



Survey of State Criminal History Information Systems, 2012

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. 2011-MU-MU-K054 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 link), to enter 2012 data can view previously submitted 2010 data for comparison purposes. Where applicable, your state's 2010 responses are displayed in color within each section of the online survey. It is hoped that this information will assist respondents in completing the survey more accurately and efficiently. **The password to gain access to your state's online survey is provided in the cover letter.** If you have any questions or comments, please contact SEARCH staff Dennis DeBacco at 916-392-2550 ext. 200, email dennis@search.org.

If more convenient, you may print the survey sections, complete them manually, and fax (916-392-8440) or mail them to the attention of Dennis DeBacco at SEARCH, 7311 Greenhaven Drive, Suite 270, Sacramento, CA 95831. **The deadline for survey submission is (insert date).**

The survey is divided into 5 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 they are responsible. **Repository directors are responsible to see that the survey is submitted in its entirety.** Please note the following:

1. All reported data should be for calendar year 2012, or as of December 31, 2012.
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 that 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, 2012?

(a) Automated records _____ (Include subjects whose records are partially automated)

(b) Manual records _____

(c) Total records _____

2. Fingerprints processed in 2012:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of 2012 volume</u>	<u>Totals</u>
(a) Criminal (retained)	_____	_____	
(b) Criminal (not retained)	_____	_____	(a+b) _____
(c) Non-criminal (retained)	_____	_____	
(d) Non-criminal (not retained)	_____	_____	(c+d) _____
(e) What was the <u>total number</u> of fingerprint-based background checks conducted during 2012?		(a+b+c+d)	_____

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. (a) Do you have felony conviction flagging, 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

(b) Do you employ flagging to indicate?

- Ineligible to purchase firearms
 Sex offender registrant
 Convicted drug offender
 Violent offender
 (Other – Describe): _____

The following questions refer to repository administration, procedures and practices.

5. (a) As of December 31, 2012, did 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? _____ %

6. (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 Protection Order File? Check all that apply.

Yes, courts
 Yes, law enforcement

(c) If yes, how many records were in the state protection order record database as of December 31, 2012?

_____ records

7. (a) Does your state maintain a warrant file?

Yes No

(b) Are warrants entered onto the file electronically by courts?

Yes No

(c) Are warrants entered onto the file by local law enforcement?

Yes No

(d) If your state does not maintain a warrant file, does law enforcement enter warrant information directly to the FBI-NCIC Wanted Persons File?

Yes No

(e) If your state does not maintain a warrant file, do any courts enter warrant information directly to the FBI-NCIC Wanted Persons File?

Yes No

(f) If yes, how many records were in the state warrant database as of December 31, 2012?

_____ records

8. 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 _____

(b) In 2012, did the repository perform any compliance audits of agencies that received information from the repository?

- Yes No

14. (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: _____

15. (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 Windows 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?

- 2013
 2014
 Other. Please explain: _____

16. Does your state produce statistics on the following?

- Criminal history transactions
- Hits versus no-hits
- Purpose codes

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 2012?

_____ arrests

2. How many criminal justice fingerprints were submitted to the repository via livescan during 2012?

_____ fingerprints

3. (a) As of December 31, 2012, was there a backlog of arrest data to be entered into the AFIS database (i.e., not entered within 48 hours of receipt at repository)?

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, 2012, is not available

4. What types of biometric information are currently utilized in identification search processes conducted by your agency? Check all that apply.

- Latent fingerprints
- Flat prints
- 2-finger prints for identification purposes
- 2-finger prints for updating incarceration or release information to criminal history
- 10-finger prints for updating incarceration or release information to criminal history
- 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) Are you using mobile technology to transmit fingerprints for identification purposes?

- Yes No

(b) Are you using mobile technology to transmit fingerprints for booking purposes?

- Yes No

(c) Do you plan to implement mobile fingerprint capture technology for either identification or booking purposes?

- Yes No

(d) Are you using mobile technology to capture other biometric information for identification purposes (e.g., facial recognition, Iris)?

- Yes No

(e) Do you have plans to implement mobile technology that captures non-fingerprint biometric information?

- Yes No

6. (a) Total number of law enforcement agencies in your state: _____

(b) Total number of law enforcement agencies that submit arrest prints via livescan (including agencies without livescan devices that receive livescan services from agencies that do have that equipment, such as a sheriff that provides booking services for 20 local police departments):

(c) Percentage of criminal prints submitted via livescan during 2012: _____%

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 case disposition information. (*“Final case disposition” is defined as release by police after charging; decline to proceed by prosecutor; or final trial court disposition.*)

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

Yes No

(b) Have you elected not to forward disposition information on second and subsequent arrests to the FBI?

Yes No N/A

2. Does your state collect charge tracking information (sometimes referred to as interim disposition information) on the criminal history record showing the status of a case as it moves through the justice system? (E.g., reporting of an indictment, charges filed that are different than arrest charges, etc.)

Yes No

3. (a) How many final case dispositions were received by the repository during 2012?

_____ dispositions

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

_____ dispositions

Of the dispositions forwarded to the FBI:

(c) What percentage was sent by Machine Readable Data (MRD) such as tape/CD/DVD? _____ %

(d) What percentage was sent via hard copy/paper? _____ %

(e) What percentage was sent by Interstate Identification Index (III) message key? _____ %

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

(a) Arrests entered within past five years _____ %

(b) Arrests in entire database _____ %

(c) Felony charges _____ %

5. Of the dispositions received at the repository during 2012, what percentage could not be linked to a specific arrest record either because of failed matching criteria or the arrest had not been reported to the repository?

_____ %

6. (a) As of December 31, 2012, was any court disposition data reported directly to the repository by automated means? (Note – “automated” means a method by which data is transmitted by the court to the repository where it is matched against criminal history records and entered on the criminal history record, usually without manual intervention. This does not include dispositions received via fax or email which require manual activity for matching with and entry on the criminal history record.)

Yes No

(b) If yes, what percentage of dispositions was reported in 2012 by automated means?

_____ %

7. In 2012, what was the average time elapsed between the occurrence of final felony trial court case dispositions and receipt of information concerning such dispositions by the repository?

_____ days

8. In 2012, 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

9. (a) As of December 31, 2012, was your state using any livescan devices in the courtrooms/courthouses to link positive identifications with dispositions?

Yes No

(b) If yes, how many livescan devices are in courtrooms/courthouses?

_____ devices

10. (a) As of December 31, 2012, was there a backlog of court disposition data to be entered into the criminal history record database (i.e., not entered within 48 hours of receipt at repository, including dispositions that could not be matched to a criminal history record within 48 hours of receipt at the repository)?

Yes No

(b) If yes, how many unprocessed or partially processed court case dispositions did you have?

11. (a) Does the repository receive any final case disposition information (e.g., decline to proceed) from local prosecutors or a statewide prosecutor's association?

Yes No

(b) If yes, this information (check all that apply):

Is received via automated means

Is received via the prosecutor's case management system

Is paper-based

Is a mix of automated and paper-based

12. (a) Does your state have any laws that address reporting of dispositions to the repository?

Yes No

(b) If yes, please provide citation(s):

ADDITIONAL COMMENTS:

