



## ATTACHMENT 2

OMB No. 1121-0312: Approval Expires [INSERT DATE]

# Survey of State Criminal History Information Systems, 2010

Since 1989, the *Survey of State Criminal History Information Systems* has been used to collect the nation's most complete, comprehensive and relevant data on the number and status of state-maintained criminal history records and on the increasing number of operations and services involving non-criminal justice background checks provided by the state repositories. This data collection is supported by Cooperative Agreement No. 2007-RU-BX-K011 awarded by the Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. As in previous years, response to this survey is voluntary.

Respondents using the online survey tool, accessible at [Insert Website Address], to enter 2010 data can view previously submitted 2008 data for comparison purposes. References to your state's 2008 responses are displayed within each section of the online form. It is hoped that this information will assist respondents in completing the survey more accurately and efficiently. If you have any questions or comments, please contact SEARCH staff Dennis DeBacco at 916-392-2550 ext. 325, email [dennis.debacco@search.org](mailto:dennis.debacco@search.org).

If more convenient, the survey sections may also be printed, completed manually, and faxed (916-392-8440) or mailed to the attention of Dennis DeBacco at SEARCH, 7311 Greenhaven Drive, Suite 145, Sacramento, CA 95831.

The survey is divided into 8 sections, each of which may be submitted independently and not necessarily in the order presented. This was done so that different people on each repository's staff may submit the data for which their section is responsible. **Repository directors will still be responsible to see that the survey is submitted in its entirety.** Please note the following:

1. All reported data should be for calendar year 2010, or as of December 31, 2010.
2. The term "felony" includes any crime classified as a felony under your state's laws. These offenses are generally punishable by a term of incarceration in excess of one year. If your state's laws do not use the term "felony," please substitute functional equivalents, such as class 1, 2, 3 and 4 offenses in New Jersey and class A, B and C offenses in Maine.
3. Questions which seek responses based on a "legal requirement," refer *only* to a *state statute* or a *state administrative regulation having the force of law*.
4. If additional space is needed, please use the "Additional Comments" area at the end of each section.
5. Please use the "Additional Comments" area at the end of each section to identify questions for which "no data is available."
6. If a question is not applicable to your repository, please indicate "NA" in the "Additional Comments" area at the end of each section.

### Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The survey will be sent to criminal history repositories in 56 jurisdictions, including the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico and the U.S. Virgin

Islands. The average time required for each agency to complete the survey is estimated at 6.3 hours. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington DC 20531. Do not send your completed form to this address.

# SECTION I: REPOSITORY

## This section completed by

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

The following questions relate to descriptions of your criminal history record information and master name index databases:

1. How many subjects (individual criminal offenders) were in your criminal history file as of December 31, 2010?

(a) Automated records \_\_\_\_\_ (Include subjects whose records are partially automated)

(b) Manual records \_\_\_\_\_

(c) Total records \_\_\_\_\_

2. Fingerprints processed in 2010:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of 2010 volume</u>	<u>Totals</u>
(a) Criminal	_____	_____	
(b) Non-criminal (not retained)	_____	_____	
(c) Non-criminal (retained)	_____	_____	(b+c) _____
(d) What was the <u>total number</u> of fingerprint-based background checks conducted during 2010?			(a+b+c) _____

3. (a) Does your state combine both criminal events and non-criminal justice applicant information in the same record?

Yes       No

(b) If so, how many records in your database contain both criminal events and non-criminal justice applicant information? \_\_\_\_\_

(c) Of the total records in your database \_\_\_\_\_ percent represent records that contain both criminal events and non-criminal justice applicant information.

4. Do you have felony conviction flagging capability, i.e., does your criminal history record database include a data field or flag enabling you to quickly determine whether a given record subject has a felony conviction?

- Yes, all subjects with felony convictions
- Yes, some subjects with felony convictions
- No

**ADDITIONAL COMMENTS:**

## SECTION II: ARREST/FINGERPRINT REPORTING AND ENTRY

**This section completed by**

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

1. How many felony arrests were reported during calendar year 2010?

\_\_\_\_\_ arrests

2. How many criminal justice fingerprints were submitted to the repository via livescan during 2010?

\_\_\_\_\_

3. (a) As of December 31, 2010, was there a backlog of arrest data to be entered into the AFIS database?

Yes       No

(b) If yes, how many unprocessed or partially processed fingerprint cards (work backlog) did you have at that time?

