn according to recognized medical procedures. No person shall be relieved from liability for negligence in the drawing of any obtaining a DNA sample by any method.
3. I The SBI shall provide to the sheriff the materials and supplies the materials, supplies, and postage prepaid envelopes necessary to draw obtain a DNA sample from a person not sentenced to a term of confinement. Required to provide a DNA sample pursuant to this Article and to forward the DNA sample to the appropriate laboratory for DNA analysis and testing. Any DNA sample drawn from a person not sentenced to a term of confinement obtained pursuant to this Article, other than a DNA sample obtained from a person who is incarcerated, shall be taken using the materials and supplies provided by the SBI.”

SECTION 8. G.S. 15A-266.7 reads as rewritten: “§ 15A-266.7. Procedures for conducting DNA analysis of blood DNA sample. The SBI shall adopt rules governing the procedures to be used in the submission, identification, analysis, and storage of DNA samples and typing results of DNA samples submitted under this Article. The DNA sample shall be securely stored in the State Databank. The typing results shall be securely stored in the State Database. These procedures shall also include quality assurance guidelines to insure that DNA identification records meet standards and audit standards for laboratories which submit DNA records to the State Database. Records of testing shall be retained on file at the SBI.

(a) The SBI shall:

- (1) Adopt procedures to be used in the collection, security, submission, identification, analysis, and storage of DNA samples and typing results of DNA samples submitted under this Article. These procedures shall also include quality assurance guidelines to insure that DNA identification records meet audit standards for laboratories which submit DNA records to the State DNA Database.
  - (2) Adopt Quality Assurance Guidelines for DNA Testing Laboratories and DNA Data basing Laboratories that meet or exceed the quality assurance guidelines established for such laboratories by the CODIS unit of the Federal Bureau of Investigation.
4. DNA samples shall be securely stored in the State DNA Databank. The typing results shall be securely stored in the State DNA Database.
  5. I Records of testing shall be retained on file at the SBI.”

SECTION 9. G.S. 15A-266.8 reads as rewritten: SL2010-0094 Session Law 2010-94 Page 7  
“§ 15A-266.8. DNA database exchange.

1. It shall be the duty of the SBI to receive DNA samples, to store, to analyze or to contract out the DNA typing analysis to a qualified DNA laboratory that meets the guidelines as established by the SBI, classify, and file the DNA record of identification characteristic profiles of DNA samples submitted pursuant to G.S. 15A-266.7 this Article and to make such information available as provided in this section.

The SBI may contract out DNA typing analysis to a qualified DNA laboratory that meets guidelines as established by the SBI. The results of the DNA profile of individuals in the State Database shall be made available to local, State, or federal law enforcement agencies, approved crime laboratories which serve these agencies, or the district attorney's office upon written or electronic request and in furtherance of an official investigation of a criminal offense. These records shall also be available upon receipt of a valid court order directing the SBI to release these results to appropriate parties not listed above, when the court order is signed by a superior court judge after a hearing. The SBI shall maintain a file of such court orders.

2. The SBI shall adopt rules governing the methods of obtaining information from the State Database and CODIS and procedures for verification of the identity and authority of the requester.
3. I The SBI shall create a separate population database comprised of blood DNA samples obtained under this Article, after all personal identification is removed. Nothing shall prohibit the SBI from sharing or disseminating population databases with other law enforcement agencies, crime laboratories that serve them, or other third parties the SBI deems necessary to assist the SBI with statistical analysis of the SBI's population databases. The population database may be made available to and searched by other agencies participating in the CODIS system."

SECTION 10. G.S. 15A-266.11 reads as rewritten: "§ 15A-266.11. Unauthorized uses of DNA Databank; penalties.

1. Any person who, by virtue of employment, or official position, who has possession of, or access to, individually identifiable DNA information contained in the State DNA Database or Databank and who willfully discloses it in any manner to any person or agency not entitled to receive it is guilty of a Class 1 misdemeanor in accordance with G.S. 14-3. Class H felony.
2. Any person who, without authorization, willfully obtains individually identifiable DNA information from the State DNA Database or Databank is guilty of a Class 1 misdemeanor in accordance with G.S. 14-3. Class H felony."

SECTION 11. G.S. 15A-266.12 reads as rewritten: "§ 15A-266.12. Confidentiality of records.

1. All DNA profiles and samples submitted to the SBI pursuant to this Article shall be treated as confidential and shall not be disclosed to or shared with any person or agency except as provided in G.S. 15A-266.8.
2. Only DNA records and samples that directly relate to the identification of individuals shall be collected and stored. These records and samples shall solely be used as a part of the criminal justice system for the purpose of facilitating the personal identification of the perpetrator of a criminal offense; provided that in appropriate circumstances such records may be used to identify potential victims of mass disasters or missing persons.
3. IDNA records and DNA samples submitted to the SBI pursuant to this Article are not a public record as defined by G.S. 132-1.

4. In the case of a criminal proceeding, requests to access a person's DNA record shall be in accordance with the rules for criminal discovery as defined in G.S. 15A-902. The SBI shall not be required to provide the State DNA Database for criminal discovery purposes.

I DNA records and DNA samples submitted to the SBI may only be released for the following authorized purposes:

- (1) For law enforcement identification purposes, including the identification of human remains, to federal, State, or local criminal justice agencies.
- (2) For criminal defense and appeal purposes, to a defendant who shall have access to samples and analyses performed in connection with the case in which such defendant is charged or was convicted.
- (3) If personally identifiable information is removed to local, State, or federal law enforcement agencies for forensic validation studies, forensic protocol Page 8 Session Law 2010-94 SL2010-0094 development or quality control purposes, and for establishment or maintenance of a population statistics database.

(f) In order to maintain the computer system security of the SBI DNA database program, the computer software and database structures used by the SBI to implement this Article are confidential.”

SECTION 12. Article 23 of Chapter 15A of the General Statutes is amended by adding a new section to read: “§ 15A-502A. DNA sample upon arrest. A DNA sample shall be obtained from any person arrested for an offense designated under G.S. 15A-266.3A, in accordance with the provisions contained in Article 13 of Chapter 15A of the General Statutes.”

SECTION 12.1. G.S. 15A-534(a) reads as rewritten:

SECTION 12. Article 23 of Chapter 15A of the General Statutes is amended by adding a new section to read: “§ 15A-502A. DNA sample upon arrest. A DNA sample shall be obtained from any person arrested for an offense designated under G.S. 15A-266.3A, in accordance with the provisions contained in Article 13 of Chapter 15A of the General Statutes.”

SECTION 12.1. G.S. 15A-534(a) reads as rewritten:

“(a) In determining conditions of pretrial release a judicial official must impose at least one of the following conditions:

- (1) Release the defendant on his written promise to appear.
- (2) Release the defendant upon his execution of an unsecured appearance bond in an amount specified by the judicial official.
- (3) Place the defendant in the custody of a designated person or organization agreeing to supervise him.
- (4) Require the execution of an appearance bond in a specified amount secured by a cash deposit of the full amount of the bond, by a mortgage pursuant to G.S. 58-74-5, or by at least one solvent surety.
- (5) House arrest with electronic monitoring. If condition (5) is imposed, the defendant must execute a secured appearance bond under subdivision (4) of this subsection. If condition (3) is imposed, however, the defendant may elect to execute an appearance bond under subdivision (4). If the defendant is required to provide fingerprints pursuant to G.S. 15A-502(a1) or (a2), or a DNA sample pursuant to G.S. 15A-266.3A or G.S. 15A-266.4, and (i) the fingerprints or DNA sample have not yet been taken or (ii) the defendant has refused to provide the

fingerprints or DNA sample, the judicial official shall make the collection of the fingerprints or DNA sample a condition of pretrial release. The judicial official may also place restrictions on the travel, associations, conduct, or place of abode of the defendant as conditions of pretrial release.”

SECTION 13. G.S. 7B-2201 reads as rewritten: “§ 7B-2201. Fingerprinting and DNA sample from juvenile transferred to superior court.

1. When jurisdiction over a juvenile is transferred to the superior court, the juvenile shall be fingerprinted and the juvenile’s fingerprints shall be sent to the State Bureau of Investigation.
2. When jurisdiction over a juvenile is transferred to the superior court, a DNA sample shall be taken from the juvenile if any of the offenses for which the juvenile is transferred are included in the provisions of G.S. 15A-266.3A.”

SECTION 14. The provisions of this act are severable. If any provision is held invalid by a court of competent jurisdiction, the invalidity does not affect other provisions of the act that can be given effect without the invalid provision. SL2010-0094 Session Law 2010-94 Pages 9

SECTION 15. This act becomes effective February 1, 2011.

In the General Assembly read three times and ratified this the 10<sup>th</sup> day of July, 2010.

S/ Walter H. Dalton

President of the Senate

S/ Joe Hackney

Speaker of the House of Representatives

S/ Beverly E. Perdue

Governor

Approved 10:30 a.m. this 15<sup>th</sup> day of July, 2010

## **DOJ Report**

The following report was prepared by the North Carolina Department of Justice and provides the background information for expanding DNA testing:

North Carolina Department of Justice

Targeting Violent Criminals by Investing in DNA

February 1, 2011

While traditional investigations and detective work will always be integral to law enforcement, fighting crime has become increasingly reliant on technological and scientific advancement. DNA may be one of the most important crime fighting tools of modern times. Advances in technology have benefited the criminal justice system in many ways. In countless cases, DNA has identified the suspects, convicted the guilty, cleared suspects, and brought closure to victims and victims’ families. In other cases, DNA has exonerated the innocent.

Chewing gum, hair and even cigarette butts left at a crime scene can lead detectives to the right suspect thanks to DNA analysis. DNA, or deoxyribonucleic acid, is a unique genetic fingerprint

found in every cell of the human body. Just a tiny trace of the criminal's saliva or blood left behind at a crime scene can yield a DNA profile, which then can be compared to DNA samples from known criminals, arrestees or other crime scene evidence for a match.

DNA technology is perhaps most promising when used to solve crimes without an apparent suspect. In a rape case, for example, the victim may not be able to identify her attacker. When investigators examine evidence collected from the victim, they are often able to obtain a DNA sample from her attacker. This evidence can then be compared to thousands of DNA profiles included in the state and national DNA database, commonly called the CODIS system. If the comparison yields a match to an offender, the rapist can be identified and brought to justice.

Attorney General Roy Cooper has led the push in North Carolina to use DNA technology to solve crimes and bring justice to victims by: 1) expanding the DNA database to include DNA samples from all convicted felons and certain arrestees; 2) making sure that no-suspect rape kits are quickly screened and analyzed, with any DNA evidence uncovered used to search the DNA database to pinpoint suspects; 3) speeding the review, audit and uploading of convicted offender and arrestee samples into the DNA database; and 4) helping local law enforcement respond to cold case DNA database hits.

The State Bureau of Investigation (SBI) is bringing advanced DNA technology to North Carolina's crime fighters with dramatic results. Thanks to increased investment by the General Assembly, federal grant funding, and the dedicated efforts of the men and women of the SBI, the SBI has helped catch more murderers, rapists and other criminals in 2010 alone than in the first ten years of the program combined. In 2010, the SBI had a total of 420 DNA database hits, a 57 percent increase in DNA database hits over year 2009 alone. Since criminals, and especially rapists, often strike again, a database "hit" can crack a cold case.

The SBI has made remarkable progress in screening, processing, analyzing and conducting subsequent DNA database comparisons to crime scene evidence. In no-suspect cases, a DNA analyst can compare a DNA profile developed from crime scene evidence to more than 203,000 DNA profiles in the SBI's DNA database to see if there is a match. If a profile match occurs, this is commonly referred to as a "CODIS" hit, meaning a match to the Combined DNA Index System. Once a CODIS hit is made, it must be confirmed according to FBI requirements. This is accomplished by re-analyzing the original sample that was taken from the convicted offender or arrestee, which is stored at the SBI Crime Lab. The thumbprint taken at that time is also compared to the convicted offender's or arrestee's fingerprints on file in the SBI fingerprint database to confirm that the convicted offender or arrestee was the person giving the DNA sample. After this "in-house" confirmation is complete, a search warrant is written and served on the convicted offender or arrestee to obtain another sample of DNA. This sample is analyzed again to definitively confirm that indeed was the person whose DNA was identified in the original forensic evidence (crime scene evidence).

DNA technology is a remarkable crime fighting tool that can pinpoint or eliminate suspects, help local law enforcement officers take violent criminals off the streets and strengthen the public confidence in the criminal justice system. The SBI Crime Laboratory's dramatic success fosters an increasing demand for DNA services from local law enforcement and prosecutors. The SBI is meeting this challenge head on with conclusive results. Beginning February 1, 2011 law enforcement will begin collecting DNA from certain arrestees pursuant to the DNA Database Act of 2010.

We must continue to invest in the SBI to meet the growing demands from law enforcement, prosecutors and the criminal justice system for SBI forensic laboratory services.

Summary of the Operations of the DNA Database Unit for 2010

2010 CODIS/Database Statistics

CODIS Hits for 2010: 420 (268 for 2009)

Convicted Offenders Uploaded: 18,346 (16,266 for 2009)

Forensic Samples Uploaded: 739 (766 for 2009)

2010 DNA Database Expenses (Convicted Offender Samples)

SBI Staff Costs to Process DNA CODIS Samples (Includes 100% quality control review of all samples)	\$ 228,421.05
Private Laboratory expenses to process DNA CODIS Samples	\$ 348,583.46
Other operating expenses (e.g. supplies)	\$ 69,981.62
TOTAL 2010 DNA Database Expenses	\$ 646,986.13

In addition to the above noted expenses, the DOJ has entered into a technology services agreement, valued at \$250,450 with Morphotrak, Inc. that will modify and upgrade all fingerprint workstations in state and local law enforcement offices. These system changes will ensure that the local booking process for arrestee suspects will simplify data entry and processing procedures when DNA cheek swabs are taken from arrestees along with fingerprint records.

On November 10, 2010, the DOJ concluded a competitive procurement process for the processing of DNA arrestee samples and provision of cheek swab collection kits. The selected vendor was Bode Technology Group (ISO Accredited Forensic Laboratory). The annual contract value may vary from \$900,000 to \$1.9 million a year depending on the volume of samples submitted for analysis and number of collection kits distributed to local law enforcement agencies.

Staffing – A total of seven new positions have been established to support the DNA on arrest initiative. The General Assembly approved 4.0 new DNA forensic scientist positions as part of the 2010/2011 budget. An additional 3.0 receipt supported positions were also approved and are funded by the new \$2.00 DNA court fees authorized pursuant to Section 7.1 of SL 2010-147.

New \$2.00 Court Fee – Effective October 1, 2010, the DOJ started receiving court fee collections pursuant to a newly authorized \$2.00 DNA court fee (see Section 7.1 of SL 2010-147). From October through December 2010, the DOJ has received \$83,352 in collections, an average of \$27,784 a month.

The Department will continue to monitor revenues and expenses associated with the DNA Database Unit to ensure adequate funding is available to efficiently and effectively process arrestee samples.

## Arrestee Collection Kits

With the passing of the DNA Database Act of 2010 in July of 2010, the Database Unit shifted gears and began preparing for the added processing and review of arrestee samples to be collected beginning February 1, 2011. During the months of July through December 2010, the analysis and production of DNA collection kits was placed on bid and the contract was awarded to one vendor. The DNA collection kit was designed by the SBI, and the production of the DNA collection kits began in December of 2010. The DNA collection kits were received by the SBI and were disseminated to all law enforcement agencies during the weeks of January 17 and January 24, 2011. This standardized collection kit will be used specifically for the collection of DNA from certain convicted offenders and arrestees.

## Expungement

An expungement procedure has passed SBI legal and lab management reviews. This procedure was submitted to the FBI for their approval on January 14, 2011 and approved on January 18, 2011. The expungement procedure outlines how expungement will be completed as directed by G.S. 15A-266.3(A). If the arrestee qualifies for expungement, the DNA sample will be removed from the SBI DNA Databank and destroyed. Also, the DNA record will be removed from the SBI DNA Database and CODIS. The individual will be notified by letter whether or not his/her sample qualified for expungement. Multiple reviews were built into the expungement procedure to ensure that the process is completed as required by law.

G.S. 15A-266.3A provides a process by which a defendant's DNA sample taken at arrest may be expunged upon the occurrence (or non-occurrence) of certain events in the prosecution of the defendant. As directed by G.S. 15A-266.5 (d), the Department of Justice (DOJ) and the Administrative Office of the Courts (AOC) have studied the options for automating the expunction process.

Beginning June 1, 2012, G.S.15A-266.3A (b1) directs that defendants will no longer have to request expunction. Instead, prosecutors are directed to initiate the process within thirty (30) days of the occurrence of one of the qualifying events enumerated in the statute. Both agencies agree that, under the procedures currently mandated by G.S. 15A-266.3A, the only potential automation is for the AOC to develop automated reporting to notify the District Attorney (DA) of cases potentially eligible for DNA expunction, from which the DA may verify the cases' eligibility. This automated list could be generated through the District Attorney's component of the Criminal Court Information System (CCIS). This function was not part of the original system design and would require additional development time. The added expenses of this additional functionality were not included in original cost estimates and would require either additional appropriation.

The DOJ and AOC also have identified certain procedural features of the current law that, if amended, would facilitate further automation of the DNA expunction process. For example:

- The current statute mandates that the DA inform the State Bureau of Investigation (SBI) of expunction-eligible cases via a request form bearing the signature of the prosecuting district attorney or a judge, depending on the method by which the case was disposed. By switching to electronic notification,<sup>2</sup> the AOC and the SBI could further automate the process to eliminate the costs associated with physical notification, such as printing costs and postage, procedural delays inherent to mailed communications, well as the double data entry the current process requires.

- The current statute requires verification by a judge when expunction-eligible cases are disposed via dismissal by the court or acquittal of the defendant. However, the fact of disposition on those grounds is maintained as part of the court's records as part of the ordinary course of business. Because the DA or a clerk of superior court could confirm a case's disposition on those grounds from the court's records, the judge's direct interaction in this process is unnecessary. As the current statute is written, the DA makes the determination of expunction eligibility; the judge's signature appears to be a mere formality.

The DOJ and AOC will continue to work together and discuss these options over the coming months, and are available to advise and assist with any clarification of the statute that the General Assembly deems necessary.

### Training Sessions

DNA training sessions were provided during the months of December 2010 and January 2011 in preparation for the implementation of the DNA Database Act of 2010 on February 1, 2011. Individuals from the SBI DNA Database Unit, Forensic Biology Section, Department of Justice, and North Carolina Justice Academy provided 15 training sessions across the state of North Carolina. Training was conducted in the following locations: Edneyville, Morganton, Charlotte, Raleigh, Greensboro, Salemburg, Greenville, Nags Head, and Franklin. During these sessions, attending law enforcement officers were provided a PowerPoint presentation, a lesson plan which explained the arrestee law, and a DVD demonstrating the proper collection technique. Two additional training sessions are also being scheduled for early 2011.

### Data Management System

DOJ's IT division has designed new data management software which will aid in processing arrestee and convicted offender samples. This program will allow the database unit to track all samples that are received through upload and/or expungement. It will contain only identifying information such as name, date of birth, submitting agency, qualifying offense, etc. There will be no DNA profiles maintained in this system. Each DNA sample will be assigned a unique barcode number which will be used by the system for tracking purposes. The system will also be integrated with Live Scan, AOC, and CCH. DOJ's IT division has worked diligently on this project with the SBI lab for several months. The system will be an invaluable tool for the processing of arrestee and convicted offender samples.

### Live Scan

DOJ IT is also working with the 4 major Live Scan Vendors in North Carolina (Dataworks Plus, MorphoTrack, Identix, and Crossmatch) to upgrade all Live Scan software to incorporate DNA collection into the booking procedure. Data fields required for DNA collection are being added to the software. In addition, the software will prompt the individual performing the Fingerprinting when a DNA sample is required for a qualifying arrest. If the individual does not collect a required sample, Live Scan will require a reason for the sample not being taken. If a sample is not required due to the fact that the SBI already has a convicted offender sample on file for the arrestee, Live Scan will also notify the individual of that situation. The SBI DNA Database Collection Card required for each submission will be printed directly from Live Scan. These



upgrades will help integrate arrestee DNA collection into the already established booking procedure. It will not be required that agencies use Live Scan for this purpose, but this tool will be made available to assist Law Enforcement Agencies.

#### Validation

The DNA Database Unit is validating the currently used robotic platform for convicted offender blood analysis, to analyze DNA from the cheek cell collectors used in the new standardized arrestee and convicted offender kits. Additionally, we have recently revised all standard operating procedures to meet ISO accreditation in 2011.

#### Storage System

To accommodate the convicted offender and arrestee specimens, the SBI DNA Database Unit recently purchased an electronic filing and storage system which has the capacity to hold approximately 500,000 convicted offender specimens. SBI is currently procuring a similar system which has the capacity to hold approximately 400,000 arrestee specimens.

#### Personnel

Currently, the four DNA forensic scientist and three DNA technician positions have been posted and recruited and are in the final stages of completing background checks. The majority of these positions are expected to be filled by February of 2011.

Note: Until June 1, 2012, any such automated notification would be limited to the grounds specified in G.S. 15A-266.3A(h)(1)a. through c. Prior to that date, expunction for the grounds listed in G.S. 15A-266.3A(h)(1)d. and e. is initiated only upon a written request from the defendant or defendant's counsel. After that date, the automation would attempt to notify the DA of a case's potential eligibility for DNA expunction without a written request. It should be noted that the courts have no information from which to identify cases eligible for DNA expunction under subdivision (h)(1)d (no charges filed within statute of limitations), because without a filed charge, there is no court record of the proceeding. The only record of such proceedings would be in the records of the arresting agency.

Note: For an example, see the authorization for the courts to provide the Division of Motor Vehicles with electronic notice of certain convictions in the last sentence of G.S. 20-24(b).

Note: Pursuant to G.S. 15A-266.3A(j), the DA must "verify and indicate the facts of the qualifying event on a verification form," after which the DA merely must "obtain the signature of a judge" for certain dispositions. The judge in this scenario exercises no discretion and makes no determination regarding the eligibility of the defendant for expunction of the DNA sample.

# Criminal Justice Information Sharing

## Background

The CJIN Board started to investigate information sharing at the local level for a variety of reasons; the CJIN Mobile Data Network was approaching obsolescence (the number of users has significantly decreased), the number of wireless applications was continuing to increase (eCITATION, DMV & Correction Photos, etc.), there were a variety of information sharing systems being implemented and used across the state (COPLINK, Police to Police, Rambler, Inform, etc.), there were systems under development or being discussed at the state level that would impact the operations of local law enforcement (NCAWARE, CJLEADS, Electronic Discovery, Crime Statistics, etc.), the Federal Bureau of Investigation was developing a national repository for local law enforcement information that contained advanced analytical tools (National Data Exchange – N-DEx), the Naval Criminal Investigative Services was developing a repository for local law enforcement agencies in proximity to Naval Installations that contained a database with applications (Law Enforcement Information Exchange – LInX), the wireless industry was continuing to enhance their products and broadband was being addressed at the federal level with stimulus funds, traditional 911 voice systems were on a fast track toward data and video that may have a cascading effect on record systems and courts, advance technologies were emerging in the criminal justice community such as digital signature, GIS, and security with two-factor authentication, and other states were implementing and discussing projects that would collect local incident information through the use of third-party vendors deploying a turn-key approach.

Local law enforcement agencies across North Carolina are the custodians for a wealth of crime fighting data. These agencies maintain a repository containing a comprehensive view of every criminal incident that occurs within their jurisdiction. Over the last several decades this data has been in transition in the majority of agencies from a manual to automated process, complete with computers in the vehicles – millions of dollars are spent by local agencies to implement, operate, and maintain these systems. While the functionality of these systems varies significantly, they are each designed to satisfy the business needs of that agency.

In parallel with researching local information sharing, the CJIN Board contacted other states and federal agencies to determine how the industry was addressing these issues. The Board received presentations from the Federal Bureau of Investigation (FBI) and the Naval Criminal Investigative Service (NCIS) both of which have operational data repositories containing local incident information and both are functional on a national level – an effort is currently underway to connect these repositories.

The CJIN staff contacted all the RMS vendors that operate in North Carolina. Members of the Board and law enforcement met with three of these vendors, that collectively serve in excess of 95% of our local agencies and have their corporate headquarters in North Carolina, to determine how receptive they would be to providing a standard interface, and more importantly, maintaining this interface as part of their future core suite of products. The vendors were not only receptive to standardizing, they provided some significant insight into other areas such as single sign-on, two factor authentication, warrants, etc. CJIN facilitated these meetings; however, personnel from local law enforcement agencies and other state agencies were in attendance including the Administrative Office of the Courts (AOC) and the State Bureau of

Investigation (SBI). The vendors also agreed to work closely with AOC on investigating an electronic interface to the NCAWARE System.

The Board was concerned that the impact to the criminal justice community within the state, as a result of all the various systems being developed, may be detrimental to the existing business process of local law enforcement agencies. If properly planned, designed, and implemented all the aforementioned items would significantly enhance the operation of local law enforcement.

The CJIN Board needed to update their original strategic plan and started the process by addressing the place where the majority of criminal cases originate, with the local law enforcement agencies. The Board was also working with the various state agencies on a variety of upgrades, enhancements, and new systems, while staying in contact with other states and federal agencies.

#### Board Meetings & Information Gathering

To obtain a base line on information sharing and the technology being utilized, both at the local and state level, the CJIN Board reached out to various agencies for assistance. The following agencies provided the Board with presentations, live demonstrations, and handouts:

September 13, 2007

- Governor's Crime Commission – Grants
- NC Fusion Center – ISAAC
- Administrative Office of the Courts – NCAWARE
- State Bureau of Investigation – SAFIS
- State Highway Patrol – VIPER
- State Highway Patrol – DMV Photos
- E911 Wireless Board
- Durham Sheriff's Office – Gang Net

November 8, 2007

- Administrative Office of the Courts – NCAWARE
- State Highway Patrol – VIPER
- State Bureau of Investigation – SAFIS
- Department of Juvenile and Delinquency Prevention – NC-JOIN
- North Carolina Local Government Information Systems Association
- Office of Information Technology Services – Second Major Data Center
- Department of Correction – OPUS

January 24, 2008

- Town of Cary IT
- City of Wilson IT
- City of High Point PD
- City of Jacksonville IT/PD
- State Bureau of Investigation – SAFIS
- City of Durham PD
- City of Raleigh PD
- Buncombe County IT/District Attorney

March 12, 2008

- Administrative Office of the Courts – NCAWARE
- State Highway Patrol – VIPER
- State Bureau of Investigation – SAFIS
- 2008 General Assembly Report

September 18, 2009

- Administrative Office of the Courts – NCAWARE
- State Highway Patrol – VIPER
- State Highway Patrol – DMV Photos
- Federal Bureau of Investigation – InfraGard
- Governor’s Crime Commission – SAVAN
- Office of State Controller – CJLEADS
- State Highway Patrol – CJIN Mobile Data Network

November 20, 2008

- Town of Coats PD
- Administrative Office of the Courts – NCAWARE
- State Highway Patrol – VIPER
- State Highway Patrol – DMV Photos
- Department of Corrections – DOC Photos
- Buncombe County/City of Asheville IT/District Attorney
- Department of Corrections – Probation System
- State of Pennsylvania – Justice Network

January 27, 2009

- Office of Information Technology Services – Digital Signatures & E-Forms
- Wake County Sheriff’s Office
- City of Raleigh PD
- City of Kinston PD
- Johnston County Sheriff’s Office
- State of Michigan – Justice Network

March 26, 2009

- Office of Information Technology Services – Digital Signatures & E-Forms
- Wake County Sheriff’s Office
- 2009 General Assembly Report
- State of Nebraska – Justice Network

October 29, 2009

- Administrative Office of the Courts – NCAWARE
- State Highway Patrol – VIPER
- Department of Corrections – DOC Photos
- Charlotte Mecklenburg PD – CRISS
- Office of State Controller – CJLEADS
- NC Department of Justice – Local Data Integration & Crime Statistics
- Naval Criminal Investigative Service – LInX

- Federal Bureau of Investigation – N-DEx

January 28, 2010

- Local Criminal Justice Information Sharing
- Town of Coats PD
- City of Dunn PD
- Harnett County Sheriff's Office
- City of Benson PD
- City of Lillington PD
- Town of Angier PD
- HB 1282 – Automated Pawn Systems
- City of Raleigh PD
- Wake County Sheriff's Office
- Charlotte Mecklenburg PD
- Guilford County Sheriff's Office
- City of Fayetteville PD
- Cumberland County Sheriff's Office
- City of Jacksonville IT/PD

March 18, 2010

- Next Generation Emergency Dispatch Solution
- Federal Bureau of Investigation
- Cisco Systems
- Buncombe County Senior ADA
- Pawn Systems Study
- Approved 2010 General Assembly Report

October 14, 2010

- DMV Photos – New Photo Recognition System
- Tracking Dashboard for Probation Officers
- CJIN Information Sharing Initiative
- NCIS LInX System
- LInX Governance Board
- FBI – N-DEx
- Approve Initiative for Standards
- CJLEADS Update
- Electronic Discovery – AOC

November 17, 2010

- Next Generation 911
- Information Sharing Initiative
- VisionAir
- Southern Software
- SunGard OSSI
- RMS Standards
- JMS Standards

March 24, 2011

- DOC Notification of Outstanding Warrants
- Using Web Services
- Electronic Discovery Project – Evidence Numbering
- Approved 2011 General Assembly Report
- SB-144 Cash Converters
- Recommended Approval of the Senate Bill
- Discussion of CJIN Staff

October 13, 2011

- Discuss Workshops with RMS Vendors
- NCAWARE
- CJLEADS
- DA access to DMV
- Mental Health Access to Criminal Records
- Crime Lab Numbering
- Electronic Discovery Update
- DA Evidence in Video Format
- Remote Access to ACIS
- Use of VPNs
- CJIS Two-Factor Authentication, FBI
- COPLINK, CRISS, i2, Horry County, SC
- NCIS – LInX Northrop Grumman, NC LInX Board
- Interface two Regional Systems
- Next Generation 911
- NC One-Map, Geographical Information Systems

February 23, 2012

- CJLEADS
- CJIN Mobile Data
- NCAWARE
- Access to ACIS
- DAS Alerting
- Statewide Criminal Search for DA
- Verizon Smart Phone Criminal Justice Applications
- Interface COPLINK and LInX
- Governor's Crime Commission
- DNA
- Mental Health – Criminal Records
- Scrap Metal
- Charlotte/Mecklenburg PD
- Raleigh PD
- NC Fusion Center – ISAAC
- DOC Smart Phone Applications
- NC DEX

Note: The details associated with the majority of the above presentations are posted on the CJIN Board Website with contact information on the agency and links to the presentations.

## Local Law Enforcement Agencies/Record Management System Vendors

After numerous discussions with sheriff deputies and police officers from all the aforementioned agencies, it was obvious that one of the key sources of criminal justice and public safety information is the Record Management System (RMS) used by the majority of law enforcement agencies within the state. These record systems contain a wealth of information regarding each incident that occurs within that jurisdiction. These databases contain the official record of an incident; they are the source of information used for tracking crimes (trend analysis), mapping crimes, searching for specific information (color of vehicle, description of property, personnel at the scene, interviews, etc.), advanced crime analysis, etc. It is the repository of crime fighting information.

Based on our research and the assistance of the SBI, we found the following RMS Vendors in the State of North Carolina:

- HTE OSSI Corporate
- InterAct
- Keystone
- New World
- SunGard OSSI
- Southern Software
- Spillman
- USA
- VisionAir

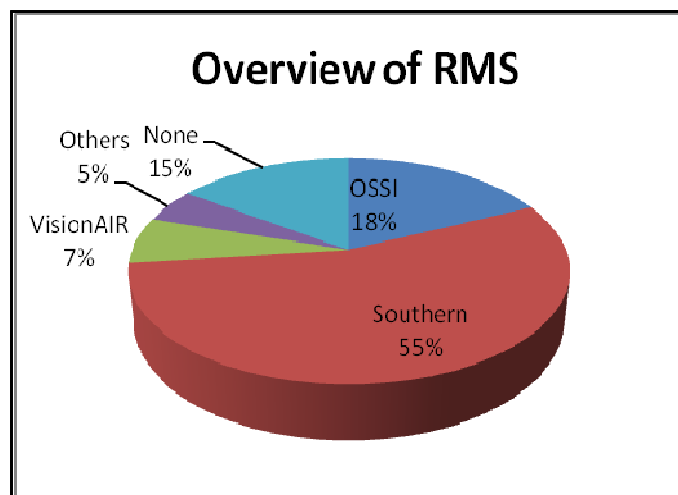
Two agencies have developed their own internal systems for records and in excess of 100 agencies do not possess an electronic records system.

The vendors generally provide an integrated system comprised of Computer Aided Dispatch, the Records Management System (both Police, Fire & Emergency Medical Services), Jail Management, Mobile Data Systems, Fire Alerting, etc. The RMS vendors have also built information sharing systems for their agencies and the following are currently available within the state:

- SunGard OSSI – Police to Police (P2P);
- Southern Software – Rambler; and
- VisionAir – Inform.

### NC Criminal Justice Data Base

To address criminal justice information sharing and make informed decisions, the CJIN Board created a data base consisting of the following data items – the data was segmented into several categories and includes an excess of 540 NC law enforcement agencies:



#### County and Law Enforcement Agency Information:

- NC County
- Population served by LE Agency
- Agency Name
- Originating Reporting Identifier (ORI) Number
- Number of Sworn Officers
- Agency Address
- Contact – Sheriff or Police Chief
- Phone Number
- E-Mail
- Judicial District
- Court Directory – Judges, District Attorney, Clerk, Magistrates, etc. (AOC Link)
- Member – Organization of Metro Chief

Note: The above information provides an overview of each NC law enforcement agency.

