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Legislative Budget Committee
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Chairman Billinger and Members of the Committee

Thank you for the opportunity to present to you a status of the Forensic Science Center (FSC) bond payoff and the upgrade to the Kansas Incident Based Reporting System (KIBRS). Before I begin I want to take a moment to thank you and the Legislature for your continued support of the KBI. We are grateful for the interest and understanding shown in regard to our critical role in the criminal justice community as we work diligently to ensure the safety and security of Kansas citizens.

Forensic Science Center

The Forensic Science Center is a three story 99,700 square foot building located on 1.5 acres of Washburn University's Campus. The facility consists of a full spectrum of functionality including evidence control, biology, toxicology, chemistry, firearms, latent prints, trace evidence, and digital forensics.

SB 171 of the 2013 legislature authorized the Kansas Bureau of Investigation (KBI) to enter into an agreement with Washburn University to design, construct, and equip a new forensic science laboratory. The bill further authorized the KBI to negotiate and execute a lease with Washburn University for the forensic science laboratory.

2013 Series Bonds were issued through the Topeka Public Building Commission (TPBC) with a total principle amount of \$57,420,000 and a duration of 20 years. Annual payments were approximately \$4.325 million. The project concluded in October of 2015 when KBI moved in to the newly constructed building and took lease of the property.

The Bonds had an optional redemption date of December 1, 2021. The 2022 Legislature appropriated \$41,487,988 in State General Funds (SGF) and opted to redeem the bonds which was fully executed on June 7th 2022. The total payment amount was \$41,274,976.04 and \$213,011.96 was returned back to SGF which resulted from an expedited payment over the estimated payoff date of August 1st 2022.

Purchasing the FSC saved the state over \$10 million dollars in interest and freed up \$4.325 million in annual cash flow. However, the newly acquired facility added nearly 100,000 square feet of space for which the agency is accountable. Based on an internal analysis of rehab and repair dollars spent on all agency facilities over the past three years, our recommendation was to increase funding by \$200,000. In September, the agency briefed the Joint Committee on State Building Construction (JCSBC) who concurred with this position in their final report.

Additionally, one requirement of the 2013 Series Bonds was the creation of a Principle and Interest (P&I) account which was established with the trustee as a good faith effort on the State's promise to pay the annual bond payment. As of September 2022, these funds total approximately \$869,000. These funds will be transferred back to SGF, however the KBI will be requesting consideration for the creation of a building maintenance fund for the upkeep of the facility and utilizing the \$869,000 as the initial dollars into this account. The purpose of a building maintenance fund will be specifically for the upkeep of the FSC as the facility begins to age and requires millions of dollars in maintenance of infrastructure.

Kansas Incident Based Reporting System (KIBRS)

The mission of the KBI is to provide professional investigative, laboratory, and criminal justice information services to Kansas criminal justice agencies for the purpose of promoting public safety and preventing crime in Kansas. **The ability of the KBI to adequately provide criminal justice information that can be used to promote public safety and prevent crime is directly correlated to the type and quality of information collected.**

Pursuant to K.S.A. 21-2501a, each law enforcement agency in Kansas is required to submit incident reports to the KBI for virtually every criminal offense that occurs within their respective jurisdiction. KIBRS is the data repository that holds the information obtained from the mandatorily submitted Kansas Standard Offense Reports (KSOR) and Kansas Standard Arrest Reports (KSAR). These reports can be submitted to the KBI either electronically or in paper form and over 250,000 offense and arrest reports are received each year.

KIBRS currently collects over 160 unique data points from KSORs and KSARs. Below are some examples of the information collected from each type of report.

Kansas Standard Offense Reports

Time, date, location of incident
Statute violated, by attempt or completion
Victim/offender relationship
Type of force/weapon used
Type of criminal activity
Type of drug seized
Victim, suspect, reporting party info.
Description and value of property loss
Method of operation
Type of case clearance

Kansas Standard Arrest Reports

Time, date, location of arrest
Arrestee type (juvenile, adult, etc.)
Statute violated, date of offense
Arrestee behavior and armament
Vehicle type and information

KIBRS is the mechanism by which the KBI gathers and reports a statistical profile of state crime data. Of the 160 data points collected from the KSORs and KSARs, information from 56 of these is forwarded to the Federal Bureau of Investigation's (FBI) National Incident Based Reporting System (NIBRS). NIBRS is the mechanism by which the FBI gathers and reports a statistical profile of national crime data.

