

Kansas Administrative Regulations

Kansas Bureau of Investigation

Article 9.—Definitions

10-9-1. Definitions.

As used in these regulations, the following words and phrases shall have the meanings ascribed to them herein.

(a) "Disposition" means information disclosing that criminal proceedings have been concluded, including information disclosing that a law enforcement officer has elected not to refer a matter to a prosecutor or that a prosecutor has elected not to commence criminal proceedings and also disclosing the nature of the termination in the proceedings; or information disclosing that proceedings have been indefinitely postponed and also disclosing the reasons for such postponement. Dispositions shall include, but not be limited to, acquittal, not guilty by reason of insanity, charge dismissed, guilty plea, nolle prosequi, nolo contendere plea, convicted, deceased, dismissed— civil action, pardoned, mistrial—defendant discharged, placed on probation, paroled, or released from correctional supervision.

(b) "Conviction" means all pleas of guilty, nolo contendere, or finding of guilty by a court or jury.

(c) "Non-conviction" means all acquittals, dismissals and releases authorized pursuant to K.S.A. 22-2406 or that a prosecutor has elected not to commence criminal proceedings.

(d) "Pending proceeding" refers to that period of time between arrest and disposition.

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

(f) "Criminal history record information" has the meaning ascribed to it at K.S.A. 1980 Supp. 22-4701(b). All information defined at K.A.R. 10-1-1(b), (c), and (d) is considered within this definition.

(Authorized by K.S.A. 1980 Supp. 22-4704; implementing K.S.A. 1980 Supp. 22-4705; effective, E-81-31, Oct. 8, 1980; effective May 1, 1981.)

***** Authenticated Kansas Administrative Regulation *****