#### LE Information Sharing Systems used by Agencies:

- I2 – COPLINK, National Crime Analysis System
- NCIS development System, Law Enforcement Information Exchange, LInX
- Police to Police, SunGard OSSI Product
- Police to Citizen, SunGard OSSI Product
- Rambler, Southern Software Product
- Inform, VisionAir Product
- Leads On Line, National Pawn Shop Data Base
- Uniform Crime Reporting (UCR), Which the Agencies report UCR

Note: The above information provides CJIN with all the ongoing information sharing efforts

#### LE Dispatch Information and Systems Used:

- 911 Dispatch Center, Public Safety Answering Point, agency receive 911 calls directly
- Dispatched by another agency, identify agency
- Governing Authority of Dispatch Center
- 911 System, type and vendor
- Radio System, type and vendor
- Computer Aided Dispatch (CAD) System
- Record Management System (RMS) Vendor
- Mobile Data Vendor
- Field Based Reporting Vendor
- Jail Management System (JMS) Vendor
- Narcotics Module, type and vendor
- Fire Records Management Vendor
- Geographical Information System (GIS) Vendor
- Technical Contact Person in Agency
- Technical Phone Number
- Technical E-Mail

Note: The above information provides a comprehensive profile of all the systems

#### State and Local Systems:

- Gang Net
- CJLEADS



- NCAWARE
- CAPTURES
- OPUS
- CJIN Mobile Data
- VIPER
- Pawn Transaction Program
- Electronic Discovery
- Other systems

The local law enforcement agencies are identified below along with their RMS vendor and if they possess one of the information sharing systems it is denoted; the three major RMS vendors within North Carolina provide their officers with the aforementioned information sharing tools – Rambler, Police to Police, and Inform. Information regarding the law enforcement agency is also provided; population of jurisdiction and number of sworn officers.

The chart displays the agencies that are participating in one of the two regional systems in the state – COPLINK or NCIS's LInX, in addition to, the agencies that are designated a Public Safety Answering Point (receives 911 calls and dispatches police, fire, and emergency medical services), and agencies that use Leads-On-Line (a data base of pawn broker records that is being used by approximately 60 agencies and reflect over 200 pawn shops within North Carolina, the system is connected to the NCIC's Hot List and contains data from approximately 1400 law enforcement agencies in 35 other states.

### Agency/RMS Vendor/County/Information Sharing Chart

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Aberdeen PD	28	Southern Software	Moore	5,301					1	1
Alamance County SO	118	OSSI	Alamance	60,211	1			1		
Albemarle PD	49	OSSI	Stanly	16,338		1				
Albert J. Ellis PD			Onslow	Airport						
Alexander County SO	32	OSSI	Alexander	35,385	1			1		
Alleghany County SO	13	Southern Software	Alleghany	9,460	1				1	
Andrews PD	6	Southern Software	Cherokee	1,913						
Angier PD	12	Southern Software	Harnett	4,387						
Anson County SO	29	Southern Software	Anson	18,798	1	1				
Apex PD	54	Southern Software	Wake	32,269						
Ashe County SO	23	Southern Software	Ashe	23,837	1				1	
Asheboro PD	77	Spillman Technology	Randolph	25,321						
Asheville PD	195	OSSI	Buncombe	79,973				1		1
Asheville Regional Airport Authority			Buncombe	Airport						
ASU	26	Southern Software	Watauga	Campus						
Atlantic Beach PD	18	Southern Software	Carteret	1,820					1	1
Aulander PD		Southern Software	Bertie	824						
Aurora PD			Beaufort	570						
Avery County SO	24	Southern Software	Avery	15,892	1				1	
Ayden PD	18	VisionAir	Pitt	4,987						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Badin PD	5	OSSI	Stanly	1,946		1				
Bailey PD	3	Southern Software	Nash	735						
Bakersville PD	1		Mitchell	354						
Bald Head Island PD	10	Southern Software	Brunswick	264						
Banner Elk PD	9	Southern Software	Avery	972						
Beaufort County SO	48	Spillman Technology	Beaufort	34,035	1					
Beaufort PD	17	Southern Software	Carteret	4,048					1	
Beech Mountain PD	9	Southern Software	Avery	50	1				1	
Belhaven PD	8	Southern Software	Beaufort	1,963					1	
Belmont Abbey College			Gaston	Campus						
Belmont PD	31	Southern Software	Gaston	10,461		1			1	
Benson PD	12	Southern Software	Johnston	3,703					1	
Bertie County SO	24	VisionAir	Bertie	15,522	1				1	
Bethel PD		Southern Software	Pitt	1,824					1	
Beulaville PD	5	Southern Software	Duplin	1,091						
Biltmore Forest PD	12	Southern Software	Buncombe	1,556				1		1
Biscoe PD	8	Southern Software	Montgomery	1,774						
Black Mountain PD	18	Southern Software	Buncombe	8,526				1		1
Bladen County SO	44	OSSI	Bladen	26,234	1			1		
Bladenboro PD	6	OSSI	Bladen	1,605						
Blowing Rock PD	11	Southern Software	Watauga	1,429					1	
Boiling Spring Lakes PD	8	Southern Software	Brunswick	4,372						
Boiling Springs PD	8	Southern Software	Cleveland	4,301						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Boone PD	11	Southern Software	Watauga	14,813	1			1	1	
Boonville PD	5		Yadkin	1,165				1		
Bridgeton PD			Craven	315						
Broadway PD	4		Lee	1,116						
Brookford PD	1		Catawba	439		1				
Broughton Hospital Police			Burke	Hospital						
Brunswick Community College	10		Brunswick	Campus						
Brunswick County SO	120	Southern Software	Brunswick	67,064	1		1	1	1	1
Bryson City PD	7	VisionAir	Swain	1,487						
Buncombe County SO	230	OSSI	Buncombe	130,326	1			1		1
Bunn PD	2		Franklin	406						
Burgaw PD	10	Southern Software	Pender	4,279			1			
Burke County SO	102	OSSI	Burke	64,734	1			1		
Burlington PD	111	OSSI	Alamance	51,662				1		
Burnsville PD	8		Yancey	1,694						
Butner Public Safety	43	Southern Software	Granville	6,369	1					
Cabarrus County SO	204	OSSI	Cabarrus	57,412	1	1		1		
Caldwell County SO	64	OSSI	Caldwell	52,509	1			1		
Camden County SO	15	OSSI	Camden	9,732			1			
Cameron PD	1	Southern Software	Moore	280						
Candor PD	5	Southern Software	Montgomery	847						
Canton PD	14	Southern Software	Haywood	4,097					1	1
Cape Carteret PD	7	Southern Software	Carteret	1,500					1	

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Carolina Beach PD	28	VisionAir	New Hanover	5,987					1	
Carolina Beach State Park		Southern Software	New Hanover	Park						
Carrboro PD	38	OSSI	Orange	19,891				1		
Carteret County SO	48	Southern Software	Carteret	38,596	1		1		1	1
Carthage PD	10	Southern Software	Moore	2,334					1	
Cary PD	163	OSSI	Wake	146,536	1			1		
Caswell Beach PD	4	Southern Software	Brunswick	511						
Caswell Center Hospital Police			Lenoir	Hospital						
Caswell County SO	35	Southern Software	Caswell	23,571	1				1	
Catawba County SO	121	VisionAir	Catawba	83,978	1	1				
Catawba PD	3	Southern Software	Catawba	755		1				
Chadbourn PD	10	Southern Software	Columbus	2,122						
Chapel Hill PD	112	OSSI	Orange	54,431				1		
Charlotte/Douglas Airport Police			Mecklenburg	Airport		1				
Charlotte-Mecklenburg PD	1,635		Mecklenburg	711,349	1	1				
Chatham County SO	77	Southern Software	Chatham	56,212	1				1	
Cherokee County SO	26		Cherokee	23,550	1					
Cherokee PD			Swain		1				1	1
Cherry O'Berry Hospital Police		Southern Software	Watauga	Hospital			1	1	1	
Cherryville PD	18	Southern Software	Gaston	5,795		1			1	
Chimney Rock State Park		Southern Software	Rutherford	Park						
China Grove PD	13	Southern Software	Rowan	4,396						
Chocowinity PD	3	Southern Software	Beaufort	711					1	
Chowan County SO	14	Southern Software	Chowan	9,652	1		1		1	
Chowan University Campus Police	6		Hertford	Campus						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Claremont PD	8	Southern Software	Catawba	1,123						
Clay County SO	14	Southern Software	Clay	14,818	1					
Clayton PD	41	OSSI	Johnston	14,333						
Cleveland County SO	86	OSSI	Cleveland	68,368	1			1		1
Cleveland PD	5	Southern Software	Rowan	840						
Cliffs of the Neuse State Park		Southern Software	Wayne Park				1			
Clinton PD	29	VisionAir	Sampson	8,810						
Clyde PD	4	Southern Software	Haywood	1,401						
Coats PD	7	Southern Software	Harnett	2,180					1	
Columbus County SO	63	Southern Software	Columbus	42,593	1				1	1
Columbus PD	5	Southern Software	Polk	1,066						
Concord PD	154	OSSI	Cabarrus	81,365		1		1		1
Conover PD	21	VisionAir	Catawba	8,110		1				
Conway PD	1		Northampton	696						
Cooleemee PD	4		Davie	980						
Cornelius PD	42	OSSI	Mecklenburg	24,847	1	1		1		
Cramerton PD	11	Southern Software	Gaston	3,504		1				
Craven County SO	66	I	Craven	41,050	1		1			
Creedmoor PD	13	Southern Software	Granville	3,296					1	
Cumberland County SO	309	OSSI	Cumberland	85,558	1		1	1		1
Currituck County SO	64	OSSI	Currituck	23,815	1		1	1		
Dallas PD	12		Gaston	4,033						
Dare County SO	67	OSSI	Dare	16,704	1		1			

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Davidson College Public Safety and Police	7		Mecklenburg	Campus						
Davidson County SO	121	OSSI	Davidson	109,587	1			1		
Davidson PD	18		Mecklenburg	10,541		1				
Davie County SO	44	VisionAir	Davie	36,132	1			1		
Denton PD	6		Davidson	1,740						
DHHS Police – Black Mountain			Buncombe	Hospital						
Dismal Swamp State Natural Area		Southern Software	Camden	Park						
Dobson PD	5	VisionAir	Surry	1,516						
Dorothea Dix Hospital		I	Wake	Hospital						
Drexel PD	5	Southern Software	Burke	1,920				1		
Duck PD	7	Southern Software	Dare	504						
Duke University PD	28	OSSI	Durham	Campus				1		
Dunn PD	35	Southern Software	Harnett	10,377	1				1	1
Duplin County SO	66	Southern Software	Duplin	42,108	1				1	
Durham County SO	156	VisionAir	Durham	32,044			1	1		
Durham PD	494	OSSI	Durham	234,088	1		1	1		
East Bend PD	2		Yadkin	671						
East Carolina University	26	InterAct Public Safety	Pitt	Campus						
East Spencer PD	5	Southern Software	Rowan	1,703						
Eden PD	44	Southern Software	Rockingham	15,696	1				1	
Edenton PD	14	Southern Software	Chowan	5,166			1		1	
Edgecombe County SO	56	VisionAir	Edgecombe	20,399	1					
Elizabeth City PD	53	OSSI	Pasquotank	20,355						
Elizabeth City State University	17	Southern Software	Pasquotank	Campus						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Elizabethtown PD	14	OSSI	Bladen	3,621			1			
Elk Knob State Natural Area		Southern Software	Watauga	Park					1	
Elk Park PD			Avery	447						
Elkin PD	17	VisionAir	Surry	4,150						
Elon PD	15	OSSI	Alamance	7,913				1		
Elon University Campus PD	16	OSSI	Alamance	Campus						
Emerald Isle PD	14	VisionAir	Carteret	3,982					1	1
Enfield PD	10	Southern Software	Halifax	2,221						
Eno River State Park		Southern Software	Durham	Park						
Erwin PD	9	Southern Software	Harnett	5,051					1	
Fair Bluff PD	1		Columbus	1,226						
Fairmont PD	10	Southern Software	Robeson	2,763					1	
Falls Lake State Recreation Area			Wake	Park						
Farmville PD	10	Southern Software	Pitt	4,715					1	
Fayetteville PD	347	VisionAir	Cumberland	207,779			1	1		1
Fayetteville State University	11	Southern Software	Cumberland	Campus	1					
Fletcher PD	15	Southern Software	Henderson	6,531					1	1
Forest City PD	32	Shield Technology	Rutherford	7,133						
Forsyth County SO	202	OSSI	Forsyth	97,546	1			1		
Fort Fisher State Recreation Area		Southern Software	New Hanover	Park						
Fort Macon State Park		Southern Software	Carteret	Park						
Four Oaks PD	5	Southern Software	Johnston	1,995						
Foxfire Village PD	2		Moore	582						
Franklin County SO	62	Southern Software	Franklin	51,306					1	



AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Franklin PD	18	Southern Software	Macon	3,899					1	
Franklinton PD	7	Southern Software	Franklin	2,523						
Fremont PD	3		Wayne	1,404			1			
Fuquay-Varina PD	29	Southern Software	Wake	16,961						
Gardner-Webb University	4		Cleveland	Campus						
Garner PD	61	VisionAir	Wake	27,013						
Garysburg PD	2	Southern Software	Northampton	1,203					1	
Gaston County PD	2	New World Systems	Gaston		1	1				
Gaston County SO	121	New World Systems	Gaston	78,685		1				
Gaston PD	2		Northampton	945						
Gastonia PD	172		Gaston	75,280		1				
Gates County SO	10	Southern Software	Gates	11,814	1				1	
Gibsonville PD	14	OSSI	Guilford	2,855						
Glen Alpine PD	3		Burke	1,349						
Goldsboro PD	103	OSSI	Wayne	38,313			1			
Goose Creek State Park		Southern Software	Beaufort	Park						
Gorges State Park		Southern Software	Transylvania	Park					1	
Graham County SO	15		Graham	8,327	1					
Graham PD	33	VisionAir	Alamance	15,042				1		
Granite Falls PD	14	Southern Software	Caldwell	4,999					1	
Granite Quarry PD	7	Southern Software	Rowan	2,479					1	
Granville County SO	51	Southern Software	Granville	40,839	1				1	
Greene County SO	20	Southern Software	Greene	21,384	1					

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Greensboro PD	602	OSSI	Guilford	268,917				1		
Greenville PD	182	New World Systems	Pitt	82,569			1			
Grifton PD	6	Southern Software	Pitt	2,174					1	
Grover PD			Cleveland	699						
Guilford County SO	250	Spillman Technology	Guilford	170,820	1			1		
Halifax County SO	60	VisionAir	Halifax	31,439	1					
Hamlet PD	19	Southern Software	Richmond	5,820						
Hammocks Beach State Park		Southern Software	Onslow	Park						
Hanging Rock State Park		Southern Software	Stokes	Park						
Harnett County SO	110	VisionAir	Harnett	87,549	1		1		1	1
Havelock PD	28	InterAct Public Safety	Craven	23,739	1		1			
Haw River PD	8	Southern Software	Alamance	2,068						
Haw River State Park		Southern Software	Rockingham	Park						
Haywood County SO	50	Southern Software	Haywood	40,784	1				1	1
Henderson County SO	129	VisionAir	Henderson	83,265	1					1
Henderson PD	52	OSSI	Vance	16,236						1
Hendersonville PD	38	VisionAir	Henderson	13,135						
Hertford County SO	21	Southern Software	Hertford	20,431	1				1	
Hertford PD	7	Southern Software	Perquimans	2,203					1	
Hickory PD	114	OSSI	Catawba	41,039		1		1		
High Point PD	219	OSSI	Guilford	99,961	1			1		
Highlands PD	12	Southern Software	Macon	985						
Hillsborough PD	28	Southern Software	Orange	6,751					1	
Hobgood PD			Halifax	381						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Hoke County SO	52	Southern Software	Hoke	41,722	1		1			
Holden Beach PD	9	Southern Software	Brunswick	964						
Holly Ridge PD	8	Southern Software	Onslow	1,469						
Holly Springs PD	36	I	Wake	21,599	1		1	1		
Hope Mills PD	30	VisionAir	Cumberland	14,559	1					
Hot Springs PD	1		Madison	677						
Hudson PD	11	Southern Software	Caldwell	3,144						
Huntersville PD	82	OSSI	Mecklenburg	41,216		1		1		
Hyde County SO	15	Southern Software	Hyde	5,391	1					
Indian Beach PD	4	Southern Software	Carteret	88						
Iredell County SO	133	VisionAir	Iredell	96,384	1	1				
Jackson County SO	44	Southern Software	Jackson	35,389	1				1	
Jackson PD	1		Northampton	675						
Jacksonville PD	112	I	Onslow	81,612	1		1	1	1	1
Jefferson PD	3	Southern Software	Ashe	1,442						
Johnson C. Smith University Campus PD	4		Mecklenburg	Campus						
Johnston County SO	104	OSSI	Johnston	119,239	1					
Jones County SO	10	Southern Software	Jones	9,170	1					
Jones Lake State Park		Southern Software	Bladen	Park						
Jonesville PD	10	Southern Software	Yadkin	2,246						
Jordan Lake State Recreation Area		I	Wake	Park						
Kannapolis PD	75	VisionAir	Cabarrus	35,308		1		1		
Kenansville PD	4	Southern Software	Duplin	1,256				1		

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Kenly PD	8	Southern Software	Johnston	1,810						
Kernersville PD	67	OSSI	Forsyth	22,956						
Kerr Lake State Recreation Area		I	Vance	Park						
Kill Devil Hills PD	25	VisionAir	Dare	6,875						
King PD	19	Southern Software	Stokes	5,859				1	1	
Kings Mountain PD	29	OSSI	Cleveland	9,720	1					
Kingstown PD			Cleveland	819						
Kinston PD	84	OSSI	Lenoir	22,478						
Kitty Hawk PD	15	OSSI	Dare	3,491			1			
Knightdale PD	23	Southern Software	Wake	12,393			1			
Kure Beach PD	10		New Hanover	Park						
La Grange PD		Southern Software	Lenoir	2,774						
Lake James State Park		Southern Software	McDowell	Park						
Lake Lure PD	10	Southern Software	Rutherford	1,105						
Lake Norman State Park		Southern Software	Iredell	Park						
Lake Royal PD	6	Southern Software	Franklin						1	
Lake Waccamaw PD	5	Southern Software	Columbus	1,287						
Landis PD	8	Southern Software	Rowan	3,127						
Laurel Park PD	7	Southern Software	Henderson	2,290					1	1
Laurinburg PD	36	VisionAir	Scotland	15,925						
Lee County SO	48	Southern Software	Lee	29,198					1	1
Lees-McRae College			Avery	Campus						
Leland PD	30	Southern Software	Brunswick	13,408					1	
Lenoir County SO	62	VisionAir	Lenoir	26,768	1					

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Lenoir PD	54	VisionAir	Caldwell	19,071				1		
Lewiston Woodville PD			Bertie	554						
Lexington PD	67	OSSI	Davidson	21,420				1		
Liberty PD	10	Spillman Technology	Randolph	2,898						
Lilesville PD	1		Anson	436						
Lillington PD	12	Southern Software	Harnett	3,300					1	
Lincoln County SO	104	OSSI	Lincoln	64,159	1	1		1	1	
Lincolnton PD	31	Southern Software	Lincoln	11,543		1			1	
Littleton PD	5		Halifax	666						
Locust PD	11	VisionAir	Stanly	2,984		1				
Longview PD	14	Southern Software	Catawba	4,273				1		
Louisburg PD	13	Southern Software	Franklin	3,711						
Lowell PD	9		Gaston	2,779						
Lumber River State Park		Southern Software	Robeson	Park						
Lumberton PD	78	VisionAir	Robeson	23,039	1					
Macon County SO	42	Southern Software	Macon	29,610	1					
Madison County SO	17	Southern Software	Madison	17,390	1			1		
Madison PD	13	OSSI	Rockingham	2,210				1		1
Maggie Valley PD	8	Southern Software	Haywood	1,602					1	1
Magnolia PD		Southern Software	Duplin	1,014						
Maiden PD	13	Southern Software	Catawba	3,466		1			1	
Manteo PD	7	Southern Software	Dare	1,044						
Marion PD	22	Southern Software	McDowell	7,481					1	

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Mars Hill PD	5	Southern Software	Madison	1,938						
Marshall PD	3		Madison	841						
Marshville PD	8	Southern Software	Union	3,156					1	
Martin County SO	34	Southern Software	Martin	16,628	1				1	
Matthews PD	57	OSSI	Mecklenburg	29,209		1				1
Maxton PD	9	Southern Software	Robeson	2,341						
Mayo River State Park		Southern Software	Rockingham	Park						
Mayodan PD	13	OSSI	Rockingham	2,470				1		
Maysville PD	3	Southern Software	Jones	980						
McAdenville PD	2	Southern Software	Gaston	606		1				
McDowell County SO	43	Southern Software	McDowell	36,278	1				1	
Mebane PD	20	OSSI	Alamance	8,316				1		
Mecklenburg County SO	304		Mecklenburg	48,333		1				
Medoc Mountain State Park		Southern Software	Halifax	Park						
Merchants Millpond Park		Southern Software	Gates	Park						
Meredith College Campus Police	7	I	Wake	Campus						
Methodist University PD	5	Southern Software	Cumberland	Campus						
Micro PD			Johnston	557						
Middlesex PD	4	Southern Software	Nash	890						
Mint Hill PD	28	Southern Software	Mecklenburg	21,048		1			1	
Mitchell County SO	15		Mitchell	13,602					1	
Mocksville PD	22	Southern Software	Davie	4,640					1	
Monroe PD	85	Southern Software	Union	38,120						
Montgomery County SO	24	Southern Software	Montgomery	18,846	1					

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Montreat College Campus Police	3		Buncombe	Campus						
Montreat PD	5		Buncombe	701						
Moore County SO	73	Southern Software	Moore	46,576	1				1	1
Mooresville PD	58	OSSI	Iredell	30,737		1		1		
Morehead City PD	36	VisionAir	Carteret	8,830			1			
Morganton PS	63	OSSI	Burke	17,058						
Morrisville PD	32		Wake	15,996						
Morrow Mountain State Park		Southern Software	Stanly	Park						
Morven PD			Anson	552						
Mount Airy PD	38	VisionAir	Surry	10,820						
Mount Gilead PD	7	Southern Software	Montgomery	1,411						
Mount Holly PD	29	Southern Software	Gaston	11,787	1	1			1	
Mount Mitchell State Park		Southern Software	Yancey	Park						
Mount Olive PD	16	OSSI	Wayne	4,626			1			
Murfreesboro PD	9	Southern Software	Hertford	2,622	1				1	
Murphy PD	8	Southern Software	Cherokee	1,627						
Nags Head PD	19	OSSI	Dare	3,131			1			
Nash County SO	70	VisionAir	Nash	86,119	1					
Nashville PD	12	Southern Software	Nash	4,947						
Navassa PD	4		Brunswick	1,973						
New Bern PD	87	New World Systems	Craven	26,611	1		1			
New Hanover County SO	286	OSSI	New Hanover	83,164	1		1	1		
New River State Park / Mount Jefferson		Southern Software	Ashe	Park						
Newland PD	5	Southern Software	Avery	695					1	

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Newport PD	10	Southern Software	Carteret	4,214					1	
Newton Grove PD	3		Sampson	630						
Newton PD	34	I	Catawba	13,819		1		1		1
North Carolina A & T State University	12	Southern Software	Guilford	Campus				1		
North Carolina Alcohol Law Enforcement			Statewide	State						
North Carolina Arboretum Campus Police			Buncombe	Campus						
North Carolina Central University	16	OSSI	Durham	Campus				1		
North Carolina Division of Forestry			Johnston	State						
NC Division of Parks & Recreation Headquarters		I	Wake	State						
North Carolina Fairgrounds Police			Wake							
North Carolina State Highway Patrol	1831	Internal	Statewide	State			1			
North Carolina State University	42	USA Software	Wake	Campus						
North Carolina Wildlife Commission			Statewide	State						
North Topsail Beach PD	11	Southern Software	Onslow	930						
Northampton County SO	21	VisionAir	Northampton	14,970	1					
Northwest PD			Brunswick	882						
Norwood PD	6	OSSI	Stanly	2,815		1				
Oak Island PD	25	Southern Software	Brunswick	8,594	1				1	
Oakboro PD	5		Stanly	1,139		1				
Ocean Isle Beach PD	13	Southern Software	Brunswick	520					1	
Old Fort PD	4	Southern Software	McDowell	983						
Onslow County SO	108	OSSI	Onslow	91,990	1		1	1		1
Orange County SO	85	OSSI	Orange	51,199	1			1		
Oriental PD			Pamlico	857						
Oxford PD	32	VisionAir	Granville	9,447					1	



AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Pamlico County SO	17	InterAct Public Safety	Pamlico	11,981	1					
Parkton PD			Robeson	551						
Pasquotank County SO	40	OSSI	Pasquotank	21,490	1		1			
Pembroke PD	14	Southern Software	Robeson	2,837						
Pender County SO	54	OSSI	Pender	46,688	1		1	1		1
Perquimans County SO	9	Southern Software	Perquimans	10,167					1	
Person County SO	42	Southern Software	Person	29,339	1				1	
Pettigrew State Park			Warren	Park						
Piedmont Triad International Airport		Southern Software	Guilford	Airport					1	
Pikeville PD	3	OSSI	Wayne	703			1			
Pilot Mountain PD	8	VisionAir	Surry	1,299						
Pilot Mountain State Park		Southern Software	Stokes	Park						
Pine Knoll Shores PD	8	Southern Software	Carteret	1,634					1	
Pine Level PD	5	Southern Software	Johnston	1,978					1	
Pinebluff PD	4	Southern Software	Moore	1,403						
Pinehurst PD	25	Southern Software	Moore	12,119						1
Pinetops PD	7	Southern Software	Edgecombe	1,259						
Pineville PD	36	USA Software	Mecklenburg	7,747	1	1				
Pink Hill PD	2		Lenoir	520					1	
Pitt County SO	142	OSSI	Pitt	52,621	1		1			
Pittsboro PD	13	Southern Software	Chatham	2,443					1	
Plymouth PD	10	Southern Software	Washington	3,846			1			
Polk County SO	24	Southern Software	Polk	15,950	1					1
Princeton PD	4	Southern Software	Johnston	1,443						

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Princeville PD			Edgecombe	2,412						
Queens University of Charlotte Campus Police			Mecklenburg	Campus						
Raeford PD	15	Southern Software	Hoke	4,412					1	
Raleigh PD	704	Keystone	Wake	383,331				1		
Raleigh-Durham Int'l Airport		OSSI	Wake	Airport						
Ramseur PD	6	Spillman Technology	Randolph	1,755						
Randleman PD	14		Randolph	4,487				1		
Randolph County SO	162		Randolph	107,748	1					
Ranlo PD	7		Gaston	3,369						
Raven Rock State Park		Southern Software	Harnett	Park						
Red Springs PD	15	Southern Software	Robeson	3,497						
Reidsville PD	49	OSSI	Rockingham	14,637	1			1		
Rhodhiss PD			Caldwell	407						
Rich Square PD	2	Southern Software	Northampton	840						
Richlands PD	6	Southern Software	Onslow	1,148			1		1	
Richmond County SO	48	OSSI	Richmond	31,543	1					
River Bend PD	5	InterAct Public Safety	Craven	3,162						
Roanoke Rapids PD	37	VisionAir	Halifax	16,572						
Robbins PD	5	Southern Software	Moore	1,332					1	
Robersonville PD	7	Southern Software	Martin	1,578					1	
Robeson County SO	130	OSSI	Robeson	95,273	1			1		
Rockingham County SO	89	I	Rockingham	55,900	1			1		
Rockingham PD	32	Southern Software	Richmond	9,484					1	
Rockwell PD	5	Southern Software	Rowan	2,082					1	

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Rocky Mount PD	150	OSSI	Edgecombe	16,965	1					
Rolesville PD	10	Southern Software	Wake	2,952				1		
Roper PD			Washington	609					1	
Rose Hill PD	4		Duplin	1,396						
Rowan County SO	124	OSSI	Rowan	90,124	1			1		
Rowland PD	6	Southern Software	Robeson	1,174						
Roxboro PD	30	Southern Software	Person	8,933					1	
Rutherford County SO	77	VisionAir	Rutherford	47,565	1					1
Rutherfordton PD	15	Southern Software	Rutherford	4,166						
Saint Pauls PD	13	OSSI	Robeson	2,368						
Salemburg PD			Sampson	482						
Salisbury PD	87	OSSI	Rowan	32,263				1		1
Saluda PD	3		Polk	562					1	1
Sampson County SO	90	VisionAir	Sampson	55,484	1					
Sanford PD	83	OSSI	Lee	28,249	1			1		1
Scotland County SO	41	Southern Software	Scotland	13,284	1					
Scotland Neck PD	8	Southern Software	Halifax	2,182						
Seaboard PD			Northampton	640						
Seagrove PD			Randolph	258						
Selma PD	23	Southern Software	Johnston	7,671						
Seven Devils PD	5		Watauga	129						
Severn PD			Northampton	252						
Shallotte PD	13	Southern Software	Brunswick	1,998						1

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Sharpsburg PD	9	Southern Software	Nash	1,418						
Shaw University PD	10		Wake	Campus						
Shelby PD	71	OSSI	Cleveland	20,793	1					
Siler City PD	21	Southern Software	Chatham	8,713					1	
Singletary Lake State Park		Southern Software	Bladen	Park						
Smithfield PD	38	InterAct Public Safety	Johnston	13,410						
South Mountains State Park		Southern Software	Burke	Park						
Southern Pines PD	28	OSSI	Moore	12,657				1		
Southern Shores PD	9	OSSI	Dare	2,616						
Southport PD	11	Southern Software	Brunswick	3,143					1	
Sparta PD	6	Southern Software	Alleghany	1,798						
Spencer PD	12	Southern Software	Rowan	3,481						
Spindale PD	11	Southern Software	Rutherford	3,850						
Spring Hope PD	5	Southern Software	Nash	1,328						
Spring Lake PD	10	OSSI	Cumberland	13,175						1
Spruce Pine PD	12	Southern Software	Mitchell	2,020					1	
St. Augustine's College			Wake	Campus						
Stallings PD	21	I	Union	12,152		1				
Stanfield PD	4		Stanly	1,337		1				
Stanley PD	8	Southern Software	Gaston	3,272		1				
Stanly County SO	49	OSSI	Stanly	32,819	1	1				
Stantonsburg PD	3		Wilson	749						
Star PD	4	Southern Software	Montgomery	808						
State Capitol Police		OSSI	Wake							

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LinX	P2P	Rambler	Leads On Line
Statesville PD	75	I	Iredell	27,322		1				
Stedman PD			Cumberland	970						
Stem PD			Granville	382						
Stokes County SO	39	Spillman Technology	Stokes	39,305	1					
Stone Mountain State Park		Southern Software	Alleghany Park							
Stoneville PD	4		Rockingham	965						
Stovall PD			Granville	397						
Sugar Mountain PD	5	Southern Software	Avery	247					1	
Sunset Beach PD	12	Southern Software	Brunswick	3,434					1	1
Surf City PD	17	Southern Software	Pender	1,532						
Surry County SO	57	VisionAir	Surry	56,096	1					
Swain County SO	18	Southern Software	Swain	12,364	1					
Swansboro PD	9	Southern Software	Onslow	2,306			1			
Sylva PD	13	Southern Software	Jackson	2,601					1	
Tabor City PD	9	Southern Software	Columbus	3,958					1	
Tarboro PD	28	VisionAir	Edgecombe	10,292	1					
Taylorsville PD	11	Southern Software	Alexander	1,931					1	
Taylortown PD	2		Moore	994						
Thomasville PD	65	OSSI	Davidson	27,200				1		
Topsail Beach PD	6		Pender	596						
Transylvania County SO	55	Southern Software	Transylvania	31,091	1					1
Trent Woods PD	5	Southern Software	Craven	4,465					1	
Troutman PD	13	Southern Software	Iredell	2,289		1			1	

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Troy PD	11	Southern Software	Montgomery	4,297					1	
Tryon PD	8	Southern Software	Polk	1,777						1
Tyrrell County SO	9	DaPro Systems	Tyrrell	4,251	1				1	1
UNC Asheville University Police	12	Southern Software	Buncombe	Campus						
UNC Chapel Hill University Police	31	OSSI	Orange	Campus				1		
UNC Charlotte University Police	28	Southern Software	Mecklenburg	Campus		1				
UNC Greensboro University Police	18	Southern Software	Guilford	Campus				1		1
UNC Hospitals Special Police			Orange	Hospital						
UNC Pembroke University Police	8	Southern Software	Robeson	Campus						
UNC School of Arts		Southern Software	Forsyth	Campus				1		
UNC Wilmington University Police	25	VisionAir	New Hanover	Campus						
Union County SO	181	Southern Software	Union	172,498	1	1			1	
Valdese PD	12	OSSI	Burke	4,592						
Vance County SO	43	Southern Software	Vance	27,378	1					
Vanceboro PD	1	Southern Software	Craven	919						
Vass PD	3	Southern Software	Moore	825						
Village of Misenheimer PD	5	OSSI	Stanly	701						
Village of Simpson PD			Pitt	497						
Wadesboro PD	25	Southern Software	Anson	5,489		1			1	
Wagram PD	2	Southern Software	Scotland	771						
Wake County SO	350	OSSI	Wake	577,254	1		1			
Wake Forest PD	54	I	Wake	27,890				1		
Wake Forest University	24	OSSI	Forsyth	Campus				1		
Wake Medical Campus Police		Southern Software	Wake	Hospital				1		

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Wallace PD	13	Southern Software	Duplin	3,570						
Walnut Cove PD	7	Southern Software	Stokes	1,589						
Walnut Creek PD	2		Wayne	920			1			
Warren County SO	36	Southern Software	Warren	19,018	1					
Warrenton PD	5	Southern Software	Warren	914						
Warsaw PD	11	Southern Software	Duplin	3,224						
Washington County SO	21	Southern Software	Washington	8,545	1					
Washington PD	38	Southern Software	Beaufort	10,114					1	
Watauga County SO	51		Watauga	29,006	1					
Waxhaw PD	16		Union	4,241		1		1		
Wayne County SO	82	Southern Software	Wayne	70,588	1		1			
Waynesville PD	34	Southern Software	Haywood	10,144					1	1
Weaverville PD	13	Southern Software	Buncombe	3,319					1	
Weldon PD	9	Southern Software	Halifax	1,712						
Wendell PD	15	I	Wake	6,001			1			
West Jefferson PD	7	Southern Software	Ashe	1,212						
Western Carolina University Police	13	Southern Software	Jackson	Campus					1	
Weymouth Woods-Sandhill Nature Preserve		Southern Software	Moore	Park						
Whispering Pines PD	7	Southern Software	Moore	2,542					1	
Whitakers PD	2	Southern software	Nash	367						
White Lake PD	6	OSSI	Bladen	583						1
Whiteville PD	25	Southern Software	Columbus	5,125					1	
Wilkes County SO	67	OSSI	Wilkes	64,340	1			1		

AGENCY NAME	Sworn Officers	RMS Vendor	County	POP	PSAP	Coplink	LInX	P2P	Rambler	Leads On Line
Wilkesboro PD	19	OSSI	Wilkes	3,179				1		
William B. Umstead State Park		Southern Software	Wake	Park						
Williamston PD	19	Southern Software	Martin	5,649					1	
Wilmington International Airport PD		Southern Software	New Hanover	Airport						
Wilmington PD	255	OSSI	New Hanover	102,207			1	1		
Wilson County SO	81	OSSI	Wilson	27,992	1					
Wilson PD	115	Southern Software	Wilson	51,264				1		
Wilson's Mills PD	3	Southern Software	Johnston	2,078						
Windsor PD	9	Southern Software	Bertie	3,214						
Winfall PD			Perquimans	610						
Wingate PD	7	Southern Software	Union	4,275						
Winston-Salem PD	519	OSSI	Forsyth	235,073	1			1		
Winston-Salem State University	11	Southern Software	Forsyth	Campus				1		
Winterville PD	18	Southern Software	Pitt	9,154					1	
Winton PD			Hertford	957						
Woodfin PD	15	Southern Software	Buncombe	6,020					1	1
Woodland PD	1	Southern Software	Northampton	797					1	
Wrightsville Beach PD	25	Southern Software	New Hanover	2,696					1	
Yadkin County SO	34	Southern Software	Yadkin	31,112	1				1	
Yadkinville PD	12	Southern Software	Yadkin	2,800				1		
Yancey County SO	13		Yancey	16,857	1					
Youngsville PD	8	Southern Software	Franklin	1,245						
Zebulon PD	22		Wake	5,545			1			
<b>TOTALS</b>	<b>21,792</b>			<b>9,870,111</b>	<b>128</b>	<b>52</b>	<b>66</b>	<b>67</b>	<b>123</b>	<b>66</b>



## Interface Two Regional Systems

The CJIN Board was identifying various information sharing systems throughout the state and two regional systems stood out as possible candidates for interconnecting; the Charlotte Regional Information Sharing System (CRISS) and the Law Enforcement Information Exchange (LInX) System which was developed by the Naval Criminal Investigative Service (NCIS) and is being maintained by Northrop Grumman.