The data collected through KIBRS is used to publish several annual reports. These include the *Crime Index*, which includes adult and juvenile arrest data; the *Law Enforcement Employee Count*, which reflects the number of sworn and non-sworn law enforcement employees by agency; the *Law Enforcement Officers Killed and Assaulted Report*; and the *Domestic Violence and Rape Report*.

The published annual reports are used by criminal justice and non-criminal justice consumers alike. A number of entities – including community service and victim advocacy organizations – rely on the information in KIBRS annual reports to deploy operational resources and apply for grants that sustain their programs. Many formula grants use a population to crime index ratio and their award amounts are often proportional to the ratio relative to a given jurisdiction. The ability of these important programs to secure funding to sustain their services is dependent on the state's ability to collect and report accurate crime information.

Critical Need for KIBRS Replacement

The current KIBRS was **built in 1993** and was most recently heavily modified in 2001. **It is well beyond the end of its effective life-cycle.** There are concerns about the longevity of the system and whether or not it will remain operational through the proposed replacement plan.¹ Because it was built using **software technologies that are no longer supported**, the system is difficult to use and is the subject of frequent complaints from the law enforcement community. The lack of software support also makes it cost prohibitive to modify the system, which has become **inflexible and unable to adapt to the needs of its many stakeholders.** The limitations imposed by difficulty of use and system rigidity affect the ability of the system to provide thorough and accurate statistical information and prohibit its use as an effective operational tool for Kansas law enforcement agencies.

While **KIBRS is one of the most important systems the State of Kansas has for developing a clear picture of the crime problems in our state**, its functionality is extremely limited. Unfortunately, **the current KIBRS system is only capable of providing very basic crime statistics** from a platform based upon the legacy FBI Uniform Crime Reporting (UCR) system, which collected summary data. Summary data is a summarized total number of incidents for a handful of crimes. **KIBRS currently lacks the ability to provide the information necessary to guide resource allocations and operational, investigative and public policy decisions.**

Limitations Resulting from Difficulty of Use

Of the 400-plus law enforcement agencies in Kansas, **only 136 agencies have been approved to submit offense and arrest data electronically** to the KIBRS Repository; electronic submissions

account for roughly 80% of the over 250,000² that are received each year. The other reports are submitted by agencies in paper form and must be manually entered into the KIBRS Repository by KBI staff.

Inability to Adapt to the Needs of Various Stakeholders

The rigidity of KIBRS prevents it from being modified in such a way that would allow law enforcement officers to easily report – and the system to easily collect - information associated with emerging threats to public safety. **We currently lack the ability to capture meaningful information on human trafficking, identity theft, officer involved shootings and significant use of force events, and many more topics of relevance to law enforcement leaders and public policy makers in our state.**

Due, in part, to the rigidity of the system, Kansas cannot fully participate in the FBI Law Enforcement National Data Exchange (N-DEx)³ which is an information sharing system containing records from the entire criminal justice lifecycle that provides criminal justice agencies with a mechanism for sharing, searching, linking, and analyzing information across jurisdictional boundaries.

Examples of Current KIBRS Limitations

KIBRS currently allows for assimilation of very limited annual statistics and leaves us with a **lack of capacity** to:

- Collect data, as required by the FBI, regarding human trafficking, identity theft, animal cruelty, and cargo theft
- Identify emerging crime threats
- Provide information that can be used to support criminal investigations
- Collect information that would allow us to evaluate whether the legalization of medical and recreational marijuana in the surrounding states has impacted Kansas
- Provide information about the number of scrap metal, to include catalytic converter, thefts each year
- Collect information, per K.S.A. 22-4618, on sexually violent crimes and pornographic material
- Make available certain criminal and juvenile offender caseload information⁴
- Track officer involved shootings and other significant use of force incidents
- Provide timely and accurate crime information to policy and decision makers at all levels of government
- Support the work of the Kansas Sentencing Commission
- Provide, when requested, appropriate information to the public and media regarding crime and crime trends in an efficient and timely manner

² These figures account for KSORs, KSARs, and Domestic Violence reports from all agencies except those that report data in summary form.

³ (Federal Bureau of Investigation, 2014)

⁴ As described in SB 66 and SB 89 in the 2013 and 2015 sessions of the Kansas Legislature, respectively.