\_\_\_\_\_

Size of backlog as of December 31, 2010, is not available

4. What biometric information does your repository retain? Check all that apply.

- Latent fingerprints
- Flat prints
- 2-Finger prints for identification purposes
- 2-Finger prints for updating incarceration or release identification
- Palm prints
- Facial images/mug shots
- Scars, Marks, and Tattoo images
- Facial Recognition Data
- 1- or 2-Finger prints for updating disposition information
- Other: \_\_\_\_\_

5. (a) Total number of law enforcement agencies that submit arrest prints via livescan: \_\_\_\_\_

(b) Total number of agencies without livescan devices that receive livescan services from agencies that do have that equipment (e.g., a sheriff might submit arrest prints on behalf of 20 agencies): \_\_\_\_\_

(c) Percentage of criminal prints submitted via livescan during 2010: \_\_\_\_\_%

**ADDITIONAL COMMENTS:**

## SECTION III: DISPOSITIONS

### This section completed by

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

The following questions seek to determine to what extent the records in your criminal history record database contain final disposition information. (*“Final case disposition” is defined as release by police after charging; decline to proceed by prosecutor, or final trial court disposition.*)

1. Are you a National Fingerprint File (NFF) state?

Yes       No

If yes, under NFF participation protocols, have you elected not to forward disposition information on second and subsequent arrests to the FBI?

Yes       No

2. (a) How many final case dispositions were received by the repository during 2010?

\_\_\_\_\_ dispositions

(b) Of those, how many were sent to the FBI?

\_\_\_\_\_ dispositions

Of the dispositions forwarded to the FBI:

(c) What percentage were sent by Machine Readable Data (MRD) such as tape/CD/DVD? \_\_\_\_\_ %

(d) What percentage were sent via hard copy/paper? \_\_\_\_\_ %

(e) What percentage were sent by Interstate Identification Index (III) message key? \_\_\_\_\_ %

3. What percentage of all arrests in the criminal history database have had final case dispositions recorded?

(a) Arrests entered within past five years \_\_\_\_\_ %

(b) Arrests in entire database \_\_\_\_\_ %

(c) Felony charges \_\_\_\_\_ %

4. Of the dispositions received at the repository during 2010, what percentage could not be linked to a specific arrest record?

\_\_\_\_\_ %

**ADDITIONAL COMMENTS:**



## SECTION IV: COURT REPORTING

### This section completed by

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

1. As of December 31, 2010, was any court disposition data reported directly to the repository by automated means?

Yes       No

2. (a) As of December 31, 2010, was any court disposition information reported directly to the repository by your state's Administrative Office of the Courts (AOC)?

Yes       No

(b) What percentage of dispositions received was reported by the AOC? \_\_\_\_\_ %

3. In 2010, what was the average time elapsed between the occurrence of final felony trial court dispositions and receipt of information concerning such dispositions by the repository?

\_\_\_\_\_ days

4. In 2010, what was the average time elapsed between receipt of final felony trial court disposition information by the repository and entry of that information into the criminal history record database?

\_\_\_\_\_ days

5. As of December 31, 2010, was your state using livescan devices in the courtroom to link positive identifications with dispositions?

Yes       No

6. (a) As of December 31, 2010, was there a backlog of court disposition data to be entered into the criminal history record database?

Yes       No

(b) If yes, how many unprocessed or partially processed court disposition forms (work backlog) did you have?

\_\_\_\_\_ forms

**ADDITIONAL COMMENTS:**

# SECTION V: CORRECTIONS REPORTING

<b>This section completed by</b>	
Name _____	Title _____
Agency _____	
Phone _____	Email _____
Date Completed _____	

1. In 2010, what was the average time elapsed between receipt of corrections admission data by the repository and entry of that information into the criminal history record database?

\_\_\_\_\_ days

Not currently receiving corrections admission data

2. In 2010, what was the average time elapsed between receipt of corrections release data by the repository and entry of that information into the criminal history record database?

\_\_\_\_\_ days

Not currently receiving corrections release data

3. (a) Do any corrections agencies currently report admission/release/status change information to the repository by automated means?

Yes       No

(b) If yes, how many corrections agencies currently report by automated means?

\_\_\_\_\_ agencies representing \_\_\_\_\_% of the admission/release/status change activity

4. (a) As of December 31, 2010, was there a backlog of corrections data to be entered into the criminal history record database?