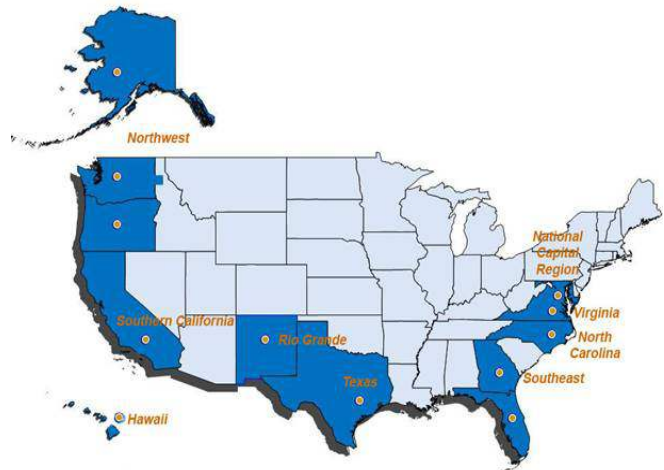
Both NCIS and i2 have systems that are operational in other parts of the United States. Last year, the Department of Homeland Security provided a grant to interconnect these two systems; COPLINK in Alaska to LInX in the Pacific Northwest (Washington, Oregon, & Idaho). The interconnection was successful and they began exchanging information in the fourth quarter of 2011.

The CJIN Board invited executives from NCIS, i2 COPLINK, Northrop Grumman, the NC Executive Governance Board for LInX, CRISS, etc. to a meeting on October 13, 2011. Presentations were given followed by a lengthy discussion. The Board recommended that these two systems be interconnected. The preliminary cost of connection is approximately \$85,000.

### Naval Criminal Investigative Services – Law Enforcement Information Exchange (LInX)

Note: The following information was derived from a power point presentation given to the CJIN Board along with information downloaded from the NCIS's website regarding LInX. The complete power point is available at the CJIN Website.

NCIS launched the Law Enforcement Information Exchange (LInX) initiative in 2003. The project was designed to enhance information sharing between local, state, and federal law enforcement in areas of strategic importance to the Department of the Navy. LInX provides participating law enforcement partner agencies with secure access to regional crime and incident data and the tools needed to process it, enabling investigators to search across jurisdictional boundaries to help solve crimes and resolve suspicious events.



LInX sites are currently operated by NCIS and its partners in nine regions throughout the U.S. There are over 760 NCIS LInX partner agencies with approximately 30,000 trained users.

The nine regions are:

- Northwest, which encompasses 217 agencies within the State of Washington, as well as parts of Oregon and agencies within the State of Alaska;
- Hampton Roads, encompassing 106 agencies in the Norfolk and Richmond areas of Virginia;
- Southeast, with 69 agencies in the northern area of the State of Florida, as well as agencies in the southeastern area of the State of Georgia;
- Gulf Coast, with 32 agencies in the southeastern coastal area of Texas;
- Hawaii, with 6 agencies;
- Rio Grande, with 39 agencies in the central area of New Mexico;
- National Capital Region, with 126 agencies in southern Maryland, northern Virginia and the District of Columbia;
- North Carolina, with 47 agencies' data in the eastern portion of the state; and
- Southern California, with 34 agencies.

A Northeast region is presently in development and includes 20 agencies in the southeastern section of Connecticut.

Types of Data in LInX

- Records Management Data (Incident structured data, incident narratives and supplemental reports)
- Investigative reports
- Field interviews / Suspicious Incidents
- Arrests
- Mug Shots
- Computer-Aided Dispatch (CAD) Data (traffic stops)
- Pawn Shop Records
- Jail Booking Records
- Traffic Crash Reports
- Traffic Summons data
- Sex Offender Registry
- Warrants

LInX provides increased efficiencies and cooperation between agencies:

- Local-state-federal sharing of law enforcement (LE) data inadequate, informal, non-automated
- In 2004 LInX was piloted in 2 locations to support NCIS mission in the protection of Naval assets and equities (Puget Sound, Washington State and Norfolk, VA)
- Collaborative approach to electronically capture the cumulative knowledge of federal, state, county and municipal law enforcement agencies
- A single regional database of law enforcement records from multiple disparate police records systems with strong local governance

Charlotte Regional Information Sharing System

The Charlotte Mecklenburg Police Department provided the CJIN Board with an overview of the Charlotte Regional Information Sharing System; the Power Point was presented by Crystal Cody and is available on the CJIN Website.

Goals:

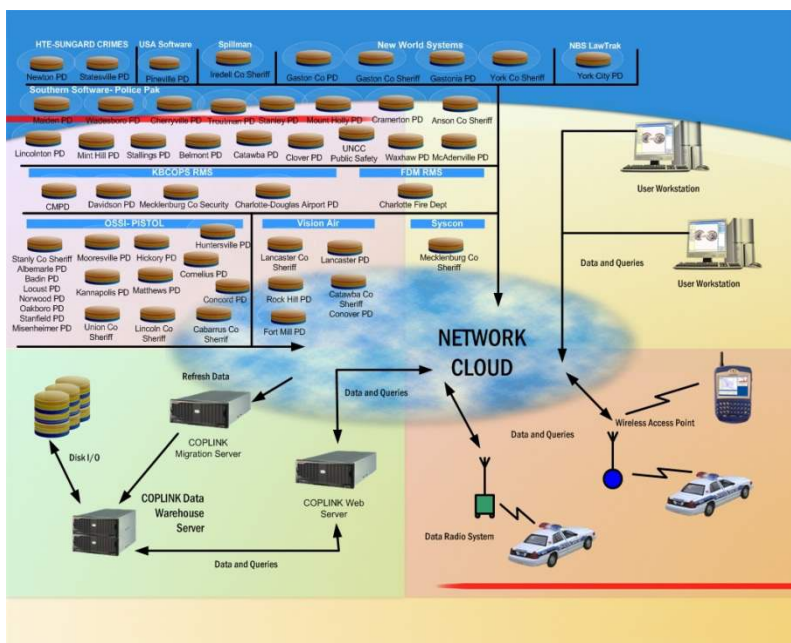
- Prevent or disrupt criminal activity in the Charlotte region
- Facilitate the timely sharing of information between agencies
- Create a common platform to share and analyze data
- Implement a data warehouse of RMS information from all law enforcement agencies in the 11 county Charlotte region
- Provide access for all participants to all the data sources
- Provide advanced analytical tools

2007 COPS Grant:

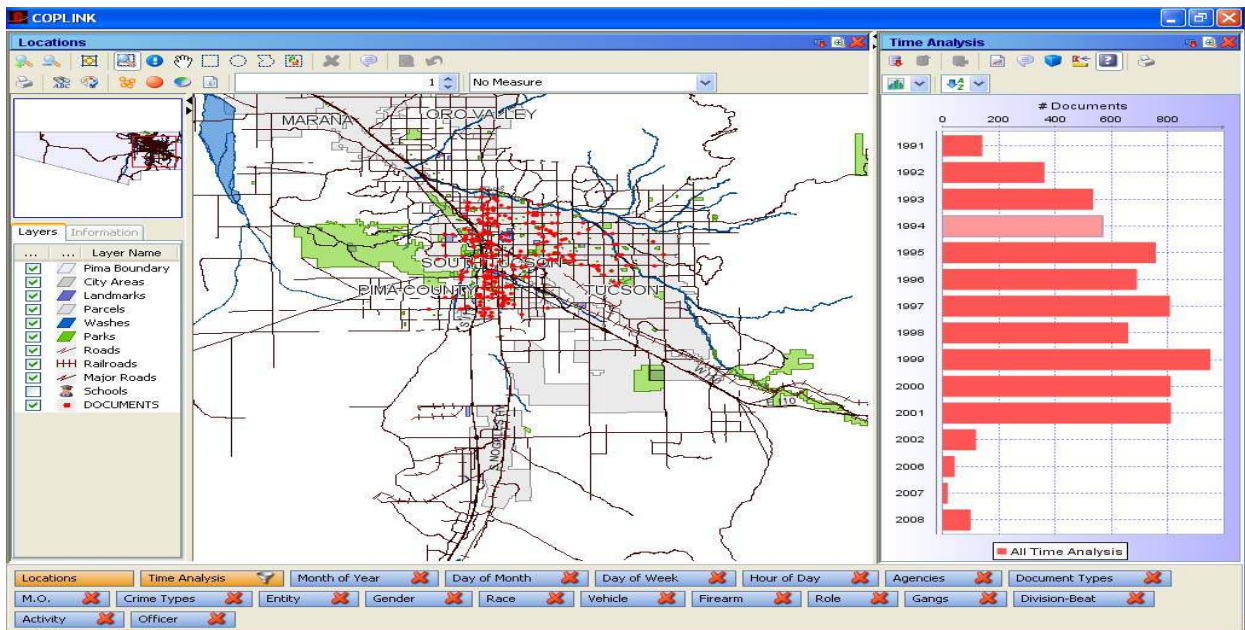
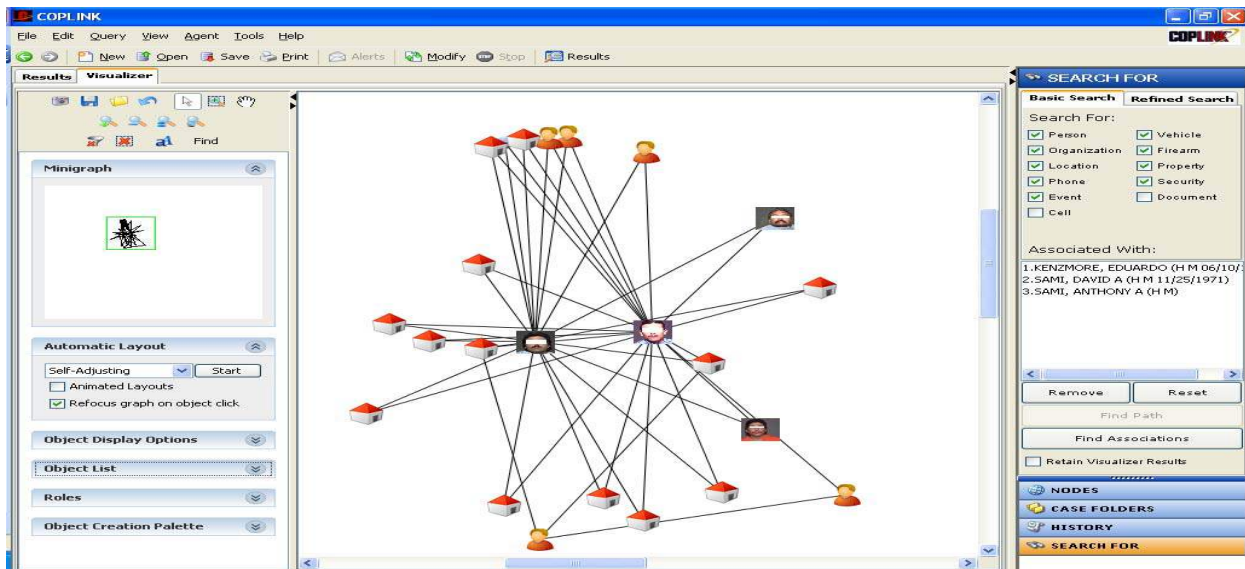
- Purpose – Enhanced data sharing
- Strategy – Capacity to link people, places, and events within and across multiple jurisdictions, criminal activities and networks, detection, response and prevention, data linkages for CRISS agencies (NC/SC), develop actionable intelligence
- Key Features – Consolidated search tool, expanded link analysis capabilities, local, regional, national data sources, regional governance, representation for all participants, cost sharing

CRISS encompasses an 11 County Region

Counties	Agencies
Anson	2
Cabarrus	3
Catawba	6
Gaston	10
Iredell	4
Lancaster	2
Lincoln	2
Mecklenburg	11
Stanley	8
Union	4
York	<u>5</u>
Total	57



COPLINK contains some excellent analytical tools. The following screen shots are an example of the advanced criminal justice applications that are available:



## Specific Data Exchange Standards

During the CJIN Board meetings and workshops with local law enforcement agencies it was determined that interfaces (sometimes referred to as adapters or replicators) being provided by third party vendors are not always sustainable. These adapters are generally being installed to send local incident data (all the data or a portion thereof) to another system for a variety of beneficial reasons. The funding for the implementation is generally grants and when the

interface becomes operational it becomes incumbent upon the local law enforcement agency to maintain the software. Since record systems are dynamic; changes, upgrades, or new releases to these systems may result in a malfunction to the interface.

In lieu of pointing to specific examples of these non-sustainable interfaces, it was more productive to search for a potential long-term solution to the issue. The 2010 CJIN Report discussed a potential solution which would require the cooperation, along with entering into a partnership, with not only the RMS vendors but also other state and federal agencies. In our case it would involve the NC Department of Justice, the State Bureau of Investigation, the Federal Bureau of Investigation, and the Naval Criminal Investigative Service.

While all the government agencies that we contacted are receptive to a standard, the next step was to reach out to the RMS vendors and invite them to participate in a workshop. To ensure that these meetings would be beneficial to both parties, a standard agenda was developed that contained the following items:

- Brief overview of the vendor's products;
- Overview of their Records Management System;
- Overview of Integration of various System Components;
- Discussion of their information sharing system (Police to Police, Rambler, Inform, etc.) and the potential expansion of this product;
- Sharing of Technical Roadmap (where possible);
- Plans (if any) to extract a file for the Federal Bureau of Investigation's National Data Exchange System (within NC) and overview of agencies in other states;
- Interim solutions and strategic goals (CJIN);
- Analytical Tools;
- Administrative Office of the Courts, NCAWARE and interfaces to the vendor that would support the agencies;
- Single Sign-On;
- Two factor authentication; and
- General discussion regarding if the vendors would be receptive to developing a standard interface to a specified repository and then maintain this interface as their core suite of products. This was critical to resolving the sustainability issue moving forward.

## **2010 RMS Vendor Workshops**

All the vendors that have record systems in the state were contacted along with key law enforcement agencies that use their products. It was imperative that the local agencies take a lead role in this effort. Therefore, the workshops consisted of personnel from local law enforcement agencies, state agencies, the CJIN Board, and key leaders from the vendor; these workshops are summarized below:

City of High Point – OSSI: A workshop was held with OSSI-SunGard in the City of High Point on May 13, 2010. The meeting consisted of conversations relating to all the aforementioned agenda items in addition to an update on their N-DEX pilot project in Marietta, GA.

The workshop was attended by Bob Brinson, Steve Lingerfelt, Jerry Welch, High Point PD (Linda Hodgson & Major Jim Tate), Madison PD (Chief Perry Webster), Greensboro PD, LaVonda Fowler, and Eugene Vardaman.

OSSI-SunGard had the following personnel in attendance: Alan Biddle, Mike Garner, Mike Martin, Chad Wilson, Neil Campbell, Ryan Kirby, and Eric Smith.

CJIN Board member Steve Lingerfelt facilitated the meeting.

City of Southern Pines – Southern: A workshop was held with Southern Software in Software on June 10, 2010. The meeting consisted of conversations regarding the standard agenda items in addition to an update on their N-DEx pilot project in North Little Rock, AK.

The workshop was attended by Bob Brinson, Sheriff Tommy Allen (Anson County), Chief Deputy Neil Godfrey and Sergeant David Bishop (Moore County Sheriff's Office), Janet Green and Stephanie Taborn (Administrative Office of the Courts), Adam Caviness (Chief Technology Officer – Southern Software), John Roscoe (Chief Financial Officer – Southern Software), LaVonda Fowler, and Eugene Vardaman.

Harnett County – VisionAIR: A workshop was held in the Harnett County Sheriff's Department in the City of Lillington on June 29, 2010. The meeting addressed all the items discussed in the previous meetings along with an extended presentation on VisionAIR's products and technical roadmap.

The workshop was attended by Bob Brinson, Bob Lee, Chief Tim Ledford (City of Mint Hill, President of the NC Association of Chiefs of Police), Major Gary McNeil, Dianne Raynor, Eric McKinney (Harnett County Sheriff's Department), Captain Allen Moseley, Linda Powell, Jeanette Adkins, Sergeant Gene Harrell (Edgecombe County Sheriff's Office), Detective Ron Christie, Detective Tom Mellown, Paula Gullie, Pablo Rodriguez, Rebecca Crawford, Sergeant Brendan Hartigan, Sergeant Kim Lane (Durham County Sheriff's Office), Janet Green and Stephanie Taborn (Administrative Office of the Courts), Special Agent Chris Battista and Tim Parker (State Bureau of Investigation) Trent Lowe, Jeff Beard, Denise Sheffield, Wendy Gilbert, Gary Bunyard, and Shelly Newsome (VisionAIR), LaVonda Fowler, and Eugene Vardaman.

Spillman Technologies is located in Salt Lake City, UT and they specialize in integrated CAD, RMS, Mobile Data & Field Reporting, Mapping & GIS, Crime Analysis & CompStat, JMS, Fire, Data Sharing, etc. Their contact person is Billy Duncan, Senior Account Executive, at 800-748-4610, ext. 7-1757.

InterAct Public Safety is located in Winston Salem, NC and provides public safety solutions to Public Safety Answering Points, Law, Fire, and EMS. They are currently undergoing a change to their Records Management System; therefore, we will contact them again in the second quarter of 2011.

New World Systems – AEGIS Public Safety is located in Troy, MI and provides an integrated solution to public safety. Their contact person is Al Bennett, Vice President, at 248-269-1000.

All the RMS vendors were very receptive to working with their local law enforcement agencies, state agencies and the CJIN Board to resolve many of the issues that were discussed during these workshops. The majority of RMS vendors openly discussed the various issues that occur with assisting third party vendors with interfaces both with implementation and maintenance.

## 2011 RMS Vendor Workshops

The CJIN Board reached out again to all the RMS Vendors in the state to assist us with various issues in the area of information sharing. Unlike the 2010 workshops, the CJIN members, along with representatives from several state agencies and law enforcement personnel requested that the RMS companies share with us their vision on future technology. The items discussed are outlined in the following agenda:

### Draft Agenda – Information Sharing Workshop

#### Introduction

#### Overview of Records Management System (enhancements)

#### Sharing of Technical Roadmap (where possible)

- Sharing of Clients from Public Safety Answering Points – NC has approximately 100 law enforcement agencies that do not have an RMS. Is it feasible to provide these agencies with software from the dispatching agency, possibly a single client from the RMS being used by the LEA that operates the PSAP, a scaled down version of RMS, etc? 122 Primary Public Safety Answering Points
- All PSAPs have an RMS
- 100 Agencies being dispatched do not possess an RMS
- Potential Solutions

Electronic Discovery – Next Generation 911 – The Administrative Office of the Courts is developing a project that addresses Electronic Discovery. One of the major goals is to send all the information that is normally provided to the District Attorney's Office to a secure website that will be assessable to both the prosecution and defense attorneys. The local law enforcement agencies will be required to send all the appropriate information contained in their RMS to this website. Has any thought been given to providing LEAs with an automated way of combining this information into a file? The 911 industry has been discussing receiving text and video from the caller, since the 911 voice tapes are discoverable, how would the text and video be handled in order to maintain the chain of evidence, in the CAD, transferred to RMS, etc?

- Issues with NCAWARE or Enhancements
- Text & Video
- Resides in E911 System, CAD System, and/or RMS System

DOT/DMV Record Management System – Can the existing Law Enforcement RMSs be used to satisfy record management requirements for other state applications?

Standardization – Record Management Systems & Jail Management Systems – A continuation of our discussions regarding using national standards for information sharing initiatives

- Coplink – LA Sheriff to Boston
- Coplink Alaska to Washington LInX
- NC Agencies Summary – See Attachment
- Interface Agencies to LInX (will Northrop Grumman Software help?) Updates on State Systems

An update of state systems being developed

- CJLEADS
- CAPTURES

## Other Discussion Items – Sex Offenders

The majority of personnel that attended the 2010 workshops also attended the 2011 ones; names of these individuals can be found in the previous section.

## **Agencies without Automation – CJIN Initiative**

There are approximately 100 law enforcement agencies within the state that do not possess an electronic Records Management System (RMS). These agencies are being dispatched by agencies that operate Public Safety Answering Points (PSAP) and the dispatching agency does possess a RMS, a Computer Aided Dispatch (CAD) System, a Radio System, and generally a field based reporting system.

CJIN is partnering with these agencies, the PSAPs, the vendor, the state agencies that have laptops scheduled for surplus, etc. The outcome will provide the agencies without automation with access to incident and arrest reports. This initiative is very time consuming; however, it will pay huge dividends in the long run. In most cases these targeted agencies without automation do not have access to broadband or security software capable of connecting to secure websites. Grants are helpful; however, the agencies do not have a revenue stream for on-going operating cost.

By working with the PSAP and vendor(s), both the dispatching agency and the dispatched agency will become closer partners in technology.

The timetable for pilot projects to be operational will be the 3<sup>rd</sup> Quarter of 2012. It will be very challenging because CJIN is attempting to perform this initiative with no funding.



# Scrap Metal Study

At the February 23, 2012 meeting of the CJIN Board an item was placed on the agenda to facilitate a general discussion on the scrap metal business in the state. When the CJIN Board was compiling the Pawn Broker Transaction Study (which is provided in the next section of this report) the majority of law enforcement agencies that we met with had challenges with scrap metal. Law enforcement was consistently stating that property crime, including automobiles, was difficult to track because of the record keeping and the access to records. This was also coupled with the timely destruction of the property that was stolen.

The CJIN Board had in attendance at the February meeting, Detectives Kim Simma, Tom Geisler, and Dave Hunter from the Charlotte/Mecklenburg PD; also in attendance was Sgt. Terry Hake with the Wake County Sheriff's Office. The Board ask the CJIN staff to prepare a scrap metal study with background information on North Carolina, work with law enforcement, contact the local utilities (both electric and telecommunications), contact other states, and provide some recommendations. The timetable for this deliverable will be our June Board meeting or sooner.

The North Carolina General Statute on Scrap Metal is attached as a starting point. We also contacted Leads-On-Line and received statutes from both Arkansas and Mississippi. Arkansas has a fully automated statewide Scrap Metal Reporting System. Their statute is also contained in this report.

## North Carolina GS 66-11

### § 66-11. Dealing in regulated metals property; penalties.

- (a) Definitions. – As used in this section:
- (1) "Law enforcement officer" means any duly constituted law enforcement officer of the State or of any municipality or county.
  - (2) "Regulated metals property" means all ferrous and nonferrous metals.
  - (3) "Secondary metals recycler" means any person, firm, or corporation in the State:
    - a. That, from a fixed location or otherwise, is engaged in the business of gathering or obtaining ferrous or nonferrous metals that have served their original economic purpose or is in the business of performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value; or
    - b. That has facilities for performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value, by methods including, but not limited to, the processing, sorting, cutting, classifying, cleaning, baling, wrapping, shredding, shearing, or changing the physical form or chemical content of the metals, but not including the exclusive use of hand tools.
  - (4) "Fixed location" means any site occupied by a secondary metals recycler as the owner of the site or as a lessee of the site under a lease or other rental

agreement providing for occupation of the site by the secondary metals recycler for a total duration of not less than 364 days.

(a1) Receipt Required. – A secondary metals recycler shall issue a receipt to the person delivering the regulated metals property for all purchase transactions in which the secondary metals recycler purchases regulated metals property. This receipt shall be signed by the person delivering the materials, and the secondary metals recycler shall be able to provide documentation regarding the employee who completed the transaction.

(b) Records Required. –

(1) A secondary metals recycler shall maintain a record of all purchase transactions in which the secondary metals recycler purchases regulated metals property.

(2) The following information shall be maintained for transactions in which a secondary metals recycler purchases regulated metals property:

- a. The name and address of the secondary metals recycler.
- b. The name, initials, or other identification of the individual entering the information.
- c. The date of the transaction.
- d. The weight of the regulated metals property purchased.
- e. The description made in accordance with the custom of the trade of the type of regulated metals property purchased and the physical address where the regulated metals were obtained by the seller, and a statement signed by the seller or the seller's agent certifying that the seller or the seller's agent has the lawful right to sell and dispose of the property.
- f. The amount of consideration given for the regulated metals property.
- g. The name and address of the vendor of the regulated metals property and the license plate number of the vehicle used to deliver the regulated metals.
- h. A photocopy or electronic scan of the drivers license or state or federally issued photo identification card of the person delivering the regulated metals property to the secondary metals recycler. If the secondary metals recycler has a copy of the valid photo identification of the person delivering the regulated metals property on file, the secondary metals recycler must examine the photo identification, but may reference the photo identification that is on file without making a separate photocopy or electronic scan for each subsequent transaction. If the person delivering the regulated metals property does not have a driver's license or a state or federally issued photo identification card, the secondary metals recycler shall not complete the transaction.
- i. A copy of the receipt required under subsection (a1) of this section when all the information required under subsection (a1) of this section is clear and legible or, in the event the copy of the receipt is not clear or not legible, the original receipt.
- j. In transactions involving catalytic converters that are not attached to a vehicle, and central air conditioner evaporator coils or condensers, the person delivering the materials shall place next to that person's signature on the receipt required under subsection (a1) of this section, a clear impression of that person's index finger that is in ink and free of any smearing. A secondary metals recycler may elect to obtain the fingerprint electronically. If the secondary metals recycler has a copy

of the fingerprint of the person delivering the nonferrous metal on file, the secondary metals recycler must examine the photo identification but may reference the fingerprint that is on file without making a separate fingerprint for each subsequent transaction.

- (3) A secondary metals recycler shall keep and maintain the information required under this subsection for not less than two years from the date of the purchase of the regulated metals property. Records shall be securely maintained at all times and shall be destroyed in a manner that protects the identity of the owner of the property, the seller of the property, and the purchaser of the property.

(c) Inspection of Regulated Metals Property and Records. – During the usual and customary business hours of a secondary metals recycler, a law enforcement officer shall have the right to inspect all of the following:

- (1) Any and all purchased regulated metals property in the possession of the secondary metals recycler.
- (2) Any and all records required to be maintained under subsection (b) of this section.

A secondary metals recycler shall make receipts for the purchase of regulated metals property available for pickup each regular workday if requested by the sheriff or chief of police of the county or the chief of police of the municipality in which the secondary metals recycler is located. The sheriff or the chief of police may request these receipts to be electronically transferred directly to the law enforcement agency. Records retained by a law enforcement agency shall be securely retained as required by law and destroyed in a manner that protects the identity of the owner of the property, the seller of the property, and the purchaser of the property.

(c1) Records submitted to any public law enforcement agency pursuant to this section are records of criminal investigations or records of criminal intelligence information as defined in G.S. 132-1.4 and are not public records as defined by G.S. 132-1.

(d) Purchase Limitations. – No secondary metals recycler shall do any of the following:

- (1), (2) Repealed by Session Laws 2009-200, s. 1, effective October 1, 2009, and applicable to purchases and offers of purchase that occur on or after that date.
- (3) Purchase any central air conditioner evaporator coils or condensers, or catalytic converters that are not attached to a vehicle, except that a secondary metals recycler may purchase these items from a company, contractor, or individual that is in the business of installing, replacing, maintaining, or removing these items, provided the secondary metals recycler is prohibited from paying cash or making payment of any kind for any central air conditioner evaporator coil or condenser in whole or in part or a catalytic converter that is not attached to a vehicle. The payment for these metals is to be made by check or money order made out to the company, contractor, or individual. Payment for these metals may also be made using a cash card system that captures the photograph of the person selling these metals if the secondary metals recycler maintains the photograph for 90 days.
- (4) Purchase other nonferrous metal property not listed in subdivision (5) of this subsection for any cash consideration greater than one hundred dollars (\$100.00) per transaction. The secondary metals recycler may purchase other nonferrous metal property for an amount in excess of one hundred dollars (\$100.00) if the payment is made by check, money order, or a cash card system that captures the photograph of the person selling the

nonferrous metal if the secondary metals recycler maintains the photograph for 90 days.

- (5) Except as provided in subsection (g) of this section, purchase:
- a. Any regulated metal marked with the initials or other identification of a telephone, cable, electric, water, or other public utility, or any brewer.
  - b. Any utility access cover.
  - c. Any street light pole or fixture.
  - d. Any road or bridge guard rail.
  - e. Any highway or street sign.
  - f. Any water meter cover.
  - g. Any metal beer keg, including any made of stainless steel that is clearly marked as being the property of the beer manufacturer.
  - h. Any traffic directional or control sign.
  - i. Any traffic light signal.
  - j. Any regulated metal marked with the name of a government entity.
  - k. Any property owned by a railroad and marked and otherwise identified as such.
  - l. Any historical marker or any grave marker or burial vase.

(d1) Retain Metals for Seven Days Before Selling or Altering. – Any secondary metals recycler owner convicted of a felonious violation of this Chapter, G.S. 14-71, 14-71.1, or 14-72 shall hold and retain any regulated metals product, except for iron and steel products, for seven days from the date of purchase before selling, dismantling, defacing, or in any manner altering or disposing of the regulated metals property.

(e) Right to Restitution. – The court may order a defendant to make restitution to the secondary metals recycler for any damage or loss caused by the defendant arising out of an offense committed by the defendant.

(f) Violations. – Unless the conduct is covered by some other provision of law providing greater punishment, any person knowingly and willfully violating any of the provisions of this section shall be guilty of a Class 1 misdemeanor for a first offense. A second or subsequent violation of this section is a Class I felony.

(g) Exemptions. – This section does not apply to:

- (1) Purchases of regulated metals property from a manufacturing, industrial, government, or other commercial vendor that generates or sells regulated metals property in the ordinary course of its business.
- (2) Purchases of regulated metals property that involve only beverage containers.

(h) Preemption. – A county or municipality shall not enact any local law, ordinance, or regulation regulating secondary metals recyclers or regulated metals property that conflicts with this section, and this law preempts all existing laws, ordinances, or regulations. (1907, c. 464; 1909, c. 855, s. 1; C.S., s. 5091; 1967, c. 792; 1971, c. 1231, s. 1; 1975, c. 182, s. 2; 1993, c. 295, s. 2; c. 539, s. 505; 1994, Ex. Sess., c. 14, s. 40; c. 24, s. 14(c); 2007-301, s. 1; 2009-200, s. 1.)

## Mississippi Scrap Metal

Title 1 Secretary of State  
Part III Secretary of State

PREAMBLE: The following Rules are hereby adopted by the Secretary of State by the authority

granted in Miss. Code Ann. Section 97-17-71(1) (b) (2008). These Rules supersede all rules heretofore adopted and from this date shall be applicable to the administration of the Mississippi Scrap Metal Dealer Registration Act. The procedures and practices expressed in these Rules were drafted by the Regulation and Enforcement Division of the Secretary of State. The adoption of these Rules represents a finding by the Secretary of State that such Rules are necessary and appropriate for the public interest and are consistent with the purposes fairly intended by the policy and provisions of the Mississippi Scrap Metal Dealer Registration Act, codified at Mississippi Code Annotated Sections 97-17-71, *et seq.*

## Subpart 1 Regulation and Enforcement – Scrap Metal

### Chapter 1 Definitions

As used in Miss. Code Ann. Section 97-17-71 and these Rules promulgated there under, these terms shall have the following meaning unless the context requires otherwise:

100 **Act** shall mean the Mississippi Scrap Metal Dealer Registration Act, which is codified at Mississippi Code Annotated Section 97-17-71 *et seq.* (2008).

101 **Agent** shall mean the Secretary of State's Agent for Registration and Recordkeeping. The Secretary of State's Agent currently is Leads Online, 15660 N. Dallas Parkway, Suite 800, Dallas, Texas 75248 ([www.LeadsOnline.com](http://www.LeadsOnline.com)).

102 **An Accurate and Legible Record** as used in the Act and in these Rules, shall mean a record maintained by any Applicant or Scrap Metal Dealer, or submitted by any Applicant or Scrap Metal Dealer to the Secretary of State's approved Agent for Registration and Recordkeeping for maintaining all customer records pursuant to the Act.

103 **Applicant** shall mean any person or business entity in the process of registering as a Scrap Metal Dealer under the Act who has received a registration number but who has not yet received a Certificate of Registration from the Secretary of State. An Applicant is authorized to conduct business as a Scrap Metal Dealer until such time as its Registration is denied or cancelled by the Secretary of State.

104 **Customer Transaction Report** shall mean the Scrap Metal Purchase Transaction Record as described in Chapters 2, 3, 4, and 5, and required by Mississippi Code Annotated Section 97-17-71 (2)(a) – (i). As required by statute, this Report shall include:

- a. The name, address and age of the person from whom the metal property is purchased as obtained from the seller's personal identification card;
- b. The date and place of each acquisition of the metal property;
- c. The weight, quantity or volume and a general physical description of the type of metal property, such as wire, tubing, extrusions or casting, purchased in a purchase transaction;
- d. The amount of consideration given in a purchase transaction for the metal property;
- e. The vehicle license tag number, state of issue and the make and type of vehicle used to deliver the metal property to the purchaser; f. If a person other than the seller delivers the metal property to the purchaser, the name, address and age of the person who delivers the metal property;

g. A signed statement from the person receiving consideration in the purchase transaction stating that he is the rightful owner of the metal property or is entitled to sell the metal property being sold;

h. i. A scanned copy or a photocopy of the personal identification card of the person receiving consideration in the purchase transaction; or ii. If a person other than the seller delivers the metal property to the purchaser, a scanned copy or a photocopy of the personal identification card of the person delivering the metal property to the purchaser; and

i. A photograph, videotape or similar likeness of the person receiving consideration or any person other than the seller who delivers the metal property to the purchaser in which the person's facial features are clearly visible and in which the metal property the person is selling or delivering is clearly visible.

105 **Dealer** as defined in the Act and as used in these Rules is an Individual who pays compensation for Regulated Metal Property. "Dealer" shall have the same meaning as "Scrap Metal Dealer" as defined herein, and the terms shall be used interchangeably.

106 **Dealer/Processor** as defined in the Act and as used in these Rules is a Scrap Metal Dealer or Dealer who pays compensation for Regulated Metal Property and who is engaged in some aspect of Processing as that term is defined in these Rules.

107 **Delivery Person** shall mean any individual who, on behalf of a Seller, presents Metal Property for sale to a Scrap Metal Dealer, and who does not receive compensation from that Scrap Metal Dealer for the sale of that Metal Property.

108 **Division** shall mean the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi.

109 **Individual** shall mean any person, entity, partnership, corporation, joint venture, trust, limited liability company, limited liability partnership, association, or any other legal or commercial or corporate entity, and shall include Dealers and Dealer/Processors. The term "Individual" and the term "Business" are used interchangeably in these Rules.

110 **Law Enforcement Officer** as defined in the Act and as used in these Rules shall mean any person appointed or employed by the State of Mississippi or any political subdivision thereof, including municipalities or townships or the State military, who is duly vested with the authority to bear arms and make arrests, and whose primary responsibility is prevention and detection of crime, apprehension of criminals, and enforcement of laws of this State or the ordinances of any political subdivision thereof.

111 **Metal Property** or **Regulated Metal Property** as defined in the Act and used in these Rules shall include the following:

111.01 railroad track materials such as any rail, switch component, spike, angle bar, tie plate or bolt of the type used in constructing railroads;

111.02 copper materials, such as any copper wire, bars, rods or tubing, including copper wire or cable or coaxial cable of the type used by public utilities, common carriers or communication services providers, whether wireless or wire line, copper air conditioner evaporator coils or condensers, aluminum copper radiators not attached to a motor vehicle, or any combination of these;

111.03 aluminum materials such as any aluminum cable, bars, rods or tubing of the type used to construct utility, communication or broadcasting towers, aluminum utility wire and aluminum irrigation pipes or tubing; however, this shall not include aluminum cans that have served their original economic purpose;

111.04 electrical, communications or utility brass, stainless steel sinks, catalytic converters not attached to a motor vehicle, metal beer kegs or metal syrup tanks or any recognizable part thereof generally used in the beverage industry unless the dealer possesses a bill of sale from a beverage manufacturer, beverage distributor or from a manufacturer of such tanks;

111.05 any bronze vase or marker, memorial, statue, plaque, or other bronze object used at a cemetery or other location where deceased persons are interred, entombed or memorialized unless the dealer possesses documentation from local law enforcement and from a cemetery authenticating the lawful source of such material; Metal property does not include ferrous materials not listed in the Act.

112 **Metal Property Dealer** as defined in the Act and as used in these Rules shall have the same meaning as “Scrap Metal Dealer” as defined herein and the terms shall be used interchangeably.

113 **Other Purchaser** as defined in the Act and used in these Rules, shall mean any individual who purchases Metal Property as that term is defined in the Act, but who is not registered as a Scrap Metal Dealer pursuant to the Act.

114 **Party** as defined in the Act and used in these Rules, shall include the Attorney General, the Secretary of State, the Division, any governmental agency, any Scrap Metal Dealer, any Law Enforcement Officer, or any other person.

115 **Processing** as the term is used in the Act and in these Rules shall mean returning or converting Metal Property into a product having an existing or potential economic value as a raw or finished material. Processing shall not include sorting, cleaning, washing, transferring, transporting, or bundling if bundling only involves gathering together of material in a tighter, more compact surface area with no change in the form or mass of the object(s) as scrap metal material. However, processing shall include any other function that facilitates the return of Metal Property into a raw material or raw material product consisting of proposed grades and having an existing or potential economic value. Examples of processing include, but are not limited to, the following: cutting, shredding, melting, smelting, chipping, chopping, stripping, and baling, if baling involves using machinery to convert the form, shape or mass of Metal Property into a raw material that will have or has economic value.

116 **Registrant** shall mean any individual registered as a Scrap Metal Dealer under the Act who also has received a Certificate of Registration from the Secretary of State. Registrant as defined in the Act and as used in these Rules shall have the same meaning as “Scrap Metal Dealer” as defined herein and the terms shall be used interchangeably.

117 **Registration Form** or **Registration Application** shall mean the Mississippi Metal Dealer/Dealer Processor Registration Application.

118 **Scrap Metal Dealer** as defined in the Act and as used in these Rules, shall include and mean any individual engaged in the Scrap Metal business, including Metal Property Dealers, Registrants, and Dealer/Processors.

119 **Seller** shall mean any individual who, directly or through a Delivery Person, presents Metal Property for sale to a Scrap Metal Dealer or Dealer/Processor and who receives compensation from that Scrap Metal Dealer for the sale of that property.

120 The **Three-Day Hold Period** as defined in the Act and used in these Rules, shall not include the day of the act or event from which the time begins to run, or any legal holiday or Sunday. It shall include the last of the three days. The Three Day Hold Period shall apply only to the initial purchase of Metal Property by a Registered Scrap Metal Dealer or Other Purchaser. It shall not apply to subsequent transactions involving that same Metal Property between registered Scrap Metal Dealers or between a Scrap Metal Dealer and Other Purchasers.

121 **Usual and Customary Business Hours** as used in the Act and in these Rules, shall mean between the hours of 8 a.m. and 5 p.m., Central Time, Monday through Saturday.

## Chapter 2 Registration

100 Unless exempt from registration, all individuals as defined in Chapter 1, Section 109 paying compensation for Metal Property must register with the Secretary of State as a Scrap Metal Dealer. No individual may acquire or purchase Metal Property unless registered or exempt. No Processor, as that term is defined in these Rules, shall be exempt from registration.

The following are exempt:

100.01 Any law enforcement officer acting in an official capacity paying compensation for metal property or selling metal property acting in an official capacity.

100.02 A trustee in bankruptcy, executor, administrator or receiver who purchases or sells metal property when acting in such capacity.

100.03 Any public official acting under a court order to deal in metal property.

100.04 A manufacturing, industrial or other commercial vendor that generates or sells regulated metal property in the ordinary course of its business. However, the term “commercial vendor” does **not** include individuals or businesses that acquire, generate, or produce scrap metal property and then sell such property as a primary business operation (i.e., scrap metal dealer to-dealer transactions).

101 All applications for registration, all Customer Transaction Reports, and any other papers or documents required to be maintained or submitted by the Act or by these Rules, **must** be transmitted electronically to the Secretary of State’s Agent, unless a hardship waiver is granted under Chapter 3. The failure to electronically submit an application for registration or Customer Transaction Reports to the Agent will subject the business to the administrative penalties authorized by Mississippi Code Annotated Section 97-17-17.1 (C) (i) (ii). The electronic filing shall be accessed through the Secretary of State’s website or that of its Agent. Instructions for e-filing and e-filing forms shall be available on the Secretary of State’s website at [www.sos.ms.gov](http://www.sos.ms.gov). Assistance may also be provided by contacting the Division at 601-359-1350.



102 Each geographic location, and each separate legal entity, subsidiary, and affiliate, of a Scrap Metal Dealer, must be independently registered to operate by the submission of a separate registration application and fee. It is the responsibility of each Applicant and each Scrap Metal Dealer to ensure separate registration of each of its locations and its subsidiaries and affiliates.

### **Chapter 3 Electronic Filing Hardship Waiver**

100 Individuals who are unable to file electronically shall submit a written request for a hardship waiver to the Secretary of State's Office sixty (60) days prior to the expiration date of their registration. Such request shall set forth the reasons the business is unable to electronically register and file Customer Transaction Reports. The Secretary of State's Office shall consider hardship waivers on a case-by-case basis. A hardship waiver request application will be furnished by the Secretary of State's Office upon request. The following factors, as indicated on the application, must be documented and substantiated with any request for a hardship waiver:

100.01 Internet service is not available to the registrant due to the absence of an internet service provider;

100.02 Internet service is cost prohibitive for the registrant in that the cost outweighs any efficiencies, savings or productivity gains from having the service;

100.03 Neither the registrant nor any personnel available to the registrant possess minimum technology hardware skills or minimum internet skills necessary to register and to upload customer transaction reports online.

100.04 A compelling and substantial factor not encompassed in the three previous factors that merits accommodation at the Secretary of State's discretion.

101 For businesses that have received a hardship waiver, copies of an application form needed to become a registered dealer are available from the Secretary of State's Office. Further, any applicant or registrant may receive walk-in assistance at any office of the Secretary of State, namely: 700 North Street, Jackson, MS 39202; 1701 24th Avenue, Gulfport, MS 39501; 330 West Jefferson Street, Tupelo, MS 38804; and 316 West Commerce Street, Hernando, MS 38632.

### **Chapter 4 Fees**

100 The registration fee is One Hundred Dollars ( \$100.00) for Dealers who paid compensation for metal property, as defined in the Act and in Chapter 1, Rule 111, in the prior ending calendar year in an amount less than or equal to Twelve Thousand Dollars (\$12,000.00). For example: In August of 2010, if a Dealer had total purchases of regulated scrap metal in calendar year 2009 totaling \$10,700.00, the registration fee is One Hundred Dollars (\$100.00). For Dealers in this category who have received a hardship waiver to register and to maintain paper records of customer transactions, the fee is Two Hundred and Fifty Dollars (\$250.00).

101 The registration fee is Five Hundred Dollars (\$500.00) for Dealers who paid compensation for metal property, as defined in the Act and in Chapter 1, Rule 111, in the prior ending calendar year in an amount greater than Twelve Thousand Dollars (\$12,000.00). For example: In August of 2010, if a Dealer had total purchases of regulated scrap metal in calendar year 2009 totaling

\$17,700.00, the registration fee is Five Hundred Dollars (\$500.00). For Dealers in this category who have received a hardship waiver to register and to maintain paper records of customer transactions, the fee is Seven Hundred and Fifty Dollars (\$750.00).

102 The registration fee for Dealer/Processors shall be Two Thousand Dollars (\$2,000.00). Processors who have received a hardship waiver shall pay a registration fee of Two Thousand Five Hundred Dollars (\$2,500.00).

103 Any Dealer or Processor that has not been granted a hardship waiver and that fails to submit their registration application **and all** Customer Transaction Reports to the Secretary's Agent is subject to administrative penalties authorized by the Act or by these Rules. Additionally, such Dealers or Processors will be invoiced the additional fee charged for a hardship registrant within that fee category.

## **Chapter 5 Recordkeeping**

100 Applicants for registration and registered Scrap Metal Dealers must keep an accurate and legible record pursuant to the Act. Applicants and Scrap Metal Dealers **shall** comply with the recordkeeping requirements of the Act by submitting a Customer Transaction Report for each purchase transaction. The Customer Transaction Report must be submitted electronically to the Agent, who shall keep and maintain all electronic records pursuant to the Act. Customer Transaction Reports must be uploaded to the Secretary's Agent no later than the close of business (5:00 p.m.) of the next business day following the date of purchase by the dealer. For those who have received hardship waivers only, the Secretary of State's Office can furnish a sample Customer Transaction Report Form that, when fully completed by the business, complies with all provisions of the Act. Hardship filers shall maintain the Customer Transaction Reports at the business subject to inspection and review by law enforcement and the Secretary of State's Office. The reports must be maintained for two (2) years.

101 Applicants, Scrap Metal Dealers, and Other Purchasers shall ensure that each Customer Transaction Report is completed in its entirety. This shall include having the seller of Metal Property provide written affirmation that the seller is the rightful owner of the Metal Property or is entitled to sell the property on behalf of the true owner. Where the Metal Property being sold is HVAC equipment (including air conditioner evaporator coils or condensers), this affirmation shall consist of a written statement provided by the seller that he is a locally licensed (permit/privilege license) HVAC business or contractor. The written affirmation statement may be maintained through the use of the Daily Signature Sheet, a form authorized by the Secretary of State and available on the Secretary of State's website. The Daily Signature Sheet recommended by the Secretary of State satisfies the requirements of Mississippi Code Annotated Sections 97-17-71 (2) (g) (statement of rightful ownership from seller) and 97-17-71.1 (HVAC representation). Use of the Daily Signature Sheet available on the Secretary of State's website is not required. Any Dealer or Dealer/Processor may develop their own form or written system to use in their business so long as it complies with Sections 97-17-71 (2)(g) and 97-17-71.1. The Daily Signature Sheet or any comparable version in use by a Dealer is never filed with the Secretary of State's Office or with the Secretary's Agent. These are maintained at the business for a period of two (2) years.

102 Transactions between Scrap Metal Dealers ("dealer-to-dealer sales") are **not** excluded from the recordkeeping requirements of the Act or Rules. Such recordkeeping is required even though the Three Day Hold Period applies only to the initial purchase of Metal

Property by a registered Scrap Metal Dealer and does not apply to subsequent transactions involving that Metal Property between registered Scrap Metal Dealers. Likewise, transactions involving the purchase of air conditioner evaporator coils or condensers are not exempt or excluded from the recordkeeping requirements of the Act or these Rules.

### **Chapter 6 Payment by Check**

100 Pursuant to the Act, payment for Metal Property shall be by check mailed to the recorded address of the Seller or by electronic funds transfer following a period of three days after the purchase transaction. Mississippi Code Annotated § 97-17-71(8). However, if the check is subsequently returned as undeliverable or does not reach the intended addressee, the Scrap Metal Dealer or other purchaser may, in its discretion, deliver payment directly to the Seller. However, at no point may payment be made by cash tender. Payment shall, at all times, be made by check or electronic funds transfer issued to the Seller of the Metal Property following the initial three days.

### **Chapter 7 Certificate of Registration**

100 The date on which forms or other documents (electronic or paper) are actually received by the Division or by the Secretary of State's Agent shall be the date of filing. A registration or a renewal application is not considered complete and fees are not considered received and none will be further processed until all required documentation has been received by the Division. Additional documentation not specifically called for by the forms, but essential to full disclosure of information needed to process an application shall be furnished, as directed, upon request by the Division. All documents (paper and e-documents) furnished to the Division become part of the records of the Division and are not returnable.

101 Upon submission of an application for registration, the applicant will be issued a registration number by the Agent or the Secretary of State. The registration is provisional at this point until the applicant is issued a Certificate of Registration from the Secretary of State's Office. A registration can be denied or cancelled for the following reasons: 101.01 The Secretary of State's inability to confirm receipt of the registration fee because of non-sufficient funds or other errors by Applicant;

101.02 Submission of an incomplete registration application;

101.03 Failure to satisfy the background history verification for registration as a Scrap Metal Dealer as required under the Act; or

101.04 Other just cause as determined by the Secretary of State.

102 In addition to the cancellation of the provisional registration, a finding of any of the above-listed reasons shall result in a denial of the Applicant's registration as a Scrap Metal Dealer. Registration under the Act is confirmed by the issuance of a Certificate of Registration by the Secretary of State. Registration shall become effective upon the date of registration reflected on the Certificate of Registration. The Certificate of Registration is issued upon receipt by the Secretary of State of a completed registration application, confirmed receipt of the registration fee, and an assessment of the Applicant's qualifications to act as a Scrap Metal Dealer, including but not limited to a criminal background history verification as authorized by the Act.

103 All registrations, unless suspended or revoked, shall be effective for a period of two (2) years from the date of registration reflected on the Certificate of Registration issued by the Secretary of State. Individuals seeking to renew their registration must re-apply pursuant to the Act and these Rules and submit the required registration fee.

104 A Certificate of Registration may be issued to each Scrap Metal dealer in one or more of the following forms:

104.01 A standard Certificate of Registration document measuring approximately eight-and-a-half by eleven inches (8 ½" x 11") in size; and/or

104.02 A wallet-sized Registration Card.

105 A current Certificate of Registration issued by the Secretary of State shall be posted and displayed in a conspicuous place and in easy view of all who enter the office or fixed location of the Scrap Metal Dealer. A wallet-sized registration card will be issued by the Secretary of State so that the same may be presented upon request of any individual in the scrap metal business acting within the scope of his business to confirm lawful registration of any dealer when the dealer is outside of his office or fixed location.

### **Chapter 8 Termination of Registration and Refund Policy**

100 The only basis for requesting a registration fee refund is that the initial registration was made in error because the individual or business does not engage in the business of purchasing regulated materials. In such instances, a registration refund **must** be requested within ninety (90) days following submission of the registration application. When an applicant is denied registration the registration fee will be refunded to the applicant.

101 Otherwise, once a registration application is approved, the registration fee becomes the property of the Mississippi Secretary of State's Office and shall be non-refundable and non-transferable. No portion of the registration fee will be returned to a registered Scrap Metal Dealer whose registration is suspended or revoked.

102 When a registered Scrap Metal Dealer withdraws or surrenders his Certificate of Registration, the registration fee is non-refundable and non-transferable. However, should the same Dealer wish to return to operation during the remaining two-year registration period, the Dealer may do so without an additional fee until renewal.

### **Chapter 9 Denial, Suspension, Revocation or Refusal to Renew Registration**

100 The Secretary of State shall notify a Scrap Metal Dealer in writing of his intent to deny, suspend, revoke, or refuse to renew the Dealer's registration. The notification shall contain the reasons for the action and shall inform the Dealer of his right to challenge the decision of the Secretary of State by requesting an administrative hearing within fourteen (14) calendar days of the date of notice. The denial, suspension, revocation, or refusal to renew a registration shall become effective fourteen (14) calendar days following the date of notice unless a written request for an administrative hearing is received by the Secretary of State before the expiration of the fourteen (14) calendar days. If a hearing is requested and the denial, suspension, revocation, or refusal to renew is upheld, such action shall not become effective until issuance of a Final Order following the hearing.

## **Chapter 10 Nonpublic Records; Confidentiality**

100 Any social security number; residential address not used as a business address; driver's license number; federal EIN; personal email address; residential telephone number not used as a business telephone number; and any information disclosing an individual's percentage of ownership interest in a Scrap Metal business, or any other personal or proprietary information that may be obtained in any registration or renewal application for licensure under these Rules shall not be deemed a public record.

## **Chapter 11 Metal Unit Administrative Procedures**

100 The Secretary of State may grant variances from these Rules if it is determined that application of the Rules would, in the particular case, be unnecessarily burdensome, and such variance would not be inconsistent with the public policy purposes of the Act.<sup>101</sup> If any one or more of these Rules, or any part of any Rule is found to be invalid by any court of competent jurisdiction, such finding shall not affect the validity of any other Rule or the remaining content of any part of a Rule that is not found to be invalid. Further, if any one or more of these Rules, or any part of any Rule, is superseded, amended, or contradicted by subsequent legislation, such amendment or change by subsequent legislation in no way invalidates any other part of a Rule or any other Rules not addressed or impacted by subsequent legislative action.

102 Oral or informal opinions by the staff of the Division as to the applicability of the Act and oral or informal representations by the staff of the Division concerning the status of filings made with the Division are not binding upon the Division. Requestors can obtain a written declaratory opinion from the Division by following the procedures described in the Secretary of State's Rule on Declaratory Opinions.

103 Administrative Hearing Procedures 103.01 Written notice shall be provided to any Scrap Metal Dealer or other person against whom the Attorney General or Secretary of State intends to institute an administrative hearing pursuant to the Act or these Rules.

103.02 Such notice shall be by certified mail, return receipt requested, and shall set forth the date, time and place for the administrative hearing and shall also designate a Hearing Officer.

103.03 Any Party wishing to appear or introduce evidence or other testimony at the administrative hearing shall, no later than four (4) business days prior to the hearing date, file with the Hearing Officer and the opposing party a list of witness which it intends to call to testify or to otherwise give evidence. The list shall contain for each witness:

1. Name;
2. Residential and business address, if known;
3. Residential and business telephone number, if known;
4. A brief summary statement indicating the substance of the person's expected testimony.

103.04 Upon request by any Party, any documents, papers, or tangible things to be introduced by any Party at the hearing shall be made available for inspection and copying by the requesting Party no later than four (4) business days prior to the hearing date.

103.05 The Hearing Officer shall have the authority to administer oaths and affirmations. Each Party may be represented by an attorney or other authorized representative. The Hearing Officer may clear the hearing room of witnesses not under examination.

103.06 The Hearing Officer shall have the authority to maintain the decorum of the hearing and shall take reasonable steps to do so when necessary, including clearing the hearing room of any person who is disruptive. 103.07 The hearing shall be informal and technical rules of evidence shall be relaxed. All witnesses who appear and testify under oath shall be subject to cross-examination.

103.08 The Hearing Officer shall have the authority to admit into the record any evidence which, in his or her judgment, has a reasonable degree of probative value and trustworthiness. The Hearing Officer shall have the authority to exclude evidence which is irrelevant, immaterial, lacking in probative value, untrustworthy or unduly cumulative.

103.09 Documents received into evidence by the Hearing Officer shall be marked by him or her, or under his or her direction, entered into evidence and made a part of the record in the cause.

103.10 Rebuttal and surrebuttal evidence may be heard at the discretion of the Hearing Officer.

103.11 At the hearing, the Attorney General or the Secretary of State or the Division shall be the first to present evidence.

103.12 The Attorney General or the Secretary of State or the Division shall have the burden of proving its allegations by a preponderance of the evidence. Fraud must be proven by clear and convincing evidence.

103.13 A record of testimony at the hearing may be made by other than stenographic means.

103.14 It shall be the responsibility of any Party desiring to preserve by stenographic means a record of testimony at the hearing to: 1.arrange for a court reporter to make a stenographic recording of the hearing; 2.pay all fees and expenses for such recording and transcription directly to the court reporter.

103.15 A true and correct copy of said stenographic recording shall be made available to any Party requesting it, provided such Party agrees to pay the expense of such copy.

103.16 After all evidence is heard or received and the hearing is completed, the Hearing Officer shall, within a reasonable time thereafter, prepare and file written findings of fact and conclusions of law. The Secretary of State shall review the Hearing Officer's findings and conclusions and all exhibits entered into evidence, and, if desired, order a transcript of the hearing. Thereupon, the Secretary may issue a Final Order adopting and accepting the Hearing Officer's findings of fact and conclusions of law; reject the findings in whole or in part and issue new findings of fact and conclusions of law with a Final Order; or remand the case to the Hearing Officer for additional findings or clarification of key issues. A case is not concluded until issuance of a Final Order by the Secretary of State. All findings and final orders shall be sent via certified mail, return receipt requested, to all Parties who appeared at the administrative hearing or their or attorney or authorized representative.

103.17 Continuances requested by any Party will be granted within the discretion of the Hearing Officer only for good cause shown.

103.18 In computing any period of time prescribed or allowed under these Rules, the Hearing Officer and all Parties shall be guided by the Mississippi Rules of Civil Procedure.

## **Chapter 12 Notices**

100 Any correspondence or notices issued pursuant to this Act and these Rules shall be directed to the Secretary of State's Office, Metal Property Unit, 700 North Street, Jackson, MS 39202.

## **Chapter 13 Affirmative Obligation to Update Registration Information**

100 It is solely the responsibility of the Applicant or Registrant to update and remain current with all address and contact information required for registration. The Division and the Secretary of State are not responsible, and the Applicant or Registrant is solely responsible for the non-receipt of any notice or correspondence issued by the Division or the Secretary of State due to the failure of the Applicant or Registrant to maintain current and correct address and contact information with the Division or its Agent.

## **Chapter 14 Effective Date**

100 The Effective Date of the Act is August 8, 2008.

101 The Effective Date of these Rules is June 20, 2010

## **Arkansas Scrap Metal**

Subtitle REGARDING SCRAP METAL DEALERS AND SALES. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Title 5, Chapter 36, Subchapter 1 is amended to add a new section to read as follows: "5-36-124. Theft by receiving of scrap metal.

(a) As used in this section:

(1) "Receiving" means acquiring possession, control, or title or lending on the security of the scrap metal; and

(2) "Scrap metal" means copper, copper alloy, copper utility wire, any bronze, or any aluminum as described in § 17-44-101 et seq.

(b) A person commits the offense of theft by receiving of scrap metal if he or she receives, retains, or disposes of scrap metal of another person knowing that the scrap metal was stolen.

(c)(1) Theft by receiving of scrap metal is a:

(A) Class D felony if the value of the scrap metal is more than one thousand dollars (\$1,000); or

(B) Class A misdemeanor.

(2) A person who is found guilty of or pleads guilty or nolo contendere to a second or subsequent violation of this section is guilty of a Class D felony.

As Engrossed: H3/30/11 HB2119 2 03-07-2011 13:20:48 BPG277 SECTION 2. Arkansas Code § 17-44-102 is amended as follows: 17-44-102. Records required.

(a) As used in this section, "reasonable, written documentation" means a written document that includes the following information provided by the seller of the scrap metal to the scrap metal recycler:

(1) The name of the entity or individual from whom the seller acquired the scrap metal;

(2) The date the seller acquired the scrap metal;

(3) The physical address from where the seller acquired the scrap metal;

(4) An affirmation or certification from the seller in the written document that he or she is the owner of the scrap metal or is the employer, agent, licensed contractor, licensed HVACR,

plumber, electrician, or other person authorized to sell the scrap metal on behalf of the owner; and (5) An affirmation or certification from the seller in the written document that he or she has not pleaded guilty or nolo contendere to or been found guilty of theft, burglary, or vandalism when the offense involved scrap metal.

(b) A seller shall not sell and a scrap metal recycler shall not purchase scrap metal unless reasonable, written documentation is provided that the seller is the owner of the scrap metal or is an employee, agent, or other person authorized to sell the scrap metal on behalf of the owner.

(a)(1)(c)(1) Each scrap metal recycler doing business in the State of Arkansas shall maintain an accurate and legible record of each scrap metal purchase transaction.

(2) Individual records shall not be required for a series of scrap metal purchase transactions made under a contract.

(3) The data required under subdivision (b)(1)(d)(1) of this section may be maintained for repeat sellers in a relational database allowing the scrap metal recycler to record the information one (1) time and relate future purchase records to that information.

(4) A municipality or county may require by ordinance electronic or digital records and reporting methods.

(b)(d) The record of each scrap metal purchase transaction shall contain the following information taken at the time of sale and kept on As Engrossed: H3/30/11 HB2119 3 03-07-2011 13:20:48 BPG277 record:

(1) The name, address, gender, birth date, and identifying number from the seller's driver's license, military identification card, passport, or other form of government-issued photo identification;

(2) A photocopy of the government-issued photo identification provided under subdivision (b) (1) (d) (1) of this section;

(3) The date of the scrap metal purchase transaction;

(4) The digital thumbprints of the seller;

(5)(A) A general description of the predominant types of scrap metal purchased.

(B) The general description shall be made in accordance with the custom of the trade;

(6) A general description of the configuration of the scrap metal and whether the material is insulated;

(7) The weight, quantity, or volume, recorded in accordance with the custom of the trade, of the scrap metal purchased;

(8) The consideration paid;

(9) The license plate number of the vehicle used in transporting the materials to the scrap metal recycler's place of business; and

(10)(A) A clearly identifiable date-and-time-stamped digital photograph of the:

(A)(i) Seller; and

(B)(ii) Scrap metal in the form in which it was purchased.

(C)(B) The name of the person taking the photographs under this subdivision (10) (b) (10) (A) of this section shall be recorded and provided with the photographs.

(c)(e) The photocopy required under subdivision (b)(2)(d)(2) of this section, the digital thumbprints required under subdivision (b)(4)(d)(4) of this section, and the digital photographs taken required under subdivision (b)(10)(A)(d)(10)(A) of this section shall be reasonably clear.

(d)(1)(f)(1) For records required under subsection (b) subsections (a) and (d) of this section, a scrap metal recycler shall file a daily electronic record of scrap metal purchases made for that day.

(2) The report shall be made daily by entering the information into an automated database which may be interfaced by law enforcement As Engrossed: H3/30/11 HB2119 4 03-07-2011 13:20:48 BPG277 statewide.

(e) A seller shall provide the following to a purchaser:



(1) A copy of a valid driver's license, military identification card, passport, or other form of government-issued photo identification;

(2) A signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal; and

(3) A general description of where and how the seller acquired the scrap metal.

(f)(g) The records required under this section shall be:

(1) Kept for a period of one (1) year;

(2) Made available to any law enforcement office of the State of Arkansas and any Arkansas municipality or county; and

(3) Available for use in any legal proceeding.

(g)(h) This section shall does not apply to transactions:

(1) In which a scrap metal processor purchases, transfers, or otherwise conveys scrap metal to another scrap metal processor if the purchaser or transferee obtained a bill of sale or similar document at the time of transfer;

(2) Involving only beverage or food containers; or

(3) Involving only ferrous metals.

SECTION 3. Arkansas Code § 17-44-103, as amended by Act 348 of 2011, is repealed.

17-44-103. Restrictions on the purchase of certain items.