A Vision for the Future

A fully functional KIBRS would be easy and efficient for law enforcement officers to use. It would provide the flexibility necessary to adapt to emerging threats and be integrated with the Kansas Criminal History Record System, which contains information about criminal case filings and dispositions. **It would provide the information necessary to strategically guide resource allocations and operational, investigative and public policy decisions.**

When used to its full potential, incident data can identify with precision when and where crime takes place, the form it takes, and the characteristics of its victims and perpetrators. Armed with this information, law enforcement agencies can better define and articulate the resources they need and then apply these resources where they would be most effective.⁵

A fully functional KIBRS would enable the KBI to do the following:

- Provide an enhanced picture of crime in Kansas
- More effectively identify crime threats and develop mitigation and investigative strategies
- Track more and varied data about crime, with the flexibility to expand and change what we track as the needs of stakeholders evolve
- Become fully participating and fully compliant with the FBI NIBRS and N-DEX systems
- Maintain compliance with federal reporting requirements as they grow and change over time
- Provide new capacities for the analysis of crime data which will enable agencies to deploy resources to reduce or prevent crime
- Implement the provisions of K.S.A. 22-4618 and track the association between pornography and sexually violent crimes
- Track officer involved shootings and other significant use of force incidents
- Provide data to the Kansas Sentencing Commission to aid them in the analysis of the effectiveness of current laws and project the implications of contemplated legislation

KIBRS Replacement Plan

The **criminal justice community recognizes the critical need to replace KIBRS** and the importance of doing so. However, the **KBI has no effective ability to change, enhance, or expand the current KIBRS**. In FY 2016, we identified a KIBRS replacement plan⁶ with cost estimates, as seen below:

FY 2017	Identify contractor; initiate needs assessment / feasibility study	\$200,000
FY 2020	Pay consulting / architecture costs, start system construction	\$150,000
FY 2021	Pay consulting / architecture costs, system construction	\$150,000
FY 2024*	Master data management and development	\$1,500,000
FY 2025*	Incorporate system analytics	\$1,500,000

⁵ (Federal Bureau of Investigation, 2014)

⁶ Completion of the various phases of the plan is dependent on KBI personnel and financial resources.

We initiated the KIBRS replacement project and committed \$200,000 in FY 2017 for completion of the needs assessment. After contracting with Analysts International Corporation (AIC), the needs assessment was commenced and we sought input from various stakeholders. Between October and December of 2016, sixteen separate meetings were conducted which brought together 96 primary and secondary stakeholders from across the state. AIC completed the needs assessment and provided the KBI with a high level design document at the end of the fiscal year.

Also in FY 2017, the KBI applied for and received an NCS-X program⁷ grant from the Bureau of Justice Statistics. Funds from this grant have been used to assist local law enforcement agencies targeted by the Department of Justice to move from legacy UCR reporting to detailed incident based reporting.

In 2020, the Kansas Attorney General requested the KBI develop a process for collecting use-of-force data in Kansas. **The KBI proposed the creation of the Kansas Use-of-Force Repository (KUFRS), which will be the first module created within the KIBRS replacement project.** Once complete, law enforcement agencies in Kansas will utilize the new KIBRS to report information related to the application of force by and against law enforcement officers in Kansas. A public facing website will also be created to allow the public to access aggregate use-of-force data. The cost to create and maintain the repository and website will be covered through existing agency funds. The Kansas Use-of-Force Repository is expected to be completed by the end of 2021, with data collection beginning in the first quarter of 2022.

*During FY 2022 and FY 2023 KBI Information Technology staff will be dedicated to programming the new offense module and arrest module.

During the past year, the KBI worked with congressional leaders to secure the \$3.0 million dollars necessary to complete the Master Data Management (FY 2024) and the System Analytics (FY 2025) phases of the KIBRS replacement. In July 2022, the KBI received notification from the United States Department of Justice that the KBI was awarded \$3.0 million dollars in funding through the Bryne Justice Assistance Grant (JAG) for the KIBRS replacement project. The KBI was given three years to expend the funding.

In the absence of a KIBRS replacement, **the system will simply lack the capability to capture information on emerging trends and threats** or provide relevant, useful operational and statistical information necessary to make informed decisions about resource allocation and form targeted enforcement strategies.

Future Funding Priority

A KIBRS replacement is necessary in order to obtain the meaningful statistical information necessary to identify emerging crime threats, provide the operational information necessary to develop mitigation and investigative strategies for law enforcement leaders, and help inform policymakers.

⁷ The National Crime Statistics Exchange (NCS-X) is a program designed to generate nationally-representative incident-based data on crimes reported to law enforcement agencies by leveraging the FBI's National Incident-Based Reporting System (NIBRS). <https://www.bjs.gov/content/ncsx.cfm>

The KBI has demonstrated their commitment to this critical need by funding the first three years of the KIBRS replacement plan.

Although some on-going costs for the operation of the new KIBRS are anticipated, the significant amount of the initial replacement cost has been accounted for through the allocation of internal funds and federal grant dollars.

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