Yes       No

(b) If yes, how many unprocessed or partially processed corrections reports (work backlog) did you have?

\_\_\_\_\_ reports

**ADDITIONAL COMMENTS:**

# SECTION VI: REPOSITORY ADMINISTRATION

<b>This section completed by</b>	
Name _____	Title _____
Agency _____	
Phone _____	Email _____
Date Completed _____	

1. (a) As of December 31, 2010, does your repository conduct “lights out” processing of fingerprints (an identification decision is made without fingerprint technician intervention)?

- Yes       No

(b) If yes, what percentage of fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

(c) If yes, what percentage of criminal fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

(d) If yes, what percentage of non-criminal applicant fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

2. (a) Does your state maintain a protection order file?

- Yes       No

(b) If no, does law enforcement or courts enter protection order information directly to the FBI-NCIC Protective Order File?

- Yes       No

(c) If yes, how many records are in the state protection order record database as of December 31, 2010?

\_\_\_\_\_ records

3. Does your repository maintain the sex offender registry?

- Yes       No

If no, what agency in your state is responsible for the maintenance of the sex offender registry?

Department of Corrections

Other \_\_\_\_\_

4. As of December 31, 2010, what is the total number of registered sex offenders in your state? \_\_\_\_\_

5. What is the total number of registered sex offenders on your publicly available state registry? \_\_\_\_\_

6. (a) As of December 31, 2010, how many hours per day did your state repository operate?

Number of operating hours per day

Monday – Friday     8     10     12     14     16     24     Other \_\_\_\_\_

Saturday             8     10     12     14     16     24     Other \_\_\_\_\_

Sunday               8     10     12     14     16     24     Other \_\_\_\_\_

(b) Number of hours per day with fingerprint technicians on site

Monday – Friday     8     10     12     14     16     24     Other \_\_\_\_\_

Saturday             8     10     12     14     16     24     Other \_\_\_\_\_

Sunday               8     10     12     14     16     24     Other \_\_\_\_\_

7. In addition to criminal history information, to what other records does your state's repository provide access? Check all that apply.

- Sex offender registry
- Orders of protection
- Wants and warrants
- Retained applicant prints
- Rap back services for criminal justice purposes
- Wanted persons
- Firearm registration

- Community notification (Check all that apply):
- Sex offender residency, employment, or school
- Victim notification to crime victims
- Other: \_\_\_\_\_

8. (a) In 2010, did the repository perform compliance audits of agencies who contributed information to the repository?

- Yes     No

(b) In 2010, did the repository perform compliance audits of agencies who received information from the repository?

- Yes     No

9. (a) Has your state implemented a GJXDM or NIEM-compliant standardized rap sheet?

- Yes     No

(b) If yes, please describe your implementation status. Check all that apply.

- Testing
- Operational, limited transmissions
- Operational, all transmissions
- Other. Please describe: \_\_\_\_\_

(c) What issues or challenges might delay your state's implementation of the standardized rap sheet?

- Funding
- Need to upgrade/replace message switch
- Limited internal resources
- Need for technical assistance
- Other. Please describe: \_\_\_\_\_

10. (a) Which of the following best describes your criminal history system platform?

- Built in-house on Windows or .NET framework
- Built in-house on Open Source (e.g., JAVA platform)
- Built in-house utilizing mainframe services
- Vendor supplied on Window or .NET framework
- Vendor supplied on Open Source framework
- Vendor supplied on Mainframe environment
- Combinations
- Other. Please describe: \_\_\_\_\_

(b) Does your state have plans to migrate to web services?

Yes     No



(c) If yes, when do you anticipate your state will migrate to web services?

2011

2012

Other. Please explain: \_\_\_\_\_

11. Does your state currently capture and produce statistics on the following for budgeting or other reporting?

Criminal history transactions

Hits versus no-hits

Purpose codes

**ADDITIONAL COMMENTS:**

## SECTION VII: NON-CRIMINAL BACKGROUND CHECKS

### This section completed by

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

### **BACKGROUND CHECKS**

1. (a) Does your state charge a fee for conducting a search of the criminal history record database for non-criminal justice purposes?

Yes       No

If yes, what fees are charged for the state record search as of December 31, 2010?