(a) A seller shall not sell and a scrap metal recycler shall not purchase the following scrap metal unless reasonable, written documentation is provided that the seller is the owner of the scrap metal or is an employee, agent, or other person authorized to sell the scrap metal on behalf of the owner:

(1) Scrap metal marked with the initials of an electrical company, a telephone company, a cable company, another public utility, or a brewer;

(2) Utility access covers;

(3) Street light poles and fixtures;

(4) Road and bridge guard rails;

(5) Highway or street signs; As Engrossed: H3/30/11 HB2119 5 03-07-2011 13:20:48 BPG277

(6) Water meter covers;

(7) Metal beer kegs including those made of stainless steel that are clearly marked as being the property of the beer manufacturer;

(8) Traffic directional and control signs;

(9) Traffic light signals;

(10) Any scrap metal marked with the name of a government entity;

(11) Property owned by a telephone company, a cable company, an electric company, a water company, or another utility or by a railroad and marked or otherwise identified as such;

(12) Unused and undamaged building construction or utility materials consisting of copper, pipe, tubing or wiring, or aluminum wire, historical markers, or grave markers and vases;

(13) Catalytic converters that are not part of an entire motor vehicle;

(14) Scrap metal that has been smelted, burned, or melted;

(15) Air conditioning parts unless:

(A)(i) The parts are being sold by a contractor, plumber, or electrician;

(ii) A current and valid HVAC license is provided at the time of the sale; and

(iii) A copy of the HVAC license number is recorded by the purchaser of the scrap metal; or

(B) The parts are being sold by an individual who provides evidence:

(i) Of ownership of the parts by providing an:

(a) Invoice for the purchase of the unit from which the parts were removed;

(b) Invoice for the purchase of a unit which replaced the unit from which the parts were removed;

(c) Affidavit from the dealer who sold the unit from which the parts were removed; or

(d) Affidavit from the dealer who sold and installed a unit which replaced the unit from which the parts were removed; and

(ii) That the parts were removed by an individual As Engrossed: H3/30/11 HB2119 6 03-07-2011 3:20:48 BPG277 with a current and valid HVAC license;

(16) Any scrap metal that has been brightly painted or marked to deter theft of the scrap metal.

(b)(1) A scrap metal recycler shall not make a cash payment to a seller known by the recycler to have pleaded guilty or nolo contendere to or to have been found guilty of theft, burglary, or vandalism when the offense involved scrap metal.

(2) Payments to a seller who has pleaded guilty or nolo contendere to or has been found guilty of theft, burglary, or vandalism where the offense involved scrap metal shall be made in the following manner:

(A) A check mailed to the seller; or

(B) An electronic funds transfer initiated no earlier than three (3) days after the date of the transaction.

(3) A scrap metal recycler shall request a list of persons who have pleaded guilty or nolo contendere to or have been found guilty of theft, burglary, or vandalism when the offense involved scrap metal from the appropriate law enforcement agency. (c) This section does not apply to transactions in which a scrap metal processor purchases, transfers, or otherwise conveys scrap metal to another scrap metal processor.

SECTION 4. Arkansas Code § 17-44-106 is amended to read as follows:

17-44-106. Penalties.

(a) Any person that fails to comply with this chapter is guilty of a Class A misdemeanor. A person who violates this chapter may be assessed a civil penalty of no more than five hundred dollars (\$500) per violation.

(b) Any person that knowingly gives false information with respect to the matters required to be maintained in the records provided for in this chapter is guilty of a Class A misdemeanor.

/s/Hammer

APPROVED: 04/04/2011

# Updated Pawn Broker Transaction Study

## Executive Summary

The Criminal Justice Information Network (CJIN) Governing Board was directed to study the feasibility of creating an automated pawn transaction database system as part of the criminal justice information network.

To facilitate this study, the CJIN Board conducted workshops with county and municipal law enforcement agencies, information technology professionals, pawnshop owners, pawnshop lobbyists, and vendors operating in North Carolina. A significant portion of two CJIN Board meetings were dedicated to presentations and discussions regarding the study. Additionally, the CJIN staff reviewed numerous other studies that were completed by other states and participated in conversations with personnel from those states.

The majority of the January 28, 2010 CJIN meeting was devoted to briefing the Board on the existing pawn shop automation within North Carolina; personnel from the counties of Wake, Mecklenburg, Cumberland, Guilford, and Onslow, cities of Raleigh, Fayetteville, Charlotte, Jacksonville, and Dunn, along with pawnshop owner Bob Moulton, Director of the National Association of Pawn Brokers participated in the discussions.

At the March 18, 2010 Board meeting, the CJIN staff reported the findings to date and requested some direction from the Board regarding expanding the scope of the project to include secondhand dealers, scrap yards, precious metals, and other outlets for stolen property. After a lengthy discussion, the Board was in agreement that the staff findings should be reflected in the study report; however, the recommendation should be responsive to the request of the legislature.

Part of the staff's report to the Board reflected property crime and the statistics associated with pawnshops. Currently, statistics reflect one pawn item out of every 1,000 is determined stolen. Discussions on these statistics ranged from - law enforcement and the pawnbrokers are doing an outstanding job; to the statistics do not reflect all the stolen property because the state does not have a statewide pawn transaction database. Comments were made that the number of recovered items would increase with a statewide system. The study reflects the definition of property crime, national and state statistics, historical trending, etc.

The State Statute defines the reporting responsibilities of a pawnshop. The CJIN Board, with all of the aforementioned assistance, determined that the reporting included manual processing of records, automation of received records within county and city agencies, fully automated process of reporting, and Internet processing being done by a national vendor. It was found that the records being handled within each process were not being shared with other systems; although in some cases the ability was there to share the information. The systems developed in several counties have the potential to be expanded to a state level. Furthermore, the information available through the Internet provider was feature rich and comprehensive. Determining the costs of each of these potential solutions was difficult.

The Study Bill specifically addressed the feasibility of developing and maintaining pawnshop transactions within an automated system for law enforcement agencies. While conducting the

various meetings and workshops, along with research and conversations with other states, it was expressed by all the participants that targeting the records of pawnshops were only a partial solution to solving property crime. It was the speculation of the majority of the participants that only a small portion of stolen property flows through pawnshops. There are numerous unregulated outlets within the state that could handle stolen property that are currently not required to maintain records.

The advantages and challenges of developing a statewide system are detailed in this report. The simple answer to the study request is yes it is feasible to develop a system to track pawn transactions and share this information with all the law enforcement agencies in the state. Based on the systems developed in North Carolina counties, the national company that uses the Internet, modules contained in some of our record management systems, expanding some of the information sharing initiatives that are currently being developed, or starting a new system, we have the experience, system knowledge, and a receptive community of regulated businesses to ensure success.

Undertaking this study resulted in a number of feasible technology solutions; however, the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee should consider expanding the businesses required to keep and maintain transaction records. Prior to making a technical recommendation and based on all the information contained in the report regarding property crime, the CJIN Board respectfully requests that the Committee consider allowing the Board to broaden the original study to include other businesses operating in secondhand merchandise.

## **Background**

In performing the study outlined in House Bill 1282 the CJIN Board addressed the following areas in order to gain an understanding of pawnshops and property crime, not only in North Carolina but in the United States:

- Study Bill 1282
- State Statute – Pawn Brokers
- Property Crime - Definition
- NC SBI Statistics
- US FBI Statistics

### Study Bill HB 1282

The CJIN Board undertook the Pawn Shop Transaction Study based on the General Assembly, during the 2009-2010 session, enacted the following: A bill to be entitled an act to direct the criminal justice information network governing board to study the feasibility of creating an automated pawn transaction database system as part of the criminal justice information network.

SECTION1. The Criminal Justice Information Network Governing Board shall study the feasibility of developing and maintaining an automated system that would receive pawn transaction data electronically from pawn shops and provide access to law enforcement agencies for retrieving information about pawn shop transactions statewide as part of the Criminal Justice Information Network. The study shall consider issues related to the State's role in regulating pawn shops in order to identify and minimize illegal activities, recover stolen

property, verify compliance with applicable laws, and ensure a legitimate environment for consumers by decreasing the cost of regulation, improving law enforcement services and effectiveness, enabling information sharing among law enforcement and regulatory authorities, and impacting related crimes. The Board shall report its findings and recommendations, including any legislative proposals, to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on or before March 31, 2010.

SECTION2. This act is effective when it becomes law.

Prior to researching property crime at the state and federal level, the Board reviewed the existing State Statute. The following State Statute covering Pawn Brokers is provided as a review:

State Statute - Chapter 91A

Pawnbrokers Modernization Act of 1989

§ 91A-1. Short title

This Chapter shall be known and may be cited as the Pawnbrokers Modernization Act of 1989. (1989, c. 638, s. 2.)

§ 91A-2. Purpose

The making of pawn loans and the acquisition and disposition of tangible personal property by and through pawnshops vitally affects the general economy of this State and the public interest and welfare of its citizens. In recognition of these facts, it is the policy of this State and the purpose of the Pawnbrokers Modernization Act of 1989 to:

- (1) Ensure a sound system of making loans and acquiring and disposing of tangible personal property by and through pawnshops, and to prevent unlawful property transactions, particularly in stolen property, through licensing and regulating pawnbrokers;
- (2) Provide for licensing fees and investigation fees of licensees;
- (3) Ensure financial responsibility to the State and the general public;
- (4) Ensure compliance with federal and State laws; and
- (5) Assist local governments in the exercise of their police authority. (1989,c.638,s.2.)

§ 91A-3. Definitions

As used in this Article, the following definitions shall apply:

- (1) "Pawn" or "Pawn transaction" means a written bailment of personal property as security for a debt, redeemable on certain terms within 180 days, unless renewed, and with an implied power of sale on default.
- (2) "Pawnbroker" means any person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders.
- (3) "Pawnshop" means the location at which, or premises in which, a pawnbroker regularly conducts business.
- (4) "Person" means any individual, corporation, joint venture, association, or any other legal entity, however organized.

- (5) "Pledged goods" means tangible personal property which is deposited with, or otherwise actually delivered into, the possession of a pawnbroker in the course of his business in connection with a pawn transaction.
- (6) "Purchase" means any item purchased from an individual for the purpose of resale whereby the seller no longer has a vested interest in the item. (1989, c. 638, s. 2.)

#### § 91A-4. Pawnbroker authority

A pawnbroker licensee is authorized to: (i) make loans on pledges of tangible personal property, (ii) deal in bullion stocks, (iii) purchase merchandise for resale from dealers, traders, and wholesale suppliers and (iv) use its capital and funds in any lawful manner within the general scope and purpose of its creation. Notwithstanding the provisions of this section, no pawnbroker has the authority enumerated in this section unless he has fully complied with the laws regulating the particular transactions involved. (1989, c. 638, s. 2.)

#### § 91A-5. License required

It is unlawful for any person, firm, or corporation to establish or conduct a business of pawnbroker unless such person, firm, or corporation has procured a license to conduct business in compliance with the requirements of this Chapter. (1989, c. 638, s. 2.)

#### § 91A-6. Requirements for licensure

- (a) To be eligible for a pawnbroker's license, an applicant must:
  - (1) Be of good moral character; and
  - (2) Not have been convicted of a felony within the last 10 years.
- (b) Every person, firm or corporation desiring to engage in the business of pawnbroker shall petition the appropriate city or county agency in the area in which the pawnshop is to be operated for a license to conduct such business. Such petitions shall provide:
  - (1) The name and address of the person, and, in case of a firm or corporation, the names and addresses of the persons composing such firm or of the officers, directors, and stockholders of such corporation, excluding shareholders of publicly traded companies;
  - (2) The name of the business and the street and mailing address where the business is to be operated;
  - (3) A statement indicating the amount of net assets or capital proposed to be used by the petitioner in operation of the business; this statement shall be accompanied by an unaudited statement from an accountant or certified public accountant verifying the information contained in the accompanying statement;
  - (4) An affidavit by the petitioner that he has not been convicted of a felony; and
  - (5) A certificate from the chief of police, or sheriff of the county, or the State Bureau of Investigation that the petitioner has not been convicted of a felony.
- (c) Licenses shall be granted under this Chapter by the city if the pawnshop is to be operated within the corporate limits of a city as defined by G.S. 160A-1, and by a county if it is to be operated outside the corporate limits of any city as defined by G.S. 160A-1.
- (d) Any license granted under this Chapter may be revoked by the county or city issuing it, after a hearing, for substantial abuses of this Chapter by the licensee. (1989, c. 638, s. 2.)

#### § 91A-7. Record keeping requirements

(a) Every pawnbroker shall keep consecutively numbered records of each and every pawn transaction, which shall correspond in all essential particulars to a detachable pawn ticket or copy thereof attached to the record.

(b) The pawnbroker shall, at the time of making the pawn or purchase transaction, enter upon the pawn ticket a record of the following information which shall be typed or written in ink and in the English language:

- (1) A clear and accurate description of the property, including model and serial number if indicated on the property;
- (2) The name, residence address, phone number, and date of birth of pledgor;
- (3) Date of the pawn transaction;
- (4) Type of identification and the identification number accepted from pledgor;
- (5) Description of the pledgor including approximate height, weight, sex, and race;
- (6) Amount of money advanced;
- (7) The date due and the amount due;
- (8) All monthly pawn charges, including interest, annual percentage rate on interest, and total recovery fee; and
- (9) Agreed upon "stated value" between pledgor and pawnbroker in case of loss or destruction of pledged item; unless otherwise noted, "stated value" is the same as the loan value.

(c) The following shall be printed on all pawn tickets:

- (1) The statement that "ANY PERSONAL PROPERTY PLEDGED TO A PAWNBROKER WITHIN THIS STATE IS SUBJECT TO SALE OR DISPOSAL WHEN THERE HAS BEEN NO PAYMENT MADE ON THE ACCOUNT FOR A PERIOD OF 60 DAYS PAST MATURITY DATE OF THE ORIGINAL CONTRACT. NO FURTHER NOTICE IS NECESSARY.";
- (2) The statement that "THE PLEDGOR OF THIS ITEM ATTESTS THAT IT IS NOT STOLEN, HAS NO LIENS OR ENCUMBRANCES, AND IS THE PLEDGOR'S TO SELL OR PAWN.";
- (3) The statement that "THE ITEM PAWNED IS REDEEMABLE ONLY BY THE BEARER OF THIS TICKET OR BY IDENTIFICATION OF THE PERSON MAKING THE PAWN."; and
- (4) A blank line for the pledgor's signature and the pawnbroker's signature or initials.

(d) The pledgor shall sign the pawn ticket and shall receive an exact copy of the pawn ticket which shall be signed or initialed by the pawnbroker or any employee of the pawnbroker. These records shall be available for inspection and pickup each regular workday by the sheriff of the county, or the sheriff's designee or the chief of police, or the chief's designee of the municipality in which the pawnshop is located. These records may be electronically reported to the sheriff of the county or the chief of police of the municipality in which the pawnshop is located by transmission over the Internet or by facsimile transmission in a manner authorized by the applicable sheriff or chief of police. These records shall be a correct copy of the entries made of the pawn or purchase transaction and shall be carefully preserved without alteration, and shall be available during regular business hours.

(e) Except as otherwise provided in this Chapter, any person presenting a pawn ticket to a pawnbroker is presumed to be entitled to redeem the pledged goods described on the ticket. (1989, c. 638, s. 2; 2007-415, s. 2.)

#### § 91A-8. Pawnbroker fees; interest rates

No pawnbroker shall demand or receive an effective rate of interest greater than two percent (2%) per month, and no other charge of any description or for any purpose shall be made by the

pawnbroker, except that the pawnbroker may charge, contract for, and recover an additional monthly fee for the following services, including but not limited to:

- (1) Title investigation;
- (2) Handling, appraisal, and storage;
- (3) Insuring a security;
- (4) Application fee;
- (5) Making daily reports to local law enforcement officers; and
- (6) For other expenses, including losses of every nature, and all other services.

In no event may the total of the above listed monthly fees on a pawn transaction exceed twenty percent (20%) of the principal up to a maximum of the following:

First month.....	\$100.00
Second month.....	75.00
Third month.....	75.00
Fourth month and thereafter.....	50.00

In addition, pawnbrokers may charge fees for returned checks as allowed by G.S. 25-3-506. (1989, c. 638, s. 2; 1995 (Reg. Sess., 1996), c. 742, s. 37.)

1.

#### § 91A-9. Pawnbroker transactions

In every pawn transaction:

- (1) The original pawn contract shall have a maturity date of not less than 30 days, provided that nothing herein shall prevent the pledgor from redeeming the property before the maturity date;
- (2) Any personal property pledged to a pawnbroker in this State is subject to sale or disposal when there has been no payment made on the account for a period of 60 days past maturity date of the original contract; provided that the contract between the pledgor and the pawnbroker is renewable if renewal is agreed upon by both the parties;
- (3) Every pawn ticket or receipt for such pawn shall have printed thereon the provisions of subdivision (1) of this section which shall constitute: (i) notice of such sale or disposal, (ii) notice of intention to sell or dispose of the property without further notice, and (iii) consent to such sale or disposal. The pledgor thereby forfeits all right, title and interest of, in, and to such pawned property to the pawnbroker who thereby acquires absolute title to the same, whereupon the debt is satisfied and the pawnbroker may sell or dispose of the unredeemed pledges as his own property. Any sale or disposal of property under this section terminates all liability of the pawnbroker and vests in the purchaser the right, title, and interest of the borrower and the pawnbroker;
- (4) If the borrower loses his pawn ticket he shall not thereby forfeit his right to redeem, but may, before the lapse of the redemption period, make an affidavit with indemnification for such loss. The affidavit shall describe the property pawned and shall take the place of the lost pawn ticket unless the pawned property has already been redeemed with the original pawn ticket; and
- (5) A pledgor is not obligated to redeem pledged goods or make any payment on a pawn transaction. (1989, c. 638, s. 2.)

#### § 91A-10. Prohibitions

2.



A pawnbroker shall not:

- (1) Accept a pledge from a person under the age of 18 years;
- (2) Make any agreement requiring the personal liability of a pledgor in connection with a pawn transaction;
- (3) Accept any waiver, in writing or otherwise, of any right or protection accorded a pledgor under this Chapter;
- (4) Fail to exercise reasonable care to protect pledged goods from loss or damage;
- (5) Fail to return pledged goods to a pledgor upon payment of the full amount due the pawnbroker on the pawn transaction. In the event such pledged goods are lost or damaged while in the possession of the pawnbroker, it shall be the responsibility of the pawnbroker to replace the lost or damaged goods with merchandise of like kind and equivalent value. In the event the pledgor and pawnbroker cannot agree as to replacement, the pawnbroker shall reimburse the pledgor in the amount of the value agreed upon pursuant to G.S. 91A-7(b);
- (6) Take any article in pawn, pledge, or as security from any person, which is known to such pawnbroker to be stolen, unless there is a written agreement with local or State police;
- (7) Sell, exchange, barter, or remove from the pawnshop any goods pledged, pawned, or purchased before the earlier of seven days after the date the pawn ticket record is electronically reported in accordance with G.S. 91A-7(d) or 30 days after the transaction, except in case of redemption by pledgor or items purchased for resale from wholesalers;
- (8) Operate more than one pawnshop under one license, and such shop must be at a permanent place of business; or
- (9) Take as pledged goods any manufactured mobile home, recreational vehicle, or motor vehicle other than a motorcycle. (1989, c. 638, s. 2; 2007-415, s. 1.)

#### § 91A-11. Penalties

(a) Every person, firm, or corporation, their guests or employees, who shall knowingly violate any of the provisions of this Chapter, shall, on conviction thereof, be deemed guilty of a Class 2 misdemeanor. If the violation is by an owner or major stockholder or managing partner of the pawnshop and the violation is knowingly committed by the owner, major stockholder, or managing partner of the pawnshop, then the license of the pawnshop may be suspended at the discretion of the court.

(b) The provision of subsection (a) shall not apply to violations of G.S. 91A-10(6) which shall be prosecuted under the North Carolina criminal statutes.

(c) Any contract of pawn the making or collecting of which violates any provision of this Chapter, except as a result of accidental or bona fide error of computation, shall be void, and the licensee shall have no right to collect, receive or retain any interest or fee whatsoever with respect to such pawn. (1989, c. 638, s. 2; 1993, c. 539, s. 655; 1994, Ex. Sess., c. 24, s. 14(c).)

#### § 91A-12. Municipal or county authority

All of the counties and cities as defined by G.S. 160A-1 may by ordinance adopt the provisions of this Chapter and may adopt such further rules and regulations as the governing bodies of the counties and cities deem appropriate; provided, however, no county or city may regulate:

- (1) Interest, fees, or recovery charges;
- (2) Hours of operation, unless such regulation applies to businesses generally;

- (3) The nature of the business or type of pawn transaction; or
- (4) License fees in excess of rates set by the State. (1989, c. 638, s. 2.)

#### § 91A-13. License renewal

Notwithstanding any provision of this Chapter to the contrary, any person, firm, or corporation licensed as a pawnbroker on or before October 1, 1989, shall continue in force until the natural expiration thereof and all other provisions of this Chapter shall apply to such license. Such pawnbroker shall be eligible for renewal of his license upon its expiration or subsequent renewals, provided such license complies with the requirements for renewal that were in effect immediately prior to October 1, 1989. (1989, c. 638, s. 2.)

#### § 91A-14. Bond

Every person, firm, or corporation licensed under this Chapter shall, at the time of receiving the license, file with the city or county issuing the license a bond payable to such city or county in the sum of five thousand dollars (\$5,000), to be executed by the licensee, and by two responsible sureties or a surety company licensed to do such business in this State, to be approved by the city or county, which shall be for the faithful performance of the requirements and obligations pertaining to the business so licensed. The city or county may sue for forfeiture of the bond upon a breach thereof. Any person who obtains a judgment against a pawnbroker and upon which judgment execution is returned unsatisfied may maintain an action in his own name upon the bond, to satisfy the judgment. (1989, c. 638, s. 2.)

### **Property Crime**

In the Uniform Crime Reporting (UCR) Program, property crime includes the offenses of burglary, larceny-theft, motor vehicle theft, and arson. The object of the theft-type offenses is the taking of money or property, but there is no force or threat of force against the victims. The property crime category includes arson because the offense involves the destruction of property; however, arson victims may be subjected to force. Because of limited participation and varying collection procedures by local agencies, only limited data are available for arson. Arson statistics are included in trend, clearance, and arrest tables throughout crime in the United States, but they are not included in any estimated volume data.

Burglary: The UCR Program defines burglary as the unlawful entry of a structure to commit a felony or theft. To classify an offense as a burglary, the use of force to gain entry need not have occurred. The Program has three sub-classifications for burglary: forcible entry, unlawful entry (where no force is used), and attempted forcible entry.

Motor Vehicle Theft: The UCR Program defines motor vehicle theft as the theft or attempted theft of a motor vehicle. The offense includes the stealing of automobiles, trucks, buses, motorcycles, snowmobiles, etc.

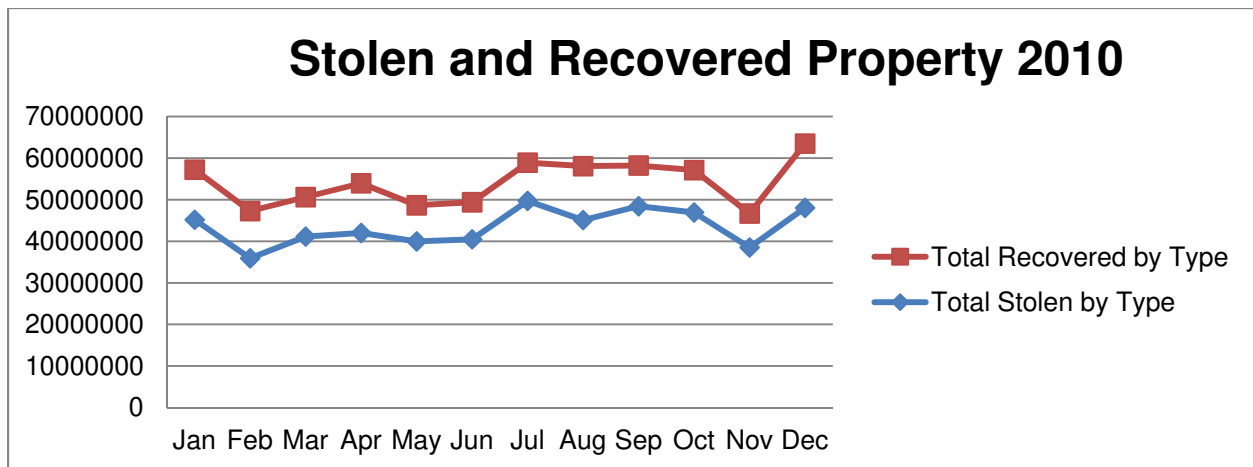
Larceny-Theft: The UCR Program defines larceny-theft as the unlawful taking, carrying, leading, or riding away of property from the possession of another. Examples are thefts of bicycles, motor vehicle parts and accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, check fraud, etc., are excluded.

**Arson:** The UCR Program defines arson as any willful or malicious burning or attempting to burn, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

NC Attorney General, NC State Bureau of Investigation, Uniform Crime Reporting

Property Crime Offenses, Eight -Year Trends

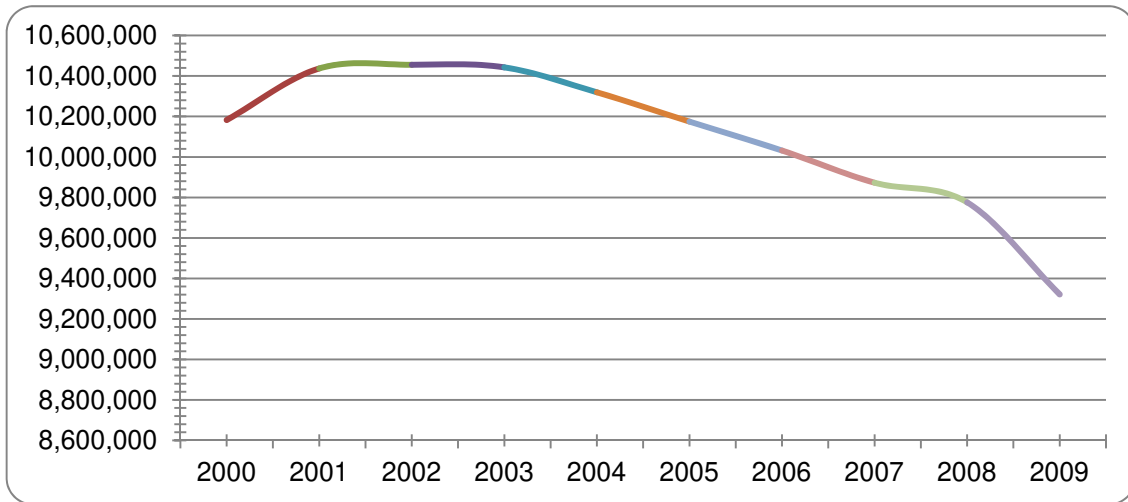
Offense	2002	2003	2004	2005	2006	2007	2008	2009
Burglary	98,233	97,267	98,264	102,780	105,346	106,849	109,128	104,723
Larceny – Theft	225,562	225,687	220,058	217,963	222,189	228,707	228,259	208,326
Motor Vehicle Theft	24,556	26,344	27,012	28,251	29,670	27,486	26,211	19,409
Property Crime Total	348,351	349,298	345,334	348,994	357,205	363,041	363,598	332,458



Overview of U.S. Property Crimes

- In 2009, there were an estimated 6,327,230 larceny-thefts nationwide.
- The estimated number of larceny-thefts dropped 4.0 percent in 2009 when compared with the 2008 estimate. The 2009 figure was a 9.2 percent decline from the 2000 estimate.
- The rate of estimated larceny-thefts in 2009 was 2,060.9 per 100,000 inhabitants.
- From 2008 to 2009, the rate of larceny-thefts declined 4.8 percent, and from 2000 to 2009, the rate decreased 16.8 percent.
- Larceny-thefts accounted for an estimated 67.9 percent of property crimes in 2009.
- The average value of property taken during larceny-thefts was \$864 per offense. When the average value was applied to the estimated number of larceny-thefts, the loss to victims nationally was nearly \$5.5 billion.

- The largest portion of reported larcenies (36.3 percent) were thefts of motor vehicle parts, accessories, and contents.



### Analysis


The CJIN Board used the Analysis section of the report to document the workshops, meetings, conference calls, correspondence, etc. associated with acquiring information on property crime as it relates to pawn shops, not only in North Carolina but in other states, gain an understanding of existing and potential systems that could be utilized, a knowledge of how other states are handling pawn transactions, and to summarize all the information for making our recommendations.

#### NC Property Crime

The CJIN Board addressed property crime in North Carolina using statistics acquired from the SBI. National statistics was obtained from the FBI website – UCR Section. The state did not have any statistics regarding the amount of criminal property that flows through pawnshops. One of our major contacts within the pawn industry was Mr. Bob Moulton who serves on the Board of Directors of the National Pawn Association. Mr. Moulton has stated; based on his experience, that the stolen property rate in North Carolina is similar to other states that have a formal reporting process – approximately 0.1% or 1 item pawned out of every 1,000.

## Pawn Shop Statistics - Other States

Mr. Moulton submitted the following reports to the CJIN staff: Illinois

 <b>Illinois Department of Financial and Professional Regulation</b> Division of Banking	
<b>PAT QUINN</b> Governor	<b>BRENT E. ADAMS</b> Secretary <b>JORGE A. SOLIS</b> Director Division of Banking
<b>2009 Annual Statewide Disclosure Report Results*:</b>	
Total Dollar Amount Financed	\$ 107,093,149.29
Total Number of Pawns	870,784
Total Dollar Amount of Extensions	\$ 142,869,105.90
Total Number of Extensions	747,389
Average Pawn Dollar Amount	\$ 122.98
Average Monthly Rate of Interest and Fees	17.90%
Percentage of Pawns Surrendered to Law Enforcement	0.14%
Percentage of Total Pawns Surrendered to Law Enforcement by Dollar Amount	0.13%
Percentage of Pawns Redeemed	65.52%
Percentage of Pawn Loans Extended	85.83%
Total Number of Employees	653
Total Number of Licensees Reporting	228

\*As reported by licensees

320 West Washington Street, Springfield, Illinois 62786  
www.idfpr.com

The report from the Illinois supports the percentage of pawns surrendered to law enforcement to be approximately 0.14% and there appears to be a correlation in Illinois between dollar amount and number.

STATE OF OKLAHOMA  
DEPARTMENT OF CONSUMER CREDIT

**Pawnbroker**

**Composite Annual Report for calendar year ending December 31, 2009**

**Schedule A -- Report of Pawn Transactions**

Total Number of Pawns Written	1,337,426
Total Amount Financed	\$124,468,291.45
Total Pawn Finance Charge Collected	\$24,137,425.86
Average Amount Financed	\$93.07
Average Finance Charge	\$18.05

**Schedule B -- Report of Pledged Goods not Redeemed**

Total Number of Pawns Pulled for Sale	481,297
Total Amount Loaned on Pawns Pulled for Sale	\$27,235,959.08
Average Amount of Pawns not Redeemed	\$56.59

**Number and Balance Due on Pawns Surrendered to Peace Officers**

Total Number of Pawns Surrendered to Peace Officers	15114
Balance Due Pawns Surrendered to Peace Officers	\$57,927.68
Average Size of Pawns Surrendered to Law Enforcement	\$3.83
Total Number of Employees	908

Tuesday, January 04, 2011

## Pawnbroker Program

## Annual Report

## SUMMARY OF PAWNBROKERS ANNUAL REPORTS as of DECEMBER 31, 2010

ANALYSIS OF LOANS	December 31, 2009		December 31, 2010	
	Number	Aggregate Amount	Number	Aggregate Amount
Total loans outstanding at beginning of year*	102,801	\$ 12,860,280	115,418	\$ 14,551,414
Loans made during the year	492,791	\$ 59,511,195	548,465	\$ 67,760,437
<b>Totals</b>	<b>595,592</b>	<b>\$ 72,371,475</b>	<b>663,883</b>	<b>\$ 82,311,851</b>
Loans cancelled during the year				
Redeemed (Loans Collected)	376,295	\$ 48,946,090	423,686	\$ 55,963,931
Forfeited	101,646	\$ 8,599,696	112,833	\$ 10,068,964
Charged off as Loss	380	\$ 35,507	717	\$ 67,726
<b>Total loans cancelled</b>	<b>478,321</b>	<b>\$ 57,581,293</b>	<b>537,236</b>	<b>\$ 66,100,621</b>
Total loans outstanding at year end*	117,271	\$ 14,790,182	126,647	\$ 16,211,230
<b>Other activity during year</b>				
Total interest charges collected on pledge loans		\$ 3,934,555		\$ 4,402,991
Total of all other charges and fees collected on loans		\$ 6,350,235		\$ 7,392,407
Total of police pickups	453	\$ 41,649	570	\$ 66,265
Forfeiture Rate [Number forfeited / number of loans made]		<b>20.6%</b>		<b>20.6%</b>
Police Pickup Rate [Number Police Pickups / number of loans made]		<b>0.092%</b>		<b>0.104%</b>
Average loan amount at year end [Aggregate Amount / number of loans]		\$ <b>126.12</b>		\$ <b>128.00</b>
Number of licensed pawnbrokers at year end		<b>71</b>		<b>72</b>

Based on the report from Oregon, the number of pawns surrendered to law enforcement is approximately 0.092%, which is very similar to Illinois.

If North Carolina is statistically in the range of the three other states that are formally reporting, then the number of stolen items flowing through pawnshops may be low in comparison to the total number of items stolen.

## **National Pawn Association**

Mr. Bob Moulton and Mr. Dave Beck shared with the CJIN Staff information regarding the National Pawn Association. The following information is provided as an overview of the pawn industry:

NPA Vision: To provide the independent pawnbroker with the tools to be successful now and in the future; to represent pawnbrokers before the Congress of the United States and to protect their interests; and to prepare pawnbrokers for the future by helping them cope with changes in technology.

