



LAW ENFORCEMENT INFORMATION NETWORK

Notification Bulletin

LEIN Guidance and the SOS Non-Binary X Value

This correspondence is being distributed to authorized Law Enforcement Information Network (LEIN) user agencies to provide guidance regarding LEIN query and record entering practices, in light of the Michigan Secretary of State's (SOS) addition of the X (non-binary) sex-indicator on SOS-issued identification.

SOS Changes

Beginning Wednesday, November 10, 2021, the SOS will add the non-binary sex-indicator value of X as an option for SOS-issued personal identification cards and driver's licenses. Accordingly, LEIN users will begin to see SOS driver responses with a sex-indicator value of X (non-binary), in addition to the current values of M (Male) and F (Female).

LEIN Queries

The LEIN's basic name query criteria requires name, race, sex, and date of birth (DOB). Once a query is submitted to LEIN, LEIN automatically forwards the query to several criminal justice databases and systems, to include the SOS driver and vehicle computer system. Records (hits) are returned based on a combination of these fields. Names are converted using a soundex algorithm and the DOB is used to generate a date range in order to provide more possible results. Race and sex are used to further filter hits. A user can conduct a name query using a sex value of M (male), F (female), or U (unknown). Responses are generally generated as follows for systems other than SOS, with respect to the sex value:

- A LEIN name query for a "male" will only return records where the subject has a sex value of M or U.
- A LEIN name query for a "female" will only return records where the subject has a sex value of F or U.
- A LEIN name query for an "unknown" sex will return records where the subject has a sex value of M, F, or U.

The SOS does not consider the sex value when responding to driver record inquiries from LEIN. The SOS search criteria uses only the name and DOB. For example, when a LEIN name query is run on John Doe, DOB: 01/15/1971, Sex: M, SOS will return all matches for John Doe, DOB: 1/15/1971 (plus or minus five years if there is no exact match), sex-indicator may indicate M or F. Beginning Wednesday, November 10, 2021, the sex-indicator may also indicate an X (non-binary).

The LEIN, as well as all other Criminal Justice Information System (CJIS) systems, do not currently record sex-indicator values other than M (male), F (female), and U (unknown). This includes Michigan's Automated Fingerprint Identification System (AFIS), the Automated Law Enforcement Information Access System (ALIAS), and the Statewide Network of Agency Photos (SNAP); the Federal Bureau of Identification (FBI) CJIS Division's National Crime Information Center (NCIC), the Next Generation Identification (NGI), the National Instant Criminal Background Check System (NICS), the National Data Exchange (N-Dex), and the National Identity Services (NIS); and the International Justice and Public Safety Network (NIets).

Considering the revised SOS sex-indicator policy and the addition of the non-binary X sex-indicator, agencies may find it useful to submit LEIN queries using a sex value of U to ensure all possible records are returned.

Agencies should be aware that the number of records returned in response to a name query by unknown sex will likely be significantly higher and should ensure responses are reviewed thoroughly.

Entering Records into LEIN

In order for LEIN to be an effective tool, all available data shall be entered into LEIN to increase the possibility of a LEIN hit and to aid in correct identification (i.e., packing the record). The revised SOS sex-indicator policy and the addition of the non-binary X sex-indicator from SOS, however, may result in discrepancies between existing records obtained through LEIN, including criminal history records, and current SOS driver records and identification provided.

Agencies should adhere to the following direction when entering records into LEIN (i.e., wanted persons, missing persons, personal protection orders, etc.):

- When the individual's SOS driver response and/or provided identification indicates the individual's sex-indicator value is M or F, the record shall be entered with the appropriate sex value (M or F).
- When the individual's SOS driver response and/or provided identification indicates the individual's sex-indicator value is X, the record shall be entered with a sex value of U.
- When an agency encounters conflicting information as it relates to an individual's sex, the record shall be entered using a sex value of U. This will prevent missed responses due to the sex value discrepancy and will ensure the record is returned, regardless of the sex value used in a LEIN name query. Agencies must maintain documentation verifying the discrepancy for audit purposes.
- Records previously entered into LEIN should be modified to reflect the correct sex value at the time of monthly record validation using the above direction.

For example, a warrant entered into LEIN in 2020 for John Doe, DOB: 01/15/1971, indicates a sex value of male. SOS and criminal history records also indicated John Doe was a male at the time the warrant was entered. John Doe now has an updated SOS-issued driver's license displaying a sex-indicator value of X. A new warrant is issued for John Doe. The new warrant should be entered into LEIN using a sex value of U. As a result, regardless of the sex value used in a LEIN name query the new warrant will be returned in response.

Questions regarding this LEIN functionality should be directed to the [LEIN Field Services Unit](#) at 517-241-0667.