- (b) **Fingerprint-supported search:**
- \$\_\_\_\_\_ retained
  - \$\_\_\_\_\_ non-retained
  - \$\_\_\_\_\_ volunteer (retained)
  - \$\_\_\_\_\_ volunteer (not retained)

- (c) **Name search:**
- via Internet*
  - \$\_\_\_\_\_ non-profit
  - \$\_\_\_\_\_ government
  - \$\_\_\_\_\_ volunteer (retained)
  - \$\_\_\_\_\_ volunteer (not retained)
  - \$\_\_\_\_\_ others

- via Mail*
- \$\_\_\_\_\_ non-profit
- \$\_\_\_\_\_ government
- \$\_\_\_\_\_ volunteer (retained)
- \$\_\_\_\_\_ volunteer (not retained)
- \$\_\_\_\_\_ others

- (d) **Additional service fees:**            \$\_\_\_\_\_ mailed fingerprint cards/forms  
     \$\_\_\_\_\_ “no resubmission of prints” for repeat applicant  
     \$\_\_\_\_\_ retained service  
     \$\_\_\_\_\_ rap back service

2. How are fees allocated?

- All fees go to the state general fund, with repository funded by general fund allotment
- A percentage of fees go to support repository operations: \_\_\_\_\_ %
- All fees go to support repository operations
- Other \_\_\_\_\_

3. Is there a state legal requirement to perform background checks for any of the following?  
 Check all that apply.

- |   |  |
|---|--|
| <input type="checkbox"/> Nurses/Elder caregivers                                | <input type="checkbox"/> Relative caregivers           |
| <input type="checkbox"/> Daycare providers                                      | <input type="checkbox"/> Hazardous materials licensees |
| <input type="checkbox"/> Caregivers – residential facilities                    | <input type="checkbox"/> _____                         |
| <input type="checkbox"/> School teachers  | <input type="checkbox"/> _____                         |
| <input type="checkbox"/> Non-teaching school personnel,<br>including volunteers | <input type="checkbox"/> _____                         |
| <input type="checkbox"/> Volunteers with children                               | <input type="checkbox"/> _____                         |
| <input type="checkbox"/> Prospective foster care parents                        | <input type="checkbox"/> _____                         |
| <input type="checkbox"/> Prospective adoptive parents                           |  |

4. Does your state offer a rap back service to provide automatic updates or notifications of results when changes to records occur? Check all that apply.

- Yes, always
- Yes, but only for notification of subsequent arrest
- Yes, but only for notification of subsequent conviction
- Other: \_\_\_\_\_

**FINGERPRINT-BASED SEARCHES**

5. (a) Has your state privatized the taking of fingerprints for non-criminal justice purposes?

Yes       No

(b) If yes, does the vendor assess a fee above what the state charges to perform the background check?

Yes, Fee \$ \_\_\_\_\_       No

(c) Does the vendor provide any additional services besides the fingerprint capture (e.g. evaluating responses for the requestor, sending responses back to the requestor)?

\_\_\_\_\_

\_\_\_\_\_

6. (a) Total number of non-criminal justice fingerprints submitted to the repository via livescan during 2010: \_\_\_\_\_

(b) Total number of law enforcement agencies that submit non-criminal justice fingerprints via livescan: \_\_\_\_\_

(c) Percentage of non-criminal justice fingerprints submitted via livescan during 2010: \_\_\_\_\_

(d) Total number of livescan devices available for non-criminal justice purposes only: \_\_\_\_\_

(e) Total number of livescan devices used for both criminal and non-criminal justice purposes: \_\_\_\_\_

7. (a) What is the average processing time from fingerprint receipt to response?

For electronic requests: \_\_\_\_\_ hours \_\_\_\_\_ days

For mail requests: \_\_\_\_\_ hours \_\_\_\_\_ days

(b) Has a goal been established for maximum processing time?

Yes, \_\_\_\_\_ days       No

8. What information is contained in the results for fingerprint-based non-criminal justice background checks? Check all that apply.

Full record

Convictions only

Juvenile records

Arrests without disposition—over 1 year old

Other \_\_\_\_\_

9. What is the identification rate for fingerprint-based non-criminal justice background checks?

\_\_\_\_\_ %

10. Does your state retain fingerprints submitted for any of the following non-criminal justice purposes? Check all that apply.

No. This state does not retain non-criminal justice fingerprints for any reason.