NPA Mission: To contribute to the professional and personal development of member pawnbrokers and member associates through the enhancement of the images and perceptions of the industry; by advocating pawnbrokers' rights, responsibilities and issues in the courts as well as the various lawmaking bodies of the land; and by representing and speaking for the industry.

How the Pawn Process Works: Put simply—customers pledge property as collateral, and in return, pawnbrokers lend them money. Pawn loans are made on everything from jewelry to electronics. If the pawn customer chooses to redeem the loan, the collateral is returned upon repayment of the loan plus the regulated fee. The option to redeem the collateral remains with the customer until the expiration of the contract. If the customer elects not to redeem his or her collateral, there is no credit consequence to the borrower and the items are sold at a value price to retail consumers.

- The average pawn loan is \$80
- Contract periods vary by state, but are typically 30 days with an additional 30-day grace period
- Applicable fees and allowable interest rates are set by the individual states. State laws also prescribe what information is required from the consumer to enter into a pawn transaction, and may include: Name and address, Date of birth, Gender, and ethnicity, Government-issued form of personal identification, The date and time of the transaction, and A description of the collateral, including any available serial numbers or identifying markings

Regulation & Compliance: Pawnbrokers are governed by all of the major federal laws that apply to other entities designated as financial institutions, including:

- USA Patriot Act
- Truth-in-Lending Act
- Bank Secrecy Act and IRS regulations requiring reporting of certain cash transactions
- Trading with the Enemy Act and related Executive Orders and regulations
- Privacy provisions of the Gramm-Leach-Bliley Financial Services Modernization Act

Average Pawn Customer:

- Age: 36
- Household Income: \$29,000
- 80% are employed
- 82% have high school diploma or GED
- 33% are homeowners
- All ethnicities



Do pawn customers enjoy the same protections under federal law that customers of other financial institutions enjoy?

No. Pawn transactions are the only type of consumer credit that requires reporting to local law enforcement agencies. In many states this reporting is required daily, and must include extremely sensitive personal information about the consumer (i.e. ethnicity, gender, address). Much of this information qualifies as “non-public personal information” under federal privacy law and is entitled to protection as such.

## Letter - Pawn Broker Lobbyist

Several lobbyists – Mr. T. Jerry Williams and Mr. Mark Beason, also represented the pawnbrokers that assisted the CJIN Board. The CJIN staff received the attached letter from Mr. T. Jerry Williams on February 23, 2010:

### T. JERRY WILLIAMS

Lobbyist & Consultant

6900 Clear Sailing Lane, Raleigh, North Carolina (USA) 27615-5200  
Telephone (919) 607-4339 Fax (919) 287-2480 Mobile (919) 649-5941  
TJW@TJWLC.COM

February 23, 2010

*Sent Electronically and via U.S. Mail*

Eugene Vardaman  
Executive Director  
CJIN Governing Board  
North Carolina Criminal Justice  
Information Network  
4701 Mail Service Center  
Raleigh, North Carolina 27699-4701

Re: CJIN Report to Joint Legislative Oversight

Dear Gene:

The North Carolina Pawn Brokers Association met on Sunday, February 21, and discussed the issue of a state-wide electronic pawn data base. The Association is pleased to work with CJIN on this matter and does support the concept of a state-wide data base. However, members of the association believe that the concept should extend beyond pawn brokers and include gold buyers and other sellers of secondhand merchandise. For example, they believe that those firms subject to the new precious metals law should be reporting, too.

I have pointed out to the Association that your “charge” is do deal with a pawn transactions only, but pawn brokers believe we should still make this point at this time. Obviously, they are concerned about being singled out and being the only sellers of second hand merchandise required to report.

Gene, one reason the Association supports the concept is because their members know that once established, such a database will calculate totals for North Carolina pawn transactions and show conclusively that the national industry statistic of less than one tenth of 1 percent (0.1%) of stolen merchandise is run through pawn shops is accurate. Then we would expect legislation and the implementation of something much broader to cover all sellers of secondhand merchandise, in order to help determine just where all that stolen merchandise is really going. If you remember, this was brought out by Bob Moulton at the last meeting of the entire group.

Our board’s request is that any legislative proposal and subsequent state-wide data base be compliant with state and federal regulations on privacy and confidentiality and that the legislation and any subsequent administrative rules follow all privacy and confidentiality guidelines in those state and federal regulations. As pointed out in our first meeting, pawn brokers are subject to the Gramm-Leach-Bliley Financial Services Modernization Act of 1999 (GLBA) that creates privacy rights and requires privacy notices to consumer

*“Rather than letting things happen to you, let them happen because of you.”*  
WWW.TJERRYWILLIAMS.COM  
WWW.TJWLC.COM

Eugene Vardaman  
CJIN Study Report  
Page 2

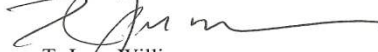
customers. The act is implemented by the Federal Trade Commission (FTC). The "FTC Privacy Rule" explains and implements provisions of GLBA privacy rights while the "FTC Safeguards Rule" explains and implements provisions of GLBA safeguards for the consumers' nonpublic personal information.

Further, Bob Moulton has stressed that pawn shops are regulated financial institutions (indicated above under GLBA) that are also subject to certain provisions of the USA Patriot Act. Here, we would request that legislation should provide that any state-wide database be SDN compliant since US persons are prohibited from doing business with persons and organizations on the "Specially Designated Nationals" List. The pawn broker source of this concern is from the Treasury Department, Office of Foreign Assets Control regulations, various statutes and Executive Orders dating back to 1812, so I have been advised.

Lastly, we urge you to take a look at the Fair Credit Reporting Act that restricts sharing of nonpublic personal information with unaffiliated third parties. I have been told this is often violated by the giving of nonpublic information about specific transactions to individuals who may have suffered a loss.

Again I want to thank you and the CJIN Board for allowing Mark Beason and me, along with Bob Moulton and Dave Beck, to participate in this study. I hope our participation has been helpful to you and your team conducting the study.

Sincerely,



T. Jerry Williams  
Lobbyist & Consultant

CC: Bob Moulton  
Dave Beck  
Mark C. Beason

P. S. Gene, while your charge only addresses pawn shops, I personally want to request again that in your report you make a reference to the fact that gold buyers and other sellers of second hand merchandise such as Craig's List and eBay, not regulated to the extent of pawn shops, may be targeted by a criminal element that knows pawn shops report while others are not subject to such requirements. I think it's important and fair to make that observation in the final report.

## Existing North Carolina Systems

At the CJIN Board meeting on January 28, 2010 various cities and counties presented the automation being used for pawn transactions.

Raleigh and Wake County: Mark Eisele, Wake County IT Manager and Rich Bargfrede, Raleigh Police Department Detective gave the Board an overview of the process that Wake County and the City of Raleigh use to obtain Pawn Transactions. They shared with the Board screen shots of their system as it is not available outside of their network. Highlights of the system are presented below:

Locally Owned Database Advantages:

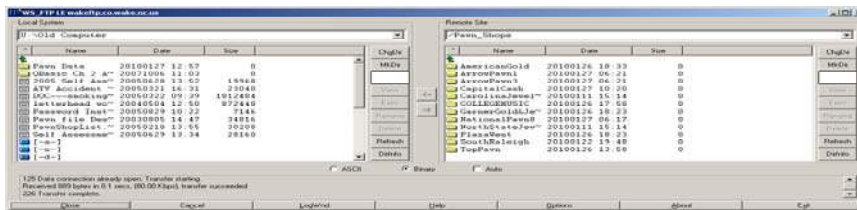
- Ensure security of data

- Ability to mine data for trends
- Ability to compare information to other databases

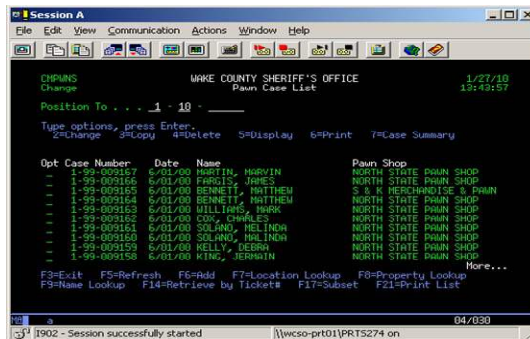
Locally Owned Database Disadvantages and Challenges:

- Cost associated with maintaining database
- Infrastructure costs
- Secure data transfer to our facilities

## How do we get our data?



## Where does the data reside?



What Does Law Enforcement Want to Oversee?

- Pawnshops
- Scrap Metal Dealers
- Precious Metal Dealers
- Secondhand Goods Vendors

Charlotte-Mecklenburg PD and Guilford County: Lt. Kim Simma of the Charlotte-Mecklenburg Police Department provided the CJIN Board with a comprehensive demonstration of a system entitled "Pawn Tracker". Assisting Lt. Simma was Mr. Dick Evans and Tom Geisler of the CMPD Information Technology Division along with Detective David Shaw from the Guilford County Sheriff's Office. The system is accessed through a secured connection to the individual

departments; however, they provided an explanation of how the system could be expanded and adapted for potential state-wide implementation. The following are the highlights of the Pawn Tracker System – System Documentation, Recommendations for Statewide Implementation, and several screen shots:

Pawn Tracker  
System Documentation  
Overview

The Pawn Tracker System lets CMPD users collect, view, and analyzes pawnshop data. It was provided to CMPD free of charge by the Greensboro Police Department which has been using it since approximately 1993. The system is web-based and can be accessed by all CMPD officers who want to search pawned property and investigate suspicious activity. Both pawn shops and precious metal dealers can submit pawn tickets electronically to CMPD using the Pawn Tracker System.

Who should read this document?

This document is for CMPD officers and Agency Administrators who are working with pawned items.

How the Pawn System collects data?

Pawn Tracker automatically enters pawn tickets that it receives from pawn shops and precious metal dealers in File Transfer Protocol (FTP) format. The System checks the receiving file folder for new pawn tickets every 30 minutes and enters them into the system. Most pawn shops enter tickets this way – both single shops and corporate shops that consolidate data into one submission.

Pawn tickets that are not entered automatically by the system must be entered by the Agency Administrator. This includes pawn tickets received as paper tickets, which is typically how precious metal dealers submit their tickets. It is important that Administrators enter or import these tickets in a timely manner.

User groups and functions

Pawn Tracker user groups include:

CMPD Officers - These users (CMPD\_Sworn, CMPD\_Sergeants, Pawn\_Users, and Investigative Techs) have View rights. They can:

- Add a person or item to their Watch List
- Change their password
- Mark an item Seized or Held
- Search for a pawner by name
- Search for a specific pawned item
- Search for and print reports

IS Administrators - These users (Pawn\_Admin) have Administrative rights giving them control over the entire system. In addition to all functions other users have, they can:

- Add or delete agencies and jurisdictions
- Grant or deny user access

Agency Administrators - These users (Pawn\_Supv) have modification rights giving them control over shops and users within their jurisdiction. They can perform all Officer functions as well as the following:

- Add a new pawn shop or precious metal dealer
- Add a user to an agency or jurisdiction
- Enter pawn tickets manually
- Add missing data and correct errors
- Reconcile duplicate entries
- Edit pawn shop details (address, phone, etc)
- Deactivate a user

Pawn shops and precious metal dealers - These users can:

- Submit pawn tickets
- Request new user access
- Report a lost password

## Operations - Overview

Officers can use the Pawn Tracker System to:

- Add a person or item to their Watch List
- Change their own password
- Mark an item Held or Seized
- Search for a name
- Search for a property
- Search for the following reports:
  - Frequent Pawner Report
  - Pawn Shop Activity Report
  - Property Serial Number Report
  - Shop Listing Report

### Adding a person or item to your Watch List

Pawn Tracker lets you set up a Watch List for pawner names and serial numbers of items of interest. The system then automatically checks the system for these items when new pawn data is entered. If the system finds a match, it will send you a notification email. If it does not find a match, it will continue to check new pawn data as it is entered and will notify you if there is a match.

Complete these steps to add a person or item to your watch list:

1. Open the Pawn Tracker System.
2. Click the View tab and select Automatic Notifications from the drop down list.

Result: The Automatic Notifications screen opens. Note: Your name will be grayed out in the Login field. The system will assign a search number later.

3. If you want to send email notifications to another user regarding this person or item, type the name of the user in the Officer Field.
4. In the Agency field (beside the Officer field), verify that CMPD is selected. Note: If it is not selected, click the down arrow and select it from the list.
5. In the Case Number field, type the case number associated with the search.
6. In the Notes field, type additional information, if any.
7. In the Auto Search Criteria section, select the type of search (Name or Property).
8. Do one of the following:
  - If you selected Name in Step 7, complete the Name, DOB, and Race fields. Go to Step 13.
  - If you selected Property in Step 7, go to Step 9.
9. In the Make field, type the make, if any.
10. In the Model field, type the Model, if any.
11. In the Description section, type the most important identifiers in the three Description fields.
12. In the Serial Number field, type the serial number, if any. Note: Use the following guidelines:
  - If you are searching on a serial number, do not limit the search too much. For best results, search on a partial number using numbers from the middle of the serial number.
  - You will get better search results if you enter either a serial number *or* a model number (not both), and the serial number is preferable.
  - If you enter *only* a model number *or only* a serial number, the system searches both the model number and serial number fields.
  - If you enter *both* a serial number and a model number, the system searches only the serial number field for the serial number and only the model number field for the model number.
  - If you enter a Dell service tag number, you can enter it in either the serial number or model number field. The system will search both fields as long as one of the fields is blank.
  - The Make field has a “sounds like” feature that will identify misspelled brand names.
13. In the Time Period section, indicate the time period during which you want the system to check existing data against new data coming into the system. Note: Each search adds overhead to the program and may delay the response time.
  - If you want to save the data for a specific time period, click the Specific button and specify the start date and end date.
  - If you want to save the data indefinitely, click the Indefinite button. Note: The system will continue to search for a match until you delete the data.
  - If you want to specify the number of months the data will be searched, specify that number in the Length of Auto Search in Months field.
14. Click the Search button to save the search criteria. Note: Saving search criteria will keep it active and enable the system to search only new data as it is entered. Result: When the system finds a match, it sends an email notification to:
  - Each recipient specified by the login

- The Agency Administrator
- Any other names listed in the Officer field

### Marking an item Seized or Held

Officers can specify that any item in the system be held for 30 days. Per agreement with CMPD, stores will hold items for 30 days at which time the item must either be seized or released to the pawn shop. If it is released, the pawn shop may dispose of the item as it sees fit.

It is important for Agency Administrators to keep the system updated so it will provide useful information about items being held over 30 days.

Complete these steps to mark an item Seized or Held:

1. In the Pawn Tracker System, find the appropriate ticket by searching on the person or item. Note: See the procedures entitled Searching for a Person and Searching for a Name.

Result: The system displays the item in the search results. This example shows a Property search on Pawn Shops.

2. In the list of tickets, select the ticket you want to mark.
3. In the Seized field in the Selected/Held section, select Seized or Held.
4. Leave the Paid field blank.
5. Complete the remaining fields as appropriate.
6. Click the Save Changes button.

### Recommendations for Using Pawn Tracker as a State-wide System

Must Haves:

1. There is NO code in place now to create two tiers of administrators – one for the system as a whole (System Administrator) and one for just the agencies that they work for (Agency Administrator). The needed additions to the system of Agency Administrator support are:
  - Correct Errors function would only allow Agency Administrator(s) to correct entries from pawn shops assigned to their agency. [2 man days]
  - Agency Administrator(s) need only the ability to approve new users to the system that claim to be a part of their agency. (Also, the email notification of new user registration will also have to go to the Agency Administrator(s) [4 man days]
  - Agency Administrator(s) can only maintain users in their agency. [3 man days]
  - Agency maintenance is restricted to the Agency Administrator(s) [1 man day]
2. Manual Entry is restricted to pawn shops in the logged in user's agency. The only exception would be Agency Administrator(s) who can enter data for any shop. [2 man days]
3. File Upload is restricted to pawn shops in the logged in user's agency. The only exception would be Agency Administrator(s) who can upload data for any shop. [2-3 man days]

4. Re-brand the application. The branding is almost all contained in the configuration file and external images, so re-branding will be straight forward. The biggest need will be for a new logo. [1-2 man days]
5. Pawn Tracker Usage Reports are by CMPD Divisions. The concept will have to be extended so that all agencies can have Divisions. This will also require the addition of a web page to allow Agency Administrator(s) to enter their own Divisions. [6 man days]

Nice To Have(s):

1. Automatic notifications could at the user's option be limited to activity in the user's agency (4 man days)
2. Site Activity Reporting optionally at the agency level. This can be a large amount of data and usually the Agency Administrator(s) will only be concerned about the activity of their own users. [2 man days]
3. Pawn Shop Activity Reporting optionally at the agency level. This can be a large amount of data and usually the Agency Administrator(s) will only be concerned about the activity of their own users. [2-3 man days]
4. Pawn Shop Ticket Totals Reporting optionally at the agency level. This can be a large amount of data and usually the Agency Administrator(s) will only be concerned about the activity of their own users. [2-3 man days]

Decisions that MUST be made:

1. Pawn Tracker has known cosmetic issues in Safari and Fire-Fox with the menu bar. The issue has to do with an HTML error on the base page. Changing the base page would cause all of the pages to have to be re-examined for placement issues. Pawn Tracker has only been full vetted in Internet Explorer versions 6 and 7. The more browsers that are supported the longer this will take. [10-15 man days for the first browser, 3-4 man days for each remaining browser]
2. One of the system functions is to merge pawners that are duplicates (because of name spelling issues or ID differences). Pawners are shared at a system level, it needs to be decided if Agency Administrator(s) will be allowed to merge duplicates. [2 man days – code needs to be changed regardless of decision]

Decisions that SHOULD be made:

Agency Administrator(s) can view the users of the other agencies. They should be allowed only to change their own, but can should they be able to view all users. [1 man day]





http://h3-web-01/pawntracker/report/DisplayPawnshopActivityReport.aspx?start=1/27/2009...

1 / 9 52.6% Find

**PAWN TRACKER**  
Charlotte-Mecklenburg Police Department  
**PAWNSHOP ACTIVITY REPORT**

01/26/2010 Ticket Counts By Date Report Dates: 12/27/2009 - 1/26/2010

PAWN TRACKER																	
Charlotte-Mecklenburg Police Department																	
PAWNSHOP ACTIVITY REPORT																	
01/26/2010 Ticket Counts By Date Report Dates: 12/27/2009 - 1/26/2010																	
<b>ALL AMERICAN PAWN</b>																	
Mon 12/29	18	Tue 12/29	14	Wed 12/30	8	Thu 12/31	0	Fri 1/1	0	Sat 1/2	0	Mon 1/4	10	Tue 1/5	8	Wed 1/6	11
Thu 1/7	13	Fri 1/8	0	Sat 1/9	9	Mon 1/11	16	Tue 1/12	15	Wed 1/13	6	Thu 1/14	18	Fri 1/15	6	Sat 1/16	13
Mon 1/19	23	Tue 1/19	17	Wed 1/20	17	Thu 1/21	10	Fri 1/22	17	Sat 1/23	4	Mon 1/26	8	Tue 1/26	0		
<b>Total:</b>	<b>266</b>			<b>Avg:</b>	<b>12.14</b>												
<b>AMERICAN GUN &amp; PAWN</b>																	
Mon 12/29	34	Tue 12/29	18	Wed 12/30	25	Thu 12/31	12	Fri 1/1	0	Sat 1/2	31	Mon 1/4	52	Tue 1/5	39	Wed 1/6	30
Thu 1/7	22	Fri 1/8	32	Sat 1/9	39	Mon 1/11	16	Tue 1/12	35	Wed 1/13	28	Thu 1/14	24	Fri 1/15	15	Sat 1/16	13
Mon 1/19	33	Tue 1/19	21	Wed 1/20	32	Thu 1/21	21	Fri 1/22	18	Sat 1/23	17	Mon 1/26	0	Tue 1/26	0		
<b>Total:</b>	<b>684</b>			<b>Avg:</b>	<b>26.38</b>												
<b>CAROLINA PAWN &amp; JEWELRY</b>																	
Mon 12/29	28	Tue 12/29	22	Wed 12/30	19	Thu 12/31	17	Fri 1/1	0	Sat 1/2	19	Mon 1/4	33	Tue 1/5	30	Wed 1/6	13
Thu 1/7	18	Fri 1/8	23	Sat 1/9	9	Mon 1/11	27	Tue 1/12	16	Wed 1/13	11	Thu 1/14	9	Fri 1/15	17	Sat 1/16	14
Mon 1/19	29	Tue 1/19	18	Wed 1/20	25	Thu 1/21	8	Fri 1/22	13	Sat 1/23	0	Mon 1/26	14	Tue 1/26	0		
<b>Total:</b>	<b>466</b>			<b>Avg:</b>	<b>18.98</b>												
<b>CASH AMERICA #1202 (8/2002)</b>																	
Mon 12/29	99	Tue 12/29	44	Wed 12/30	57	Thu 12/31	99	Fri 1/1	0	Sat 1/2	134	Mon 1/4	104	Tue 1/5	71	Wed 1/6	62
Thu 1/7	42	Fri 1/8	99	Sat 1/9	40	Mon 1/11	75	Tue 1/12	82	Wed 1/13	108	Thu 1/14	70	Fri 1/15	76	Sat 1/16	100
Mon 1/19	86	Tue 1/19	89	Wed 1/20	89	Thu 1/21	68	Fri 1/22	64	Sat 1/23	64	Mon 1/26	98	Tue 1/26	0		
<b>Total:</b>	<b>1,898</b>			<b>Avg:</b>	<b>77.83</b>												
<b>CASH AMERICA #1203 (8/2002)</b>																	
Mon 12/29	156	Tue 12/29	107	Wed 12/30	83	Thu 12/31	92	Fri 1/1	0	Sat 1/2	142	Mon 1/4	142	Tue 1/5	126	Wed 1/6	100
Thu 1/7	83	Fri 1/8	93	Sat 1/9	112	Mon 1/11	105	Tue 1/12	99	Wed 1/13	72	Thu 1/14	87	Fri 1/15	108	Sat 1/16	137
Mon 1/19	127	Tue 1/19	111	Wed 1/20	97	Thu 1/21	55	Fri 1/22	93	Sat 1/23	89	Mon 1/26	121	Tue 1/26	0		
<b>Total:</b>	<b>2,638</b>			<b>Avg:</b>	<b>106.87</b>												
<b>CASH AMERICA #1204 (8/2002)</b>																	
Mon 12/29	89	Tue 12/29	64	Wed 12/30	43	Thu 12/31	68	Fri 1/1	0	Sat 1/2	65	Mon 1/4	96	Tue 1/5	67	Wed 1/6	61
Thu 1/7	54	Fri 1/8	86	Sat 1/9	41	Mon 1/11	63	Tue 1/12	81	Wed 1/13	67	Thu 1/14	47	Fri 1/15	60	Sat 1/16	90
Mon 1/19	60	Tue 1/19	52	Wed 1/20	65	Thu 1/21	46	Fri 1/22	70	Sat 1/23	66	Mon 1/26	74	Tue 1/26	0		
<b>Total:</b>	<b>1,648</b>			<b>Avg:</b>	<b>84.28</b>												

Unreported Below 60 % Threshold Above 160 % Threshold Within Range Page 1 of 9

Cities of Fayetteville, Jacksonville, and Asheville, Counties of Cumberland, Onslow, and Buncombe: Lt. Matt Hurley from the Cumberland County Sheriff's Office provided the CJIN Board with a live Pawn Transaction System used by the above agencies. Supporting Lt. Hurley were Detective Randall Bartay, Fayetteville Police Department, Director Earl Bunting, City of Jacksonville, and in attendance from Buncombe County was Senior Assistant District Attorney Albert Williams. The Pawn Transaction System being used was Leads-On-Line, a vendor supplied application that Lt. Hurley stated was a valuable asset to these agencies as it allowed for a variety of areas to be searched nationally and not just locally.

Leads-On-Line is a Dallas based company that has the following market share:

- 66 Law Enforcement Agencies in North Carolina
- 205 Pawnshops in North Carolina
- Nationally – 1,400 Law Enforcement Agencies in 35 States

The Dallas based service, known as Leads-On-Line (Law Enforcement Automated Database Search), created and maintains a Web-based program designed to pinpoint crucial data quickly and economically. While violent crimes capture the National attention, it is property crimes that keep most police investigators busy. Leads-On-Line allows law enforcement officers to search one Internet database of local, regional, and national pawn store transactions rather than having

to drive to pawn stores, sort through their paper records, and enter data into their police databases.

Leads-On-Line gives officers quick access to records through a series of search options and onscreen tables. Searches can be performed by suspect name, property inventory, serial numbers, or times and dates. In December of 2002, Cash America International Inc., the world largest operator of pawn stores, announced it will partner with Leads-On-Line to utilize the system in all of its United States pawn stores. Pawn store operators are able to enter transaction data by using a basic PC with an Internet connection; authorized law enforcement officers can then access the database to search for missing items. The Leads-On-Line system allows police investigators to get out of the database management business and back into police investigation duties.

Leads-On-Line compares every pawn item against the Federal Bureau of Investigation's National Crime Information Center (NCIC) database.

The following 66 law enforcement agencies are using Leads-On-Line in North Carolina:

Aberdeen Police Dept.	Laurel Park Police Dept.
Asheville Police Dept.	Lee County Sheriff's Office
Atlantic Beach Police Dept.	Madison County Sheriff's Office
Biltmore Forest Police Dept.	Maggie Valley Police Dept.
Black Mountain Police Dept.	Marion Police Dept.
Brunswick County Sheriff's Office	Matthews Police Dept.
Buncombe County Sheriff's Office	McDowell County Sheriff's Office
Camp Lejeune USMC	Moore County Sheriff's Office
Canton Police Dept.	New Hanover County Sheriff's Office
Carolina Beach Police Dept.	Newton Police Dept.
Carteret County Sheriff's Office	Onslow County Sheriff's Office
Catawba County Sheriff's Office	Pender County Sheriff's Office
Chatham County Sheriff's Office	Pinehurst Police Dept.
Cherokee Indian Police Dept.	Polk County Sheriff's Office
Cleveland County Sheriff's Office	Raeford Police Dept.
Columbus County Sheriff's Office	Red Springs Police Dept.
Concord Police Dept.	Robeson County Sheriff's Office
Conover Police Dept.	Rutherford County Sheriff's Office
Cumberland County Sheriff's Office	Salisbury Police Dept.
Dunn Police Dept.	Samson County Sheriff's Office
Emerald Isle Police Dept.	Sanford Police Dept.
Fayetteville Police Dept.	Spring Lake Police Dept.
Fletcher Police Dept.	Statesville Police Dept.
Fort Bragg CID	Sunset Beach Police Dept.
Fort Bragg MPI	Swain County Sheriff's Office
Harnett County Sheriff's Office	Sylva Police Dept.
Haywood County Sheriff's Office	Transylvania County Sheriff's Office
Henderson County Sheriff's Office	Univ. of NC at Greensboro PD
Hendersonville Police Dept.	Waynesville Police Dept.
Holden Beach Police Dept.	White Lake Police Dept.
Hope Mills Police Dept.	Wilmington Police Dept.
Jacksonville Police Dept.	Woodfin Police Dept.
Lake Lure Police Dept.	Wrightsville Beach Police Dept.

The following 206 pawnshops are using Leads-On-Line in North Carolina:

Best Buy #601, Aberdeen	03/11/2012 Confidential
Sandhills Recycling, Aberdeen	Kwick Kash Pawn, Concord
Best Buy #953, Arden	Jewelry Mine, Concord
Denny's Jewelry & Pawn, Arden	Steve's Pawn and Gun, Concord
Treasure World Gun & Pawn, Asheboro	Velasquez Pawn Shop, Concord
Alan's Jewelry & Pawn, Asheville	Diamond District, Concord
Alan's Jewelry & Pawn #2, Asheville	Peddler's Pawn, Concord
Buy Sell Trade, Asheville	Diamond District, Concord
Best Buy #445, Asheville	Ellis jewelers, Concord
Best Buy #1912, Asheville	Hal's Pawn & Gun Shop, Concord
GameStop #259, Asheville	Kwick Kash Pawn, Concord
GameStop #5732, Asheville	We Buy Gold, Concord
Gold and Diamond Connection, Asheville	Jewelry Mine, Concord
Gold Buyers America, Asheville	MacPherson's Diamonds & Designs, Concord
Leicester Pawn & Gun, Asheville	Peddler's Pawn, Concord
Omni Source, Asheville	Reeds Jewelers, Concord
Reeds Jewelers, Asheville	Saslow's Jewelers, Concord
Southern Bullion Coin & Jewelry, Asheville	Southeast Gold Exchange, Concord
The Finishing Touch, Asheville	Steve's Pawn and Gun, Concord
The Gold Spot, Asheville	Velasquez Pawn Shop, Concord
Pawn South #7, Bladenboro	Quick Cash Pawn, Conover
Jerry's Pawn, Bonnie Doone	Lassy's Fine Jewelry, Denver
GameStop #6770, Bonnie Doone	Best Buy #160, Durham
Best Buy #648, Burlington	Best Buy #1051, Durham
We Buy Gold, Candler	Reeds Jewelers, Durham
Carolina Pawn & Gun, Canton	Pawn South #2, Elizabethtown
Best Buy #147, Cary	Fallston Pawn, Fallston
Best Buy #1903, Cary	Ace Pawn Shop, Fayetteville
Pawn South #1, Chadbourn	Best Buy #174, Fayetteville
Best Buy #1902, Chapel Hill	Best Buy #2746, Fayetteville
Best Buy #1107, Charlotte	Boulevard Pawn Shop, Fayetteville
Best Buy #268, Charlotte	Bragg Pawn, Fayetteville
Best Buy #1108, Charlotte	Carolina Firearms & Sports, Fayetteville
Best Buy #1155, Charlotte	Cash Converters NC1001, Fayetteville
Best Buy #1767, Charlotte	Cash Converters NC1005, Fayetteville
Carolina Place, Charlotte	Cash Pawn, Fayetteville
Cash America Pawn #2, Charlotte	Classic Pawn, Fayetteville
Cash America Pawn #3, Charlotte	Cross Creek Pawn & Jewelry, Fayetteville
Cash America Pawn #4, Charlotte	Cumberland Pawn & Loan #1, Fayetteville
Cash America Pawn #6, Charlotte	Cumberland Pawn & Loan #2, Fayetteville
Cash America Pawn #7, Charlotte	Cumberland Pawn & Loan #3, Fayetteville
Omni Source, Charlotte	Cumberland Pawn & Loan #4, Fayetteville
Omni Source, Cherryville	Cumberland Pawn & Loan #5, Fayetteville
Sookies Main St. Pawn, Clayton	Day & Nite Pawn Shop, Fayetteville
Martinis Trading Post, Clyde	Dixie Music & Pawn, Fayetteville
Best Buy #1132, Concord	GameStop #0889, Fayetteville
GoldRush #1004, Concord	GameStop #4975, Fayetteville
GoldRush #1001, Concord	GameStop #5715, Fayetteville
City Pawn Shop, Concord	

Goldtrade, Fayetteville  
Italian Jewelry, Fayetteville  
Jim's Pawn Shop, Fayetteville  
Military Pawn, Fayetteville  
Omni Source, Fayetteville  
Parker Pawn #17, Fayetteville  
03/11/2012 Confidential  
Parker Pawn #18, Fayetteville  
Reeds Jewelers, Fayetteville  
Rhudy's Inc., Fayetteville  
GameStop #3066, Forest City  
GameStop #6814, Fort Bragg  
Arrow Pawn #3, Garner  
Best Buy #574, Garner  
Garner Gold-N-Pawn, Garner  
Best Buy #175, Gastonia  
Cash America Pawn #5, Gastonia  
Best Buy #155, Greensboro  
Cash America Pawn #1, Greensboro  
Henebry's Jewelers, Greensboro  
Money Unlimited Pawn, Greensboro  
Best Buy #386, Greenville  
Doc's Gun & Pawn, Greenville  
Danny's Pawn & Sports, Hampstead  
Best Buy #687, Monroe  
Monroe Pawn & Gun, Monroe  
Best Buy #1133, Mooresville  
Best Buy #1451, Morehead City  
Investors Jewelry, Newport  
The Treasure Chest Thrill & Pawn, North  
Topsail Beach  
Redgator Pawn & Jewelry, Ocean Isle  
Beach  
Pembroke Pawn, Pembroke  
Best Buy #262, Pineville  
Goldrush Store, Pineville  
Reeds Jewelers, Pineville  
Pisgah Forest Pawn, Pisgah  
Penguin Pawn & Loans, Providence  
Omni Source, Raeford  
Universal Pawn, Raeford  
Arrow Pawn #1, Raleigh  
Best Buy #299, Raleigh  
Best Buy #821, Raleigh  
Best Buy #1453, Raleigh  
Best Buy #1900, Raleigh  
Best Buy #1901, Raleigh  
Best Buy #1916, Raleigh  
Reeds Jewelers #43, Raleigh  
Reeds Jewelers #149, Raleigh  
McNeill Jewelers, Red Springs

Merrill's Jewelry & Pawn, Red Springs  
Universal Pawn, Red Springs  
Eden Jewelry & Repair, Reidsville  
Best Buy #761, Rocky Mount  
Reliable Pawn Shop, Salisbury  
Kendale Pawn Shop, Sanford  
Lee Iron & Metal, Sanford  
Money Man Pawn & Loan, Sanford  
City Pawn Shop, Sanford  
Jenny's Pawn, Shallotte  
Pawn USA #6, Shallotte  
03/11/2012 Confidential  
Tripps Jewel Shop, Shallotte  
226 Pawn, Shelby  
Quick Cash Pawn, Shelby  
The Pawn Shop, Shelby  
Shelby Pawn & Coin, Shelby  
Foothills Pawn Shop, Shelby  
TJ's Jewlery & Pawn, Shelby  
Omni Source, Smithfield  
Sold USA Gun & Pawn, Sneads Ferry  
Cash Unlimited Pawn Inc, Southport  
City Pawn Shop #4, Southern Pines  
JLGG of Southern Pines, Southern Pines  
GameStop #5729, Spring Lake  
Jerry's Pawn, Spring Lake  
Parker House of Music, Spring Lake  
Swansboro Music & Pawn, Swansboro  
Metal Wood Recycling, Sylva  
Weekends Gold, Sylva  
Pawn South #6, Tabor City  
Best Buy #1385, Waynesville  
Pawn South #5, Whiteville  
Pawn USA, Whiteville  
The Pawn Shop, Whiteville  
VP Recycling, Whittier  
Albert F Rhoades, Wilmington  
Atlantic Jewelry & Pawn, Wilmington  
Best Buy #378, Wilmington  
Best Buy #2977, Wilmington  
Brothers in Arms Pawn, Wilmington  
Flash Cash Pawn & Jewelry, Wilmington  
Goldrush, Wilmington  
Jasmine Diamond, Wilmington  
Jewel Recycle, Wilmington  
Jim's Pawn & Gun, Wilmington  
J & J Jewelry, Wilmington  
Omni Source, Wilmington  
OPM Pawn, Wilmington  
Pawn South #5, Wilmington  
Pawn South #8, Wilmington

Pawn South #9, Wilmington  
Pawn South #10, Wilmington  
Pawn USA #1, Wilmington  
Pawn USA #2, Wilmington  
Pawn USA #4, Wilmington  
Picasso Pawn #7, Wilmington  
Picasso Pawn #8, Wilmington  
Precious Gems & Jewelry, Wilmington  
Perry's Emporium, Wilmington  
Reeds Jewelers, Wilmington  
Snowdens Jewelers, Wilmington

Southeast Gold Exchange #2, Wilmington  
Southeast Gold exchange #5, Wilmington  
Wilmington Silver & Gold Refinery,  
03/11/2012 Confidential  
Wilmington  
Best Buy #1892, Wilson  
Best Buy #158, Winston-Salem  
Camel Pawn Shop, Winston-Salem  
Cash America Pawn #1, Winston-Salem  
Cash America Pawn #2, Winston-Salem  
Omni Source, Winston-Salem

## **Potential North Carolina Systems**

The CJIN Board has been working with and supporting numerous other criminal justice information sharing projects over the last several years. Some of these projects have the potential to handle a statewide pawn transaction data base. The Board is not recommending that we select one of these systems; however, it is prudent that we explore the possibility that one of these systems may be a good candidate to locate the transaction data in the future. Any technology solution being proposed may have a technical roadmap that crosses one of the following systems:

Local Record Management Systems: Several of the local record management systems in North Carolina contain a module called pawn. Three of the vendors, all located within North Carolina, have these modules and they also possess information sharing applications; OSSI- Police to Police (P2P), Southern Software (Rambler), and VisionAir (Vision Inform). Members of the CJIN Board and staff will be meeting with the senior management of these companies in the near future to discuss one of CJIN's current initiatives. This may be an appropriate occasion in which to discuss pawn transactions.

