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.

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

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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:

Purpose	Number	Percentage of 2010 volume	Totals
(a) Criminal	_____	_____	
(b) Non-criminal (not retained)	_____	_____	
(c) Non-criminal (retained)	_____	_____	(b+c) _____
(d) What was the total number 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 <u>not</u> 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 <u>final case dispositions recorded</u>?

   (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 <u>unprocessed</u> or <u>partially processed</u> court disposition forms (work backlog) did you have?

_____ forms

ADDITIONAL COMMENTS:

SECTION V: CORRECTIONS REPORTING

This section completed by

Name _____   Title _____

Agency _____

Phone _____   Email _____

Date Completed _____

1. In 2010, what was the average time elapsed between receipt of corrections <u>admission</u> 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 <u>release</u> 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 <u>unprocessed</u> or <u>partially processed</u> corrections reports (work backlog) did you have?

_____ reports

ADDITIONAL COMMENTS:

SECTION VI: REPOSITORY ADMINISTRATION

This section completed by

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 <u>criminal</u> fingerprints was handled with "lights out" processing?   _____ %

   (d) If yes, what percentage of <u>non-criminal applicant</u> 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 <u>contributed</u> information to the repository?

      ❑ Yes   ❑ No

(b) In 2010, did the repository perform compliance audits of agencies who <u>received</u> 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.

❒ Nurses/Elder caregivers	❒ Relative caregivers
❒ Daycare providers	❒ Hazardous materials licensees
❒ Caregivers – residential facilities	❒ _____
❒ School teachers	❒ _____
❒ Non-teaching school personnel, including volunteers	❒ _____
	❒ _____
❒ Volunteers with children	❒ _____
❒ Prospective foster care parents	
❒ 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 <u>non-criminal</u> 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 <u>non-criminal justice</u> 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 <u>non-criminal justice</u> 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 <u>non-criminal justice</u> 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 <u>non-criminal justice</u> 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 <u>non-criminal justice</u> background checks?

☐ Yes, Fee $ _____   ☐ No

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

_____

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

☐ Yes, Fee $ _____   ☐ No

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

_____