Licensing

Private sector employment

Employment by justice agencies

Employment by non-criminal justice government agencies

Retention limited to private sector employment involving vulnerable populations, e.g., children, the elderly or the disabled

All non-criminal justice purpose fingerprints may be retained at the option of the contributor

Other: \_\_\_\_\_

11. If your state does retain non-criminal justice fingerprints for any purpose, how are the fingerprints utilized? Check all that apply.

Searched against existing criminal history database

Searched against latent fingerprint database

Searched against subsequent criminal fingerprint submissions

Searched against subsequent latent fingerprint submissions

Other \_\_\_\_\_



**NAME-BASED SEARCHES**

12. How many name-based non-criminal justice background checks were performed in 2010?

Received via Internet \_\_\_\_\_

Received via mail \_\_\_\_\_

Received via telephone \_\_\_\_\_

**Total received** \_\_\_\_\_

13. What information is contained in the results for a name-based non-criminal justice background check? Check all that apply.

Full record

Convictions only

Juvenile records

Arrests without disposition—over 1 year old

Other \_\_\_\_\_

14. What is the identification rate for name-based non-criminal justice background checks?

\_\_\_\_\_ %

15. Is written consent required by the subject before a name-based search is conducted?

Yes       No

16. (a) Are local agencies authorized to conduct name checks of state records for non-criminal justice purposes?

Yes       No

(b) If yes, what fee is the local agency authorized to charge? \$ \_\_\_\_\_

**INTERNET ACCESS**

17. (a) Does your repository provide web-based non-criminal justice background checks to the public?

Yes       No

(b) What is the website location (URL)? \_\_\_\_\_

(c) If yes, what is required for Internet access for the general public?

Registration/account information

Credit card payment information

(d) Are fees involved for Internet access for the general public (not including any registration or account fees)?

Yes, Fee \$ \_\_\_\_\_       No

18. (a) Does the state AOC provide web-based non-criminal justice background checks to the public?

Yes       No

(b) If yes, what is the website location (URL)? \_\_\_\_\_

19. (a) If a private agency maintains the website, how much does it collect per transaction?

\$ \_\_\_\_\_

(b) Of that amount, how much is returned to the repository?

\$ \_\_\_\_\_

(c) How much is returned to the office of court administration?

\$ \_\_\_\_\_



**FINGERPRINT CAPTURE CERTIFICATION**

20. (a) Does your state have a certification program for persons taking fingerprints?

Yes       No

(b) If yes, was this program established through legislation?

Yes       No

**FBI FEE RETENTION**

21. (a) Does the state process allow the Interstate Identification Index (III) record to be retrieved and forwarded to the requestor when the state check reveals a III record rather than forwarding the fingerprints to the FBI to process?

Yes       No

(b) If so, is the FBI fee retained by the state?

Yes       No

(c) Is the FBI fee returned to the requestor?

Yes       No

**ADDITIONAL COMMENTS:**

## SECTION VIII: INDIAN COUNTRY INFORMATION

### This section completed by

Name \_\_\_\_\_ Title \_\_\_\_\_

Agency \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Date Completed \_\_\_\_\_

1. (a) Do you have any federally recognized Tribes in your state?

Yes       No

If yes, please complete the following:

(b) How many Tribes do you have? \_\_\_\_\_

2. (a) Do Tribes in your state submit arrest fingerprints to your state repository?

Yes       No

(b) If yes, how many Tribes reported in 2010? \_\_\_\_\_

(c) How many arrests did the Tribes report in 2010? \_\_\_\_\_

(d) How were the records reported?

Electronically       Hard Copy       Other. Please explain: \_\_\_\_\_

3. Does the repository receive protection order information from Tribes in your state?

Yes       No

4. (a) Does the repository provide sex offender registry services for any Tribes in your state?

Yes       No

(b) If yes, how many Tribes submitted sex offender registration information to the repository-maintained state registry in 2010?

\_\_\_\_\_

5. (a) Do Tribes in your state submit fingerprints for non-criminal justice background checks?

Yes, Fee \$ \_\_\_\_\_       No

(b) If yes, how many fingerprint-based non-criminal justice background checks did Tribes submit in 2010?

\_\_\_\_\_

6. (a) Do Tribes in your state submit name-based non-criminal justice background checks?

Yes, Fee \$ \_\_\_\_\_       No

(b) If yes, how many name-based non-criminal justice background checks did Tribes submit in 2010?

\_\_\_\_\_

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