GCC and DOJ - Local Information Sharing Initiative: The Governor's Crime Commission and the NC Department of Justice have an information sharing initiative currently underway. Based on discussions with Tennessee, one the software solutions that may play a role in their solution is LEADR. This product has a pawnbroker module.

NCIS - Law Enforcement Information Exchange: The Naval Criminal Investigative Service (NCIS) – the felony investigative arm of the Department of the Navy – has launched the Law Enforcement Information Exchange (LInX) initiative, a project designed to enhance information sharing between local, state, and federal law enforcement in areas of strategic importance to the Department of the Navy. LInX provides participating law enforcement agencies with secure access to regional crime and incident data and the tools needed to process it, enabling investigators to search across jurisdictional boundaries to help solve crimes and resolve suspicious events.

The CJIN Board has had several presentations from NCIS regarding the functionality of their system and the potential expansion of the LInX initiative within North Carolina – approximately

40 agencies are using this application. The system contains information fields for pawn transactions, further investigation will be required.

Office of the State Controller – CJLEADS: The Criminal Justice Law Enforcement Automated Data Services (CJLEADS) is a program designed to integrate data found within the state's various criminal justice applications and will provide up-to-date criminal information in a centralized location via a secure connection for use by state and local government criminal justice professionals.

The program is currently concentrating on offender based data; however, there may be an opportunity to include pawn transactions in their centralized data base somewhere in a future phase.

### **Other States and Large City Systems**

The CJIN staff researched numerous other states and found that there is a combination of systems developed and maintained in-house along with vendor supplied solutions. The staff also reviewed the scope of the system to determine the extent of regulation. We have highlighted several of these systems:

#### **Maryland – Regional Automated Property Information Database:**

In just one month, police in every region of Maryland have had investigative successes because of the new law and resulting database of information. On October 1, 2009 a new law took effect that requires secondhand precious metal dealers and pawnbrokers to electronically report to the primary law enforcement agency in the county of his/her operation, by noon the next day, all purchases of jewelry, precious metals, and other secondhand goods.



## **NEWS RELEASE**

**DEPARTMENT OF  
MARYLAND STATE POLICE**

Headquarters: Pikesville, MD 21208-3899

(410) 486-3101 TTY For Deaf (410) 486-0677

Toll Free: 1-800-525-5555

In order to manage the incoming information and make it accessible to law enforcement throughout Maryland, state officials developed RAPID, the Regional Automated Property Information Database. RAPID is the States central repository for the transaction data of all pawn, secondhand precious metal and automotive dismantler transition records. It enables police departments statewide to immediately gain access to timely information about property that has been sold to pawnbrokers, precious metal dealers, or vehicle salvage yards.

We are pleased to see that access to time sensitive, comprehensive information through a state database has so quickly impacted the ability of law enforcement agencies to solve crime, recover stolen property, and bring criminals to justice, Maryland State Police Superintendent Colonel Terrence B. Sheridan said. This is an excellent example of how Maryland government can work to support local law enforcement and, by working together, make our State safer.

The RAPID system is a working example of Governor O'Malley's security integration mandate, said Kristen Mahoney, the Director of the Governor's Office of Crime Control and Prevention.

State and local law enforcement agencies have developed a valuable information sharing tool, which provides them with timely and accurate statewide pawn shop information. With this information, police agencies can prioritize their collective investigative resources to aggressively reduce property crime throughout Maryland.

During October, the first month of statewide reporting to the RAPID database, police in Maryland have recovered more than \$50,000 worth of stolen property. They have served multiple search warrants and made criminal arrests for burglary, theft, and theft scheme.

The St. Mary's County Bureau of Criminal Investigation used RAPID to close three theft cases, arrest the suspects involved, and recover almost \$11,000 of stolen property. Howard County Police used RAPID to assist Fairfax County, Arlington, (VA), Montgomery County and Baltimore County (MD) authorities in solving a string of open house thefts, where jewelry and cash were being stolen. An arrest has been made and more than \$13,000 in stolen property has been recovered so far.

Due to its statewide reach, the RAPID database program is coordinated by the Maryland State Police. Coordination assistance is provided by the Governor's Office of Crime Control and Prevention, and a County Administrator's Board, comprised of county and state law enforcement representatives from throughout Maryland. Because of the proprietary and law enforcement sensitive information contained in the database, security is a top priority. The database is maintained in a secure location at the Maryland Coordination and Analysis Center.

Another important RAPID partner is the Maryland Department of Labor, Licensing and Regulation. This department of state government issues licenses for pawnbrokers and secondhand precious metal dealers. DLLP officials work with law enforcement to identify those buying secondhand property who may not be licensed to do so. For instance, a recently advertised used jewelry buying event on the Eastern Shore was cancelled after it was determined the out of state buyers were not licensed in Maryland to purchase secondhand precious metals. Any gold buying operation in Maryland must be licensed by DLLR and should list that license number in their printed and advertisements.

The RAPID system is another example of how the computer-based coordination of statewide information can provide police with a daily update of secondhand items pawned, sold to precious metals dealers, or salvaged at auto yards. Police investigating burglaries and thefts can now act quickly to not only recover the stolen property, but bring those criminals responsible for the thefts to justice. Maryland State Officials have added PawnStat to their monthly reviews of Maryland State Police and the Department of Labor, Licensing and Regulation to ensure the new program is working to effectively combat in Maryland.

Information about the new law requiring a pawnbroker or secondhand precious metal dealer to submit a copy of each transaction record electronically can be found in the Maryland Code under Business Regulations, Article 12-304. Information about the law requiring automotive dismantlers, recyclers, and scrap processors to complete records of all acquired vehicles can be found under the Maryland Transportation Article, Section 15-511. This law, which took effect in 2008, requires the business to electronically provide these records to the Maryland State Police within 30 days of vehicle title acquisition.

Minneapolis – Automated Pawn System: The APS Automated Pawn System® (APS) is an initiative of the Minneapolis Police Department (MPD) and is a Gov-to-Gov Solutions

Consortium program. APS was developed to provide communities a more effective means to manage the regulation of their pawn and secondhand dealers and to enable law enforcement agencies to share pawn/secondhand transaction information electronically.

- Since implementing APS in Minneapolis in 1997, the Automated Pawn System® has:
- Decreased and stabilized the cost of regulating pawn and secondhand dealers
  - Pawn and secondhand transaction reports up 13%
  - Employees working the pawn detail down 60%
- Improved police service and effectiveness
  - All reported crimes with identifiable property loss are now assigned for investigation
  - APS automatically queries all reported items with serial numbers against NCIC – National Crime Information Center stolen article files
- Enabled law enforcement agencies to share pawn/secondhand transaction information electronically, 7x24
  - Currently, over 200 law enforcement agencies in Iowa, Minnesota and Wisconsin subscribe to APS
  - 40% of the stolen items recovered by Minneapolis investigators using APS were located in pawn and secondhand shops outside the city
- Increased the recovery of stolen property
  - Number of items held as evidence up 235%
  - Over \$100,000.00 Monthly - Estimated retail value of stolen property recovered using APS
  - The APS service is available to all law enforcement agencies. Agencies that license pawn and/or secondhand shops will find APS is a proven, low cost way to effectively manage and regulate their shops, as well as all the transaction information their shops are required to report. Law enforcement agencies use the customizable tools within the APS application to manage and regulate their licensed dealers according to local ordinance requirements, and to investigate reported crimes. Pawn and secondhand dealers use the point-of-sale software of their choice, with minor customization required to accommodate APS transaction reporting requirements.
  - Agencies without any licensed pawn or secondhand dealers can use the comprehensive APS investigative functions to access all the transaction data in APS to solve more crimes – faster. Loss prevention specialists at colleges, universities, major retailers and insurance companies will find the custom investigative queries in APS are designed to be an invaluable investigative tool.
  - Novices and experts find the APS application intuitive and easy to use. Initial and ongoing training for investigators and regulators is free of charge for licensed users. The APS client application runs on all current 32-bit Windows operating systems and APS software upgrades are provided free of charge to licensed users.
  - The APS SQL Server database is designed to be a central repository for the sharing of pawn and secondhand transaction information. All transaction information is available to APS subscribers in accordance with applicable data privacy laws. The APS fileserver is located and maintained at the State of Minnesota and offered as an application service to all law enforcement agencies. Agencies in other regions of the country may wish to implement a similar APS service to share regional data.



- Broad-based participation from agencies throughout the Midwest is encouraged. Currently, APS receives transaction information directly from over 120 stores in over 50 communities throughout Minnesota and Wisconsin. Minneapolis stores and some St. Paul stores have been submitting transaction information to APS since 1997. Currently, over 155 Query Only agencies have subscribed to APS to take advantage of its investigative features.

Delaware – New Legislation: The Delaware State Police are announcing the newly enacted requirements that pawnbrokers, secondhand dealers and scrap metal processors must conform to as a result of legislation passed in 2007.

Previous to the legislation, there was no specific state law regarding the processes that these proprietors followed regarding property coming into their businesses. As a result of this, it has presented many challenges for law enforcement and victims of crimes to recover stolen property that may have been brought to these businesses by criminals.



Because of the efforts of the general assembly, law enforcement will have increased oversight as to who may be bringing stolen property to these businesses. Specific requirements will include:

- Every pawnbroker and secondhand dealer shall create a record and provide information on a form to be supplied.
- Every scrap metal processor shall create a record and provide information on a form to be supplied by the Delaware State Police with respect to the following articles purchased or otherwise acquired:
  - (1) Copper (including Copper Wire);
  - (2) Silver;
  - (3) Gold; or
  - (4) Brass.
- Pawnbrokers, secondhand dealers, and scrap metal processors shall complete and provide information on forms provided by the Delaware State Police immediately after any articles or goods have been purchased or acquired.
- Pawnbrokers, secondhand dealers and scrap metal processors shall record the name of the person making the record entry and shall make that information available to police.
- The information provided on the forms under this section shall be stored and maintained by the pawnbroker, secondhand dealer or scrap metal processor for a period of 1 year and shall be provided to police immediately upon request.

In addition to these requirements, dealers will now have an additional holding period after receiving property. Specifically the legislation states every pawnbroker and secondhand dealer must keep for a period of 18 days, including weekends and holidays, subject to inspection by any police officer of Delaware, all goods, wares and merchandise purchased or received from any person before selling, shipping or otherwise disposing of the same.

### **Summary of Analysis**

There have been numerous studies throughout the United States regarding the automation of pawn transactions for use within the criminal justice system. The advantages of having a statewide system of recordkeeping are obvious:

- Law Enforcement can search for stolen property throughout the state, no longer confined to their local jurisdictions;
- Law Enforcement can track suspects in terms of their fencing patterns and the kinds of items they steal;
- Law Enforcement can identify pawnbrokers who continually receive large quantities of stolen goods; and
- Victims have a greater likelihood that their stolen property will be returned.

What is not so obvious is how to migrate city and county record keeping systems into a single database especially since:

- Several counties have developed their own systems; Guilford and Charlotte-Mecklenburg have a system called "Pawn Tracker", a sophisticated computer application;
- Seventeen counties and numerous cities use an internet based solution; Leads-On-Line which interfaces to the pawn broker software at no cost to the business (law enforcement pays for the rights to use the system), they receive records from 125 pawnshops – approximately 25% of the total number of shops in the State;
- Several cities and counties have teamed together to create a local database with a variety of inputs and features;
- Charlotte-Mecklenburg Police Department require a fingerprint of the index finger on each pawn ticket; and
- The overwhelming majority of everyone involved with pawnshops including the pawnbrokers and especially law enforcement are requesting that record keeping and regulation should be extended to other secondhand dealers.

National statistics related to stolen merchandise being run through pawn shops is less than one tenth of 1 percent. At the North Carolina Pawn Brokers Association meeting on February 21, 2010 the subject of automation was discussed and the Association supports automation even though they believe that once a statewide system is implemented it will validate the one in a 1,000 statistic. For this reason, they are requesting that the automation be extended to other secondhand dealers.

Any of the above technical solutions will require a comprehensive project schedule and most likely will be a phased approach. In addition to considering the existing information and integration programs currently underway (if only from a planning perspective), the Pawn Tracker and the Leads-On-Line are two of the most viable candidates for implementing a statewide pawn transaction system in a timely manner.

Performing a cost/benefit analysis and/or a return on investment analysis, even on a preliminary basis, will require conversations with Leads-On-Line - since Leads-On-Line does not have a statewide contract with another state for pawn transactions. The cost of expanding Pawn Tracker would require the assistance of the CJIN Board members, the Office of Information Technology Services, Charlotte-Mecklenburg PD and Guilford County Sheriff's Office. Of course, other NC agencies would be contacted as needed.

The design and scope of the system, to a significant extent, will depend on whether the Legislative Oversight Committee will allow us to broaden our study prior to making a final recommendation.

## **Recommendations**

The CJIN Board was excited about the positive impact that a Statewide Pawn Transaction System could have on reducing property crime. After all the workshops, meetings, research, and conversations we know that electronic data-sharing can facilitate the tracking of stolen merchandise by being substantially quicker and easier to use.

### **Study Recommendation:**

***What we did not know and learned in the process of performing the study was that for an incremental increase in technology coupled with legislative changes that would extend past the pawn brokers to potentially include scrap metal, precious metals, secondhand dealers, etc. would have a far greater impact on reducing property crime in the State of North Carolina.***

***For this reason, the CJIN Board respectfully requests the Oversight Committee consider allowing the Board to broaden the original study.***

Note: There are numerous other states that are either in the process of studying this or have recently implemented similar legislation.

## Activities

The Board met numerous times in the last several years for the purpose of discussing criminal justice information sharing projects. The CJIN Staff over the last year has replaced the comprehensive CJIN Handbook by enhancing the CJIN website. The website contains all the information that was contained in our handbook in addition to the presentations that were given at the meetings. Since the fall of 2007, the Board has participated in the following activities:

- Presentation to the LInX Governance Board
- Meeting with Halifax ADA and DA
- Workshop on Digital Signature at ITS Office
- Presentation to the Joint Legislative Committees on Information Technology and Health & Human Services
- 2011 Workshop with VisionAir at Nash Community College
- 2011 Workshop with SunGard OSSI in High Point, NC
- 2011 Workshop with Southern Software in Southern Pines, NC
- Presentation to NC Metro Chiefs, Salemburg, NC, NC Justice Academy
- Presentation to LInX Executive Governance Board, Greenville, NC, Pitt County Sheriff's Office
- Presentation to NC Pawnbrokers Association, Executive Board, Mebane, NC
- 2010 Workshop with VisionAir, Harnett County Sheriff's Office, Lillington, NC
- 2010 Workshop with SunGard OSSI, Corporate Headquarters, High Point, NC
- 2010 Workshop with Southern Software, Corporate Headquarters, Southern Pines, NC
- Workshop on Two-Factor Authentication, Department of Corrections, Raleigh, NC
- Workshop on Automatic License Plate Readers, Department of Corrections, Raleigh, NC
- Workshops with the State Bureau of Investigation regarding Information Sharing
- Conference calls & workshops on CJLEADS
- Workshop with the Federal Bureau of Investigation, National Data Exchange (NDEx)
- Workshop with the Naval Criminal Investigative Services, Law Enforcement Information Exchange (LInX)
- Presentation from State Representative on Digital Signature/E-Forms
- Received multiple updates on major CJIN Initiatives from the NC Highway Patrol, the Administrative Office of the Courts, the State Bureau of Investigation, the State Information Technology Services, the Department of Corrections, the Department of Justice, the Office of the State Controller, and the Juvenile Justice and Delinquency Prevention
- Criminal Justice Integration Presentations from the States of Pennsylvania, Texas, Nebraska (connected to Kansas, Alabama, & Wyoming), Oregon, and Michigan
- Technical Overviews on information sharing from the Towns of Cary, Angier and Coats and the Cities of High Point, Wilson, Jacksonville, Durham, Raleigh, Charlotte, Dunn, Greensboro, Fayetteville, Lillington, Asheville, Whiteville, and Kinston
- Technical Presentations from the Counties of Durham, Buncombe, Wake, Mecklenburg, Cumberland, Onslow, Columbus, Harnett, Lee, Guilford, and Johnston
- E-Forms Presentation on California DMV, Portland Police Department – Oregon, and California Parole
- Department of Correction, Photos to the mobile data terminals

- Technical Workshop on Statewide Pawn Study including law enforcement, CJIN members, pawn shop owners, lobbyist of pawn shop associations
- Governor's Crime Commission – Grants & Chair Linda Hayes as a Guest Speaker
- Presentation on the NC Fusion Center - Information Sharing and Analysis Center
- Pilot Project on the DMV photos using the CJIN Mobile Data Network
- Several GangNet Presentations from the Durham Sheriff's Office and Police Department
- E911 Challenges, a comprehensive presentation from the E911 Wireless Board
- On-line presentation of the capabilities of the Offender Population Unified System by the NC Department of Correction
- Technical overview on the State's Second Major Data Center by the Office of Information Technology Services
- Updates and activities associated with the NC Local Government Information Systems Association from the City of Salisbury
- Meetings with the US Department of Justice on National Information Sharing
- Presentation from the Federal Bureau of Investigation on InfraGard
- Several presentations on the Wake County Pilot Project, CJLEADS

The CJIN Board has been dedicated to helping solve the challenge of statewide information sharing. The following cities, counties, and municipalities have shared with the Board their solution – we have also reported solutions from other states and federal agencies:

## Cities and Towns

### Town of Cary

Bill Stice, Information Technology Director, shared with the Board his comprehensive wireless long range plans including the history of wireless in Cary since the mid 1990's up to the current status including EVDO Rev A in laptops and PDAs, the 802.X being deployed in fire stations, the use of fiber and his deployment plans for public safety, public works, engineering inspections, and building inspections, fiber connected to 141 traffic signals, 802.X to some or all of the intersections, discussion on bandwidth issues, air cards not always working in fire stations, a discussion of in-building penetration of radio signals and the use of bi-directional amplifiers, a discussion of encryption and security, air card compatibility, the use of and coverage of public wireless carriers, and numerous upcoming decisions to be made.

### Town of Coats

Eddie Jagers, Police Chief, provided the Board with an overview of the police department, background on the Town of Coats, and an overview of the police department's wireless communication law enforcement system including challenges with the previous system, partnership with American Law Enforcement Network, the use of digital technology and security, the inquiries into NCIC and SBI, incident reports, the ability to query other states, interoperability with the

**Interoperable Mobile Communications**

Johnston County Sheriff

Benson PD

Harnett County Sheriff

Lillington PD

Dunn PD

Erwin PD

Anger PD

**Town of Coats PD**

Harnett County Sheriff's Office and other agencies in the region, the cost, number of components, and configuration of the system, Police Pak Software and hand held devices. Chief Jagers emphasized the importance of having the information in the field.

### City of Wilson

Will Aycock, Assistant Director of Information Technology Services, provided the Board with an overview of technical solutions that focused on distinct needs and the difference between mobile versus wireless including automating fire inspections using mobile devices (schedule of inspections, field data entry, printing reports in the field, 35% increase in productivity), mobile tools for emergency responders – GIS data access in the field, digital photographs, Geo-reference oblique imagery in the field, pre-incident surveys linked to geographic features, annotated floor plans accessible in the field, automated vehicle location (closest unit response), connection to CAD with silent dispatch (using time stamping), using mobile tools for conducting analysis during emergency situations with an example of a break in the gas main, mobile wireless technology for the police department using field based reporting being populated with CAD, creating standards in mobile tools being deployed in different departments, mobile platforms, software being used, diagrams of wireless infrastructure, and a summary of mobile technologies.



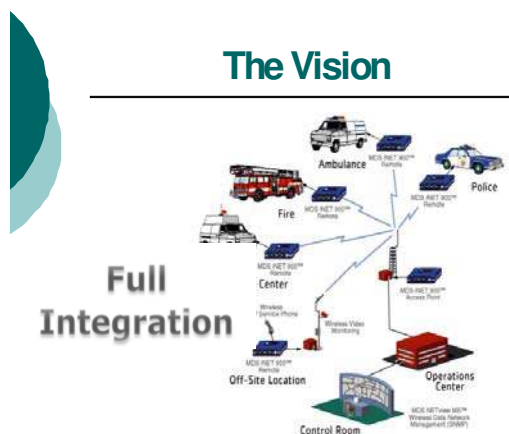
Will Aycock stressed the importance of having mobile tools in the hands of emergency responders – slide taken from his presentation.

### City of Raleigh

Officer John Maultsby, City of Raleigh Police Department, presented an overview of mobile applications and technology including the broadband connections, how the City handles the rural areas, the crash application with intersection drawings, access to the intranet, numerous operating pictures, cross referencing systems – Wake County jail, Wake warrants, Durham County jail, Durham warrants, NC Department of Correction, AOC records for Wake County, etc. record retrievals, technology for their bicycle and horse patrol, being the recipient of the QualComm 3G award for law enforcement, and the vision of technology in the future.

### City of Kinston

Scotty Hill, Deputy Director of Public Safety, gave a presentation regarding the 900 MHz infrastructure for their mobile data system and applications used. The presentation included the issues that the City of Kinston faced along with the vision they had for full integration, the unit of the MDS iNET 900, how the unit works, the



coverage area, the access points and how they were determined, the point sites, pictures of the installation process, the upload and download speeds and future uses for this model.

Scotty Hill shared with the Board his technology vision for the City of Kinston – slide from the presentation.

### **City of Jacksonville**

Earl Bunting, Director of Information Services, provided the Board with a technical presentation including the Records Management System, the Police Department's access to a WiFi contiguous zone for public safety, the GIS segments for patrol and police zones, the hybrid infrastructure being used for mobile communications including fiber connection between city buildings (fiber owned by the city), wireless point to point, and hot spots, EVDO Rev A, closest unit response, message switch, fiber connections to all the water towers, towers equipped with access points, the use of GPS receivers, a 48 site surveillance network, power to the access units on utility poles, involvement of the State Utility Commission and using a structural engineer, proof of concept documents, partnering with mesh units, an increase of 20% in the marine population, and the department's vision for the future.

### **City of Durham**

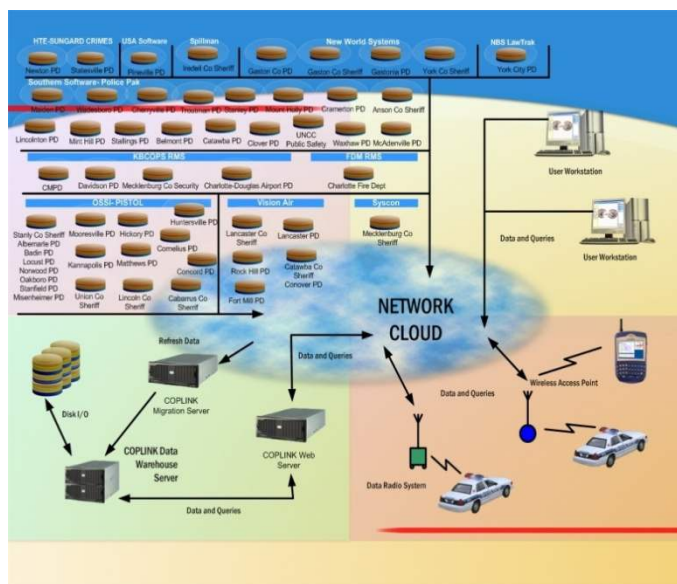
Steve Mihaich, Assistant Police Chief, provide a conceptual overview for potential statewide criminal justice information sharing including a discussion for interfacing GangNet, utilizing the I-2 Analyst Notebook and Bridge, using Police to Police (P2P, an OSS product that works independent of the RMS Vendor, benefits and adverse consequences), data warehousing not required, link analysis, spider diagrams, crime view using ESRI, crystal reports, sharing of experience in Florida, and possibilities for the future.

### **City of High Point**

Steve Lingerfelt, Communication and Information Services, along with police officers James Shores and Brandon Barber demonstrated the functionality of their field reporting system using a mobile data terminal with an air card including a real-time access to photos, NCIC, DMV, voice information provided to police officers on traffic stops, event information (previous with time stamp), example of SWAT Team event, police and fire alerts, mobility hardware, EVDO Rev A wireless infrastructure, uploads from digital camera, access to in-house Intranet (City ordinances), Automatic Vehicle Location, establishing perimeters, GPS, email, wireless carrier provides set price per month regardless of usage, integrated system from E911 to CAD to Field to RMS, access to city video cameras from website, eCITATION, a demo using High Point dispatch center, and the City of High Point's vision of the future concerning mobile technology.

## City of Charlotte – CRISS

Crystal Cody, Program Director, Charlotte Police Department gave a presentation to the CJIN Board on the new Charlotte Regional Information Sharing System – CRISS. Ms. Cody explained the need for the system, and then went on to explain the strategy and features of the system. The CRISS system will be a data sharing platform for 57 agencies which will connect 11 counties in North and South Carolina. The CRISS system will not only be able to share information to its users but also allow for analytical tools, such as crime mapping by location, individual associations, property associations and events across jurisdictional boundaries, which will allow for a visual representation of a criminal network. Ms. Cody explained about the cost, governance and continuing benefit of the program. The committee was reviewed along with the project schedule and screen shots of the program itself.

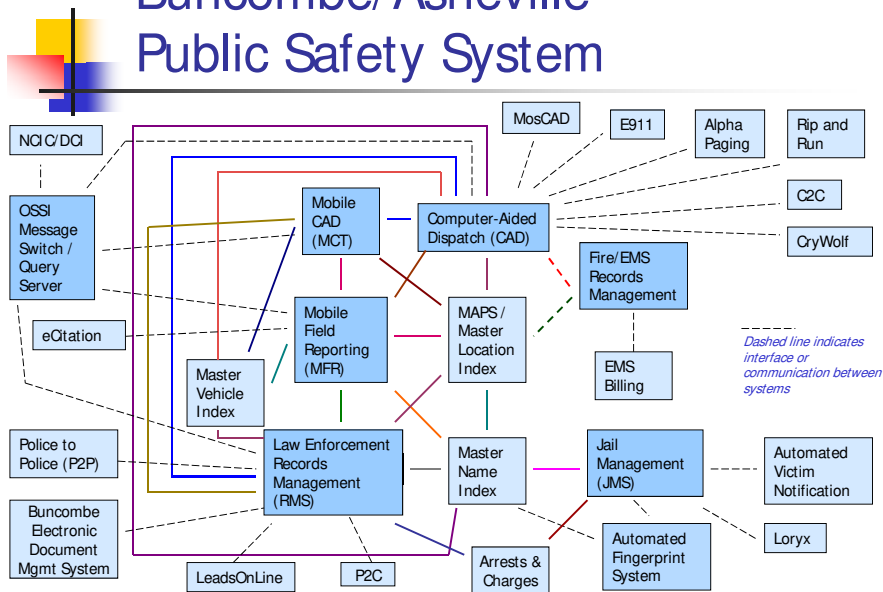


## Counties

### Buncombe County

Al Williams, Senior Assistant State Attorney, provided an overview of several applications developed for Buncombe County and an update on document imaging including the connectivity capabilities of the system for court calendaring, the ease of use, the ability to update and/or change, the use of CITRIX, the automation of activities, the role of officers of the Court, the Records Management System, the document imaging project including prosecution summary, defendant statement, officer and witness statement, physical evidence, arrest information, habitual felon workup, and all the subsets of each of the above sections, and his vision of automation within the Courts.

## Buncombe/Asheville Public Safety System





## Buncombe County

Al Williams, Buncombe County Senior District Attorney and Board Member, introduced Ron Moore - Buncombe County District Attorney, Rodney Hasty – Assistant District Attorney, and senior management Kim Pruett, Vance Bell, Johnny King, Pat Freeman, and Pat Cowan. The next two hours were spent providing the Board with a comprehensive presentation of the how the Cities and County integrated their criminal justice system including a history of the system, a list of all the agencies, the consolidation of Enhanced 911 systems, the Computer Aided Dispatch System (CAD) and Mobile CAD, Mobile Field Based Reporting, Jail Management, Law Enforcement Records Management System, Fingerprinting, Fire/EMS Records Management System, etc. After the comprehensive presentation, Buncombe County presented a live demonstration of all the aforementioned systems including details of their process work flows and the different interactions between users including the Magistrate, Clerk, District Attorney, Judges, Police, Sheriff, Fire, EMS, IT Support, etc. They also shared the concept and their implementation plans for a Document Management System. Buncombe County staff presented the following overview of their Criminal Justice Integration System:

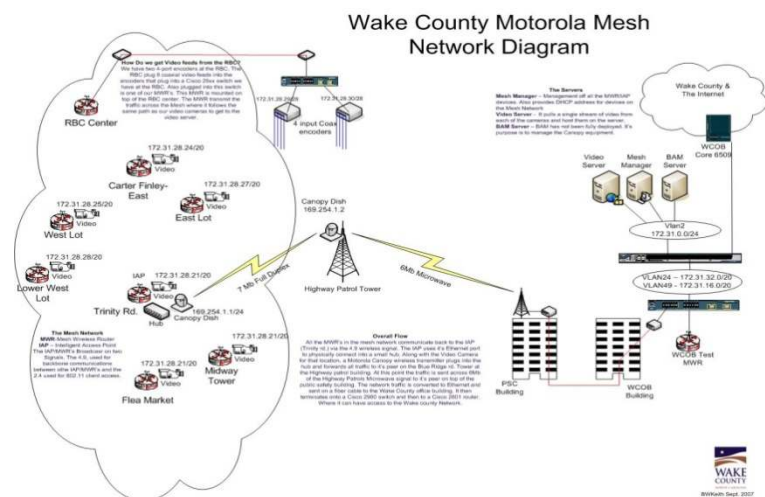
## Wake County

### POLICE 2 POLICE PROGRAM

Chris Creech, Information Technology Manager for Wake County Sheriff's Department and Officer John Maultsby with the City of Raleigh Police Department (info listed above under City of Raleigh PD), provided the Board with a live demonstration of the Information Sharing Application P2P that is used by both departments. Both Officers shared stories where the P2P application helped to solve cases. They showed how this application is used by the departments to share information with other Law Enforcement Agencies within NC and Nationally.

### WAKE COUNTY VIDEO PROJECT

Chris Creech, Information Technology Manager for Wake County Sheriff's Department who gave the CJIN Board a presentation on the Video link between the NC State Fairgrounds, RBC Center, and Carter-Finley Stadium to the Wake County Dispatch Center. The system that Wake County has deployed is a streaming video system that is recorded – fully accessible not only in the dispatch center, but also on laptops and handheld devices in the field. The video that is recorded is treated in the same manner as a 911 call to the dispatch center. The video is kept for several months before it is deleted or destroyed. However, if



there is an incident that is captured on the video, it is segmented and treated as evidence in a case. At this point it has to have a chain of custody to ensure that it is not lost or destroyed.

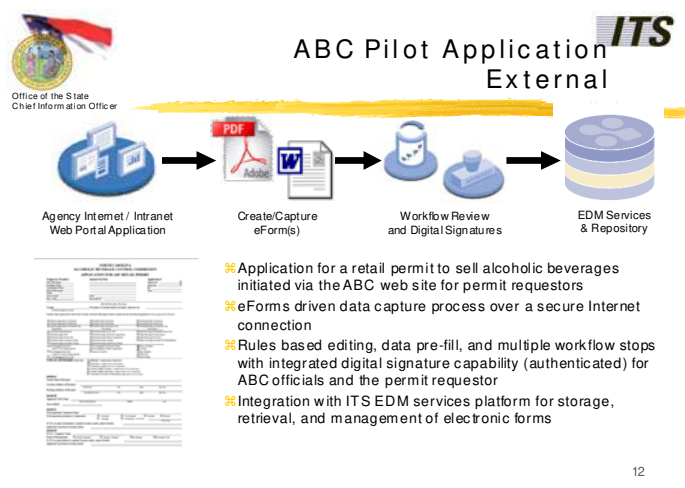
## Johnston County

Gary Snow and Chris Strickland with the Johnston County Sheriff's Office demonstrated live the Mobile Cad Terminal within the Deputies cars for Johnston County. Gary and Chris also explained the evolution of the wireless structure that was developed by Sheriff Bissell in Johnston County. Chris and Gary also showed the Board how the new NCAWARE system interacts with the technology they have installed within the vehicles.

## State Systems

### State of North Carolina

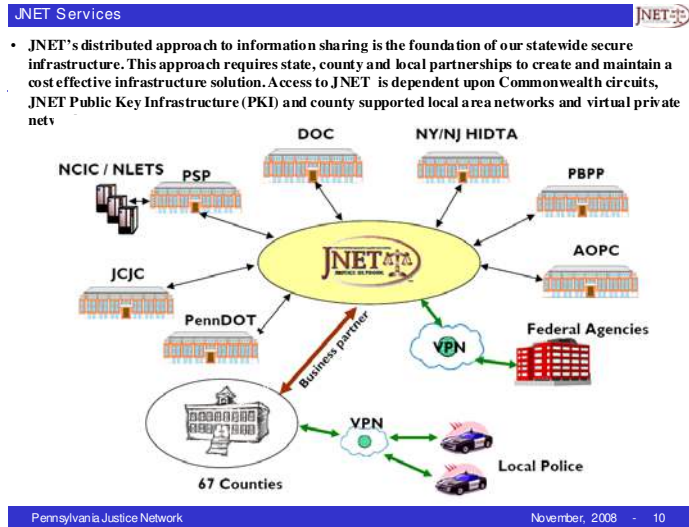
Representative Tolson shared with the Board his vision of automating paperwork within the state system and directed some of his comments toward the use of Digital Signatures and E-Forms. He discussed the Digital Signature Pilot Project being conducted by the ITS Division and introduced Sharon Hayes, Deputy State CIO. Representative Tolson also requested that the CJIN Board provide ITS and his office with areas that criminal justice could use Digital Signatures and E-Forms.



Sharon Hayes, Deputy State CIO, presented a PowerPoint to the Board that included the problem of the State being overloaded with information and document processing, the inefficiency of the paper system, the inadequate access to the paper documents, the problem with compliance by agencies, the General Statute that enacted Electronic Commerce in Government, the Federal E-sign Act, the Uniform Electronic Transactions Act, the fact that there are thousands of paper forms across agencies, the evolution of e-forms from paper to totally interactive, NC is in the middle with a hybrid system of some paper and some electronic forms, the Pilot Project was to create a uniform and consistent set of policies and procedures for managing and preserving electronic records, develop and establish statewide electronic records training and certification programs, promote the use of public records in digital format, develop statewide procurement standards, provide guidance and assistance for all customers, report back to the General Assembly on the status and effectiveness of the Pilot by April 1, 2009, the qualifications for the project, the internal process of the pilot, the external process of the pilot, digital signatures in other states, benefits of using e-forms and digital signatures, criminal justice applications for use, etc. Sharon Hayes discussed the pilot application and work flow – slide from the presentation.

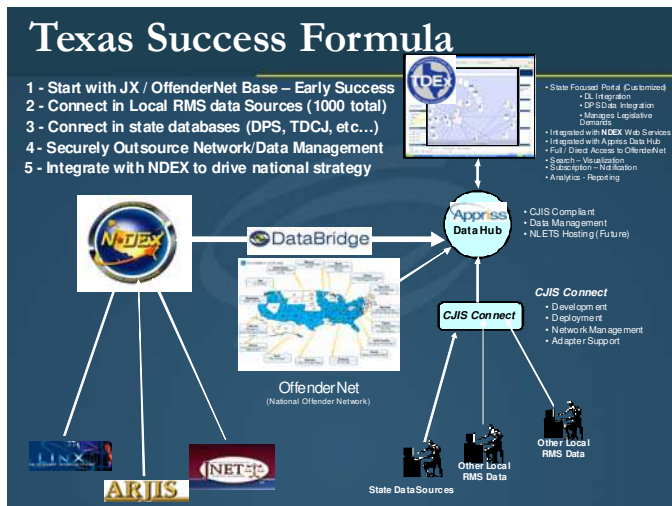
## Pennsylvania

David Naisby, Executive Director, Pennsylvania Justice Network provided the Board with a comprehensive overview of criminal justice integration within the State of Pennsylvania including a history of the project, the participating agencies, the governance and structure, the executive council, steering committee, senior policy team, their vision and mission statement, the number of users, an overview of their infrastructure, their security model, the training classes being offered, the functionality, the information accessible, their policies and how they relate to national standards, the barriers they faced, etc. David Naisby provided the following diagram of the J-NET System:



## Texas

Appriss Corporation gave an overview, history, and an application demonstration of the SAVAN project including how SAVAN works (collection of data, processing of data, and providing actionable information), the national model, modules (VINE Link, Watch, Court, Photo, and Protective Order), a detailed explanation of Offender Custody, Court Case Information, and Administrative Functions, Justice Xchange with offender management and historical/current offender data, results of the pilot project (activities, user feedback, success stories, and statistics), a brief overview of the system architecture, data access, existing system interfaces, 950 data elements being collected covering various subject areas (offender, charge, arrest, incident, vehicle, warrant, victim, suspect, citation, etc.), data field design



(handout), and Record Management System Standard Data Layout (handout), and Texas Case Study (live demonstration of the Texas System including challenges of sharing local information and formula for success). The Texas System, TDEX, was presented along with their formula for success.

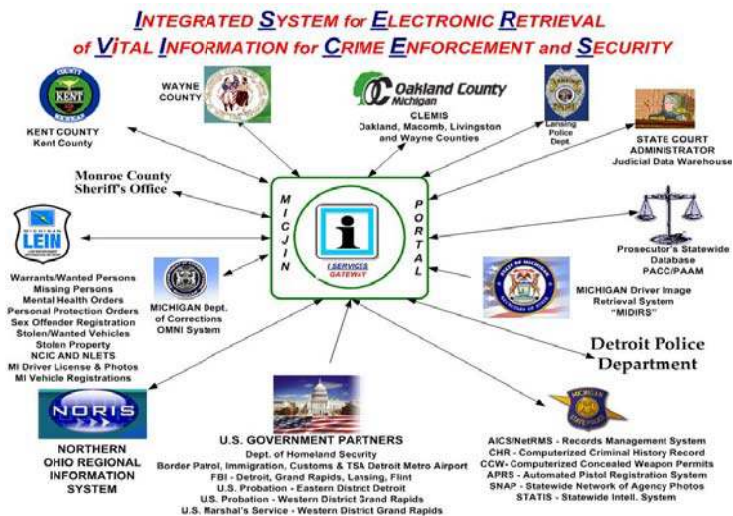
## State of Nebraska

Mike Overton, Chief Information Services Division, Nebraska Crime Commission (NCC). Mike gave the Board a presentation on the Criminal Justice Integration Project that has been successfully implemented in Nebraska. The solution that Nebraska developed was web-based in nature, so that all personnel that had internet access could use the solution. This is also a

solution used by multiple states, including Alabama, Nebraska, Wyoming and Kansas. Mike discussed the various challenges and obstacles that were encountered in the design and implementation of the project, as well as sharing screen shots of the actual working version. He then did a live demonstration of the program for the Board members. Mike explained that the software developed for this project was offered to Kansas at no cost and also to North Carolina. He clarified that the installation of the software would have an associated cost unless the State had the expertise in house to install it.

## Michigan

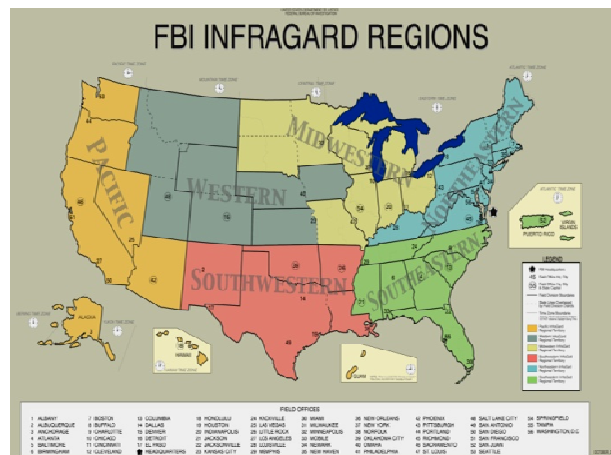
Laude Hartum, Chairman, Law Enforcement Steering Committee, shared with the Board the history and functionality of the Law Enforcement Information Network (LEIN) used in Michigan for access to NCIC and NLETS along with a number of Criminal Justice Information System Policy Councils. Laude provided the state's vision, mission, goals, business model including the concept of ISERVICES Gateway with 350 participating agencies, 75 accessible systems (Courts, Corrections, Prosecutors, Driver's License, Mug-shot Photos, 3<sup>rd</sup> party systems, etc.), Federated Query Architecture, multi-bridge servers, agencies own and control their data (agencies establish sharing parameters, share and access data regardless of RMS/JMS/CAD software, affordable, scalable, real-time data, simple application, and configuration).



## Federal Agencies

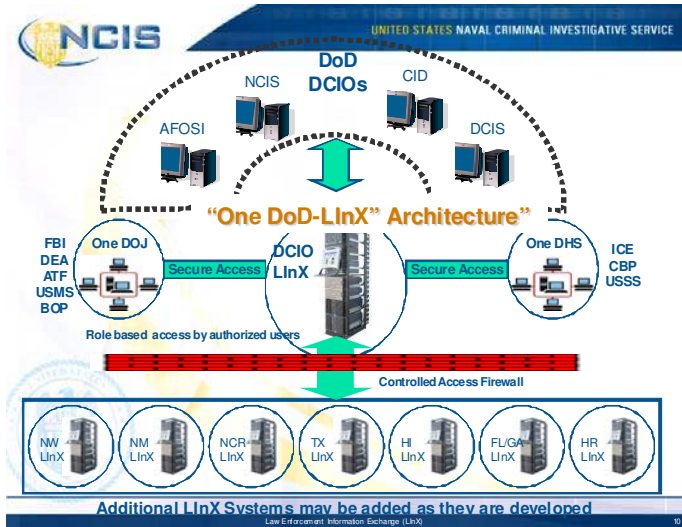
### InfraGard Organization

Special Agent Greg Baker of the FBI provided the Board with a presentation of the InfraGard program, a partnership between the FBI and private industry which encourages the sharing of information between the government and private sector for the purpose of national critical infrastructure protection, including a definition of critical infrastructures, impact on private industry, types of threats, how to protect infrastructures, history of the program and changes in focus, mission statement, organizational structure within the FBI (regions, field offices, and chapters), the role of the FBI within the program, sharing of FBI and DHS information from the FBI's National Infrastructure Protection Center, highlights from different chapters, special interest groups, ability to receive analysis and warning with alerts and advisories.



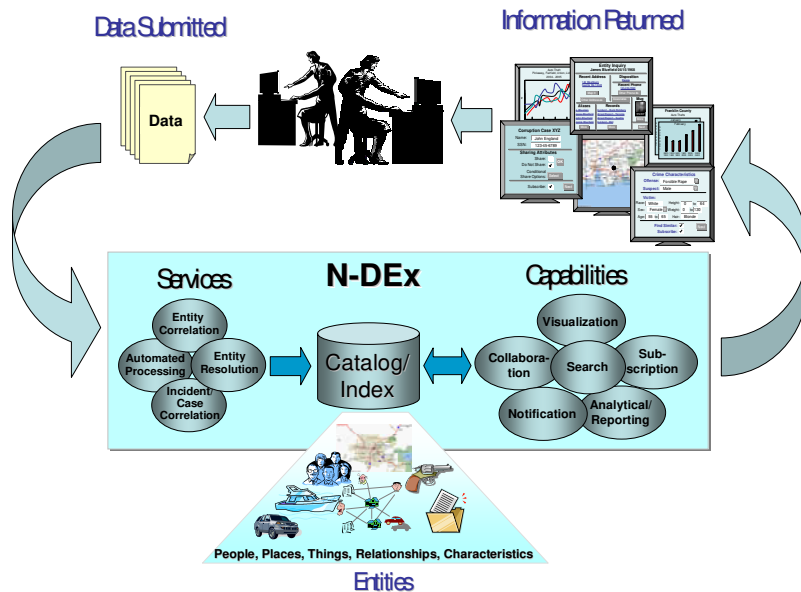
## Naval Criminal Investigative Service – LInX Project

NCIS Deputy Director, Christopher Cote, gave the CJIN Board an overview of the LInX project. This is a Department of the Navy product that was designed to share information between NCIS to protect the surrounding Naval Installations and its personnel. There are over 600 Law Enforcement Agencies contribute and/or share data today, not just NCIS. There are existing partnerships between the Department of Justice and the Department of Homeland Security within each of the 9 regions that have LInX deployed. Director Cote explained the origins of the project, the type of data that is collected in the program, how it is used, the status of the program, where they are now in the United States, the future development of the project, how LInX plans to connect to NDEx, LInX Success stories, security of the program and the governance of LInX. Director Cote then went into a live demonstration of the project.



## Federal Bureau of Investigation – National Data Exchange – NDEx

Brian Withers, Information Technology Manager and Damon Villella of the Federal Bureau of Investigation gave a presentation to the CJIN Board on the National Data Exchange Project and the ONE DOJ system. NDEx will allow the user to have a “Google” type search on all the data in the system, including person, places, things, etc. as well as the incident data in the narrative. The presentation covered the purpose of the project, the need for National information sharing, the deployment of the project, key features, states that are participating, states who will be participating, status of the project along with new features, deployment of individual increments, integration into the ONE DOJ System, governance, policy advisory board, information sharing subcommittee, partnerships and support services, overview and searchable records.



## Friends of CJIN

The CJIN Board received an abundant amount of information over the last several years regarding criminal justice activities. This information came in the form of presentations to the Board from state, federal, and local law enforcement agencies along with interaction with other boards, associations, user groups, workshops throughout the state, conferences and meetings with other states, vendors, etc. All of these activities have resulted in the Board being able to formulate a position on different issues impacting the criminal justice community especially in the area of technology. We are very appreciative of all the assistance that we received from the following people:

Adam Caviness	Southern Software
Al Bennett	New World Systems
Alan Griffin	Montgomery County, NC
Alisha Evans	Bladen County, NC
Allen Moseley	Edgecombe County Sheriff
Allen Moseley	Edgecombe County, NC
Almey Gray	Dare County, NC
Anne Smith	NC SBI -- ISSAC
Anthony Allen	NC ACC
Anthony Marzano	Brunswick County, NC
Ashley Swaney	Office of the Governor
Barbara Morlock	New Bern PD
Barry Furey	City of Raleigh
Ben Comer	AOC
Ben Johnson	Southern Software
Bence Hoyle	Cornelius PD
Beth Carpenter	NC Ethics Commission
Bill Carter	NC SBI
Bill Farley	Gaston County PD
Bill Hale	Rockingham County, NC
Bill Oliver	i2 COPLINK
Bill Scoggin	Alcatel Lucent
Billy Duncan	Spillman Inc.
Billy Winn	Gates County, NC
Bob Lukaszewski	NCSHP

Bob Moulton	National Pawn Association
Bobby Hallman	Chief, Angier PD
Bobby Jeffers	Cumberland County Sheriff
Brandon Barber	City of High Point
Brenda Womble	Wilson County, NC
Brendan Hartigan	Durham County Sheriff
Brent Crossland	Entrust
Brent Rhodarmer	Buncombe County
Brian Curran	Chapel-Hill PD
Brian Page	Software AG
Brian Short	Vance County, NC
Brian Withers	FBI NDEX
Brian Woods	Havelock PD
Bryan Taylor	Wayne County, NC
Bubba Wally	Corneilus PD
Burce Harper	Nash County, NC
Cameron Dew	Southern Software
Cameron Taylor	NCSHP
Carl Robbins	Mooreville PD
Carla Bates	Caldwell County, NC
Carol Burroughs	OSC
Carol Ingram	NC EM
Charles Callahan	Dunn PD
Charles Pittman	E-NC Rural Authority
Charles Wright	NCSHP
Chris Bailey	City of Wilson

Chris Battista	NC SBI
Chris Bissette	Nash County, NC
Chris Creech	Wake County SO
Chris Franks	Oak Island PD
Chris Haggard	City of Kinston
Chris Kelley	Alcatel Lucent
Chris Strickland	Johnston County SO
Christopher Cote	NCIS
Christy Seawell	Southern Software
Christy Shearin	Franklin County, NC
Cindy Cousins	NC DOC
Clay Whitehead	Motorola
Clint Williams	Harnett County Sheriff
Cooper Hancock	NC Homeland Security
Corky Jewell	i2 COPLINK
Craig Blackwood	Orange County, NC
Craig Duncan	ELSAGNA North America
Craig Goodnight	Southern Software
Craig Vardaman	NCSU PD
Crist Hamilton	Southern Software
Crystal Cody	Charlotte-Mecklenburg PD
Damon Vilella	FBI NDEX
Dan Domico	CCPS
Dan Jahn	SAS Corporation
Daniel Womack	Southern Software
Danny Bell	CJLEADS
Darlene Johnson	NC EM
Darrell Rowe	Chief, Murfeesboro PD
Darryl Liverman	Tyrrell County Sherriff's Office
Dave Beck	NC Pawn Brokers
Dave Finley	Leads-Online
Dave Krum	DCCPS
David Bishop	Moore County Sheriff
David Lewis	Bureau of Justice Assistance
David Martin	Iredell County, NC
David Pauley	DCCPS

David Register	Dunn PD
David Shaw	Guilford County Sheriff
David Spruill	Pamlico County, NC
Debbie Lown	NC Senate Administration
Deborah Cottie	New Hanover County, NC
Debra Duncan	Monroe PD
Del Hall	Stokes County, NC
Denise Sheffield	VisionAIR
Denise Thomas	Fiscal Research Division GA
Dennis Reynolds	Adobe
Derek Simmons	Jacksonville PD
Dewey Jones	Sheriff Person County
Dianne Raynor	Harnett County Sheriff
Dianne Rickman	Polk County, NC
Dick Evans	Charlotte-Mecklenburg PD
Dirk German	NC Dept. of Justice
Donald Gabbin	IJIS
Donald Ladd	Durham County SO
Donovan Davis	Randolph County, NC
Doris Kinard	Winston Salem PD
Doug Hoell	NC EM
Doug Workman	Town of Cary
Douglas Holbrook	NC General Assembly
Drew Cummings	Durham County, NC
Dwayne Campbell	Charlotte-Mecklenburg PD
Earl Struble	Verizon Wireless
Ed Conran	Pasquotank County, NC
Ed Harr	Motorola
Eddie Caldwell	NC Sheriff's Association
Eddie Jagers	Raeford PD
Eddie Moore	Nash County, NC
Edward Waigand	FBI NDEX
Elaine Bushfan	Durham County Judge
Emily Young	NC EM

Eric McKinney	Harnett County Sheriff
Eric Van Vleet	Durham County Magistrate
Floyd Thomas	Adobe
Fran Karp	ALEN - USA
Frank Hall	Wake County Sheriff
Frank McKay	Richmond County, NC
Frank Palombo	Chief, New Bern PD
Frank Seiber	Department of Labor
Fred Gallart	Harris Corporation
Gary Alexander	ITS
Gary Bunyard	VisionAIR
Gary Kearney	NCDJJD
Gary McNeil	Harnett County Sheriff
Gary Miller	Transylvania County Sheriff
Gary Snow	Johnston County SO
Gautam Gole	SunGard OSSI Public Safety
Gene Auberry	State of NC
Gene Harrell	Edgecombe County Sheriff
George Ake	Bureau of Justice Assistance
George White	FBI, CJIS
Gerti Bowen	Martin County, NC
Ginger Grannaman	Winston Salem State University
Ginger Helms	AOC
Glen Mack	DCCPS
Greg Crystal	City of Charlotte, NC
Greg Foster	Alexander County, NC
Greg Hazeldine	NCIS LInX
Greg Jones	DCCPS
Greg Light	Town of Eden
Gregg Jarves	Spring Lake PD
Harold Oakley	Person County, NC
Harry Dolan	Raleigh PD
Harry Tyson	Wilson PD
Harvey Rudd	Caswell County, NC

Holly Mullis	Anson County, NC
Holly Rinaldo	NC Dept. of Justice
Holt Watts	Motorola
Homeria Jennette	Herford County, NC
J. D. Pope	Dunn PD
Jack Lewis	Apex PD
James Fealy	High Point PD
James Johnson	Avery County, NC
James Klopovic	GCC
James Northern	Analysts International
James Potter	Harris Corporation
James Shores	High Point PD
James Soukup	Durham County, NC
Jane Patterson	E-NC Rural Authority
Jane Schier	NC State Health Plan
Janet Greene	AOC
Janet Scott	Chatham County, NC
Janice Costello	Cherokee County, NC
Jason Barbour	Johnston County, NC
Jason Dye	NCSU PD
Jason Schiess	Durham PD
Jay Hefner	Town of Beech Mountain
Jean M. Sandaire	AOC
Jeanette Adkins	Edgecombe County Sheriff
Jeff Beard	VisionAIR
Jennifer Epperson	NC Dept. of Justice
Jennifer Meggs	Southern Software
Jeremy Jernigan	Columbus County, NC
Jeremy Twiggs	Buncombe County
Jerry Boggs	Catawba County, NC
Jerry McCormick	Cary PD
Jerry Ratley	Assistant Director SBI
Jerry Tessneer	Kings Mountain PD
Jerry Welch	Madison PD
Jerry Wright	J2 Software Solutions
Jill Grant	N-Dex Program Office
Jim Benfield	Mount Holly PD
Jim Chrisman	Beaufort County



Jim Jarvis	VisionAIR
Jim Klopovice	GCC
Jimmy Stewart	Hoke County, NC
Jimmy Williamson	Robeson County, NC
Joe Kennedy	NCIS Carolina Field Office
Joe Tolson	NC State Representative
Joel Bonestell	Durham Sheriff's Office
John Cafaro	Alcatel-Lucent
John Dombzalski	GEO Technology Group
John Guard	Pitt County Sheriff
John Guard	Pitt County Sheriff's Office
John Herring	Chief, Holly Springs PD
John Holley	Bertie County, NC
John Letteney	Chief Southern Pines PD
John Manley	Rocky Mount PD
John Maultsby	Raleigh PD
John Roscoe	Southern Software
John Roscoe	Southern Software
John Yarboro	NC Homeland Security
Johnny King	Buncombe County
Johnny Williams	Warren County Sheriff
Jon Williams	Department of Public Safety
Jonathan Bledsoe	Surry County, NC
Jose Lopez Sr.	Durham PD
Justin Gibbs	Hyde County, NC
Kamal Ballout	Alcatel-Lucent
Karen Jayson	GCC
Karen McDaniel	Stanley County, NC
Karlynn O'Shaughnessy	Fiscal Research Division GA
Kathy Glass	Buncombe County
Kay Meyer	OSC
Keenan Hogg	Software AG
Keith Hale	City of Tarboro
Kelli Kukura	NC League of

	Municipalities
Kelly Fields	Coats PD
Ken Clark	Core Technologies
Ken Miller	Greensboro PD
Kenneth Shultz	High Point PD
Kenny Currie	Cumberland County, NC
Kent Buchanan	Harris Corporation
Kevin Hardy	Ashe County, NC
Kevin Shook	Transylvania County, NC
Kim Lane	Durham Sheriff
Kim Lane	Durham County Sheriff
Kim Pruett	Buncombe County
Kim Simma	Charlotte-Mecklenburg PD
Kimberly Gibney	AOC
Kris Sheffield	Moore County, NC
Kristine Leggett	NC Legislature
Kristy Lanning	Haywood County, NC
Larry Brinker	Union County, NC
Larry Cureton	Durham County SO
Larry Hembree	Graham County, NC
Larry Ware	Cleveland County
Laude Hartrum	Michigan State Police
Leigh Parker	City of Rocky Mount
Leslie Stanfield	New Hanover County
Lillie Ebron	CJLEADS
Linda Hayes	Secretary DJJDP
Linda Hodgson	High Point PD
Linda Powell	Edgecombe County, NC
Lisa Prospt	Burke County Emergency Operations Center
Lisha Corn	Henderson County, NC
Liz Hodgis	Currituck County, NC
Lloyd Moskowitz	Gaston County, NC
Lorin Freeman	Wake Co. Clerk of Court

Lynn Hadden	NC DOT
Mack Salley	Buncombe County, NC
Marilyn Avila	NC State Representative
Mark Beason	NC Pawn Brokers
Mark Brown	NC EM
Mark Eisele	Wake County Sheriff
Mark Harris	Northrop Grumman
Mark Lang	NC DOJ
Mark Wilhelm	Salisbury PD
Mary Beth Young	NC EM
Matt Hurley	Cumberland County Sheriff
Melissa Harmon	Watauga County, NC
Melissa Paluck	Pender County Sheriff
Meredith Weinstein	Department of Public Safety
Merle Hamilton	Concord PD
Michael Crowell	City of Salisbury
Michael Daniska	NC Homeland Security
Michael Yaniero	Chief, Jacksonville PD
Michael Klein	NCIS
Michael Tonsing	Mecklenburg County
Michael Tonsing	Mecklenburg County, NC
Michelle Beck	GA, Sr. Program Eval.
Mike Branch	Cleveland County, NC
Mike Catagnus	Edgecombe County, NC
Mike Garner	SunGard OSSI Public Safety
Mike Lyons	VisionAir
Mike Martin	SunGard OSSI Public Safety
Mike Montague	City of Salisbury
Mike Ruffin	Durham County, NC
Mike Sprayberry	NC EM
Mike Williams	Burlington PD
Mitchell Pate	City of Lumberton
Mollie Grant	Cherokee County, NC
Nancy	AOC

Kiesenhofer	
Nancy Lowe	NC DOJ
Navin Puri	GCC
Neal Sizemore	Forsyth County, NC
Neil Godfrey	Moore County Sheriff
Nick Picerno	Southern Software
Norlan Graves	Halifax County, NC ADA
Pablo Rodriguez	Durham County SO
Pat Bazemore	Cary PD
Pat Freeman	Buncombe County
Patricia Cowan	Buncombe County, NC
Patricia Norris	VisionAIR
Patrick Garner	City of Sanford
Patty McQuillan	DCCPS
Patty Moyer	NC Homeland Security
Paul Murdock	Software AG
Paula Gullie	Durham County Sheriff's Office
Peggy Schaefer	NC Justice Academy
Penny Deanes	Herford County, NC
Percina M. Curtis-Diggs	Department of Public Safety
Pete Fagan	FBI NDEX
Pete Smith	Zebulon PD
Pete Smith	Town of Zebulon
Phillip Potter	Huntersville PD
Phyllis Peal	Washington County, NC
Pierre Lamoureux	Radio IP
Ralph Evangelous	Wilmington PD
Randall Bartay	Fayetteville PD
Randy Phares	Software AG
Ray Gilleland	Cabarrus County, NC
Rebecca Crawford	Durham Sheriff's Office
Rebecca Hartigan	Durham County Sheriff
Rebecca Troutman	NC
Rehan Chawdry	Sypherlink
Rhonda Buckner	Mecklenburg County,

	NC
Rhonda Raney	DCCPS
Richard Bargfrede	Raleigh PD
Richard Brown	FBI NDEX
Richard Little	AOC
Richard Taylor	ITS
Rick Ellis	Lincoln County, NC
Rick Zechini	Progress Energy NC
Rob Hunter	Matthews PD
Rob Robinson	Rowan County, NC
Robbie Austin	Verizon Wireless
Robbie Stone	Nash County, NC
Robert Fund	i2 COPLINK
Robert West	NC State Highway Patrol
Robin Murray	AOC
Rodney Hasty	Buncombe County
Rodney Monroe	Charlotte-Mecklenburg PD
Rodney Spell	NCSHP
Ron Christie	Durham County SO
Ron Christie	Durham Sheriff's Office
Ron Moore	Buncombe County
Ronald Bass	Sampson County, NC
Ronald Buchanan	FBI, CJIS
Ronnie Blake	NC DOJ
Ronnie Robertson	Davie County, NC
Ronnie Storey	North Hampton County
Rowena Heath	Analysts International
Roylin Hammand	Scotland County, NC
Sam Tyson	Pitt County, NC
Sandra Everett	City of Fayetteville, NC
Scott Chadwick	Software AG
Scott Cunningham	Winston-Salem PD
Scott Glawson	Deputy CIO, DOJ
Scott Glawson	NC DOJ
Scott Goodman	Lillington PD
Scott McDonald	VisionAIR
Scott Thomas	District Attorney, District 3B

Scotty Hill	City of Kinston
Seth Edwards	AOC
Seth Edwards	District Attorney, District 2
Shannon Tufts	UNC School of Government
Sharon Hayes	ITS
Shelly Newsome	VisionAIR
Stanley Kite	Craven County, NC
Stephanie Taborn	AOC
Stephanie Wiseman	Mitchell County, NC
Stephanie Young	NC DOC
Stephen Neal	NC ITS
Stephen Nibert	FBI NDEX
Steve Bartay	NCSU PD
Steve Daukas	Interact 911
Steve Mihaich	Durham PD
Susan Chan	NC ITS
Susan Doyle	AOC
Susan Fleming	Beaufort County Sheriff's Office
Susan Moore	NC DOJ
Susan Warner	ALEN - USA
T. C. Thomas	VisionAIR
T. Jerry Williams	NC Pawn Brokers Association
T. L. Hobbs	SHP, VIPER Group
Tabetha Summerlin	Nash County, NC
Tammy Aldridge	Rutherford County, NC
Tanya Luter	NCSHP
Teresa Crabtree	Durham County SO
Teresa Ogle	Madison County, NC
Terry Bailey	Davidson County, NC
Terry Buff	City of Salisbury
Terry Grayson	City of Shelby, NC
Terry Thompson	Interact
Terry Yates	Town of Cary
Terry Young	McDowell County, NC

Theresa Tanner	NC SBI - ISSAC
Thomas Eberly	Mecklenburg County, NC
Tim Adams	Gastonia PD
Tim Johnson	NC CGIA
Tim Ledford	Chief, Mint Hill PD
Tim Riley	i2 COPLINK
Timothy Bell	Goldsboro PD
Tom Adkins	Hickory PD
Tom Bennett	ED, NC Victim Assist.
Tom Bergamine	Fayetteville PD
Tom Geisler	Charlotte-Mecklenburg PD
Tom Goodman	NCIS/ LInX
Tom Mellown	Durham County Sheriff's Office
Tom Mitchell	Halifax County, NC ADA
Tom Moss	Chief, Garner PD
Tom Stewart	Alcatel-Lucent
Travis Knotts	Anson County SO
Trent Lowe	VisionAir
Troy Fitzhugh	Chief of Ahoskie PD
Van Short	Core Technologies
Vance Bell	Buncombe County

Victor Watts	SmartCore Business Solutions
Vince Rozier	NC Dept. of Justice
Wanda Smith	Town of Boone
Wanda Thomas	AOC
Wandall Hall	City of Jackson
Wayne Hobgood	Chief, Butner Public Safety
Wayne Woodard	NC Dept. of Justice
Wellington Scott	NCSHP
Wendy Gilbert	VisionAIR
Wesley Meredith	Senator for NC
Wesley Reid	City of Greensboro
Will Aycock	City of Wilson
Willa Moyer	AOC
William Anderson	Greenville PD
William Hairston	Reidsville PD
William Hogan	Chief, Asheville PD
William Wheeler	Granville County, NC
William Willis	ITS
Windy Brinkley	NC SBI
Woody Chavis	Kannapolis PD
Woody Sandy	NCSHP
Wyatt Pettengill	NC SBI

## Summary

The CJIN Board has been involved with numerous activities over the last several years as highlighted in this report and the Board was very excited about the accomplishments in the area of criminal justice over the last year. The role of the Board has increased in various areas, including the interaction with numerous law enforcement agencies within North Carolina and other states. The Board also has conducted workshops with several federal agencies regarding information sharing, especially as it impacts local law enforcement and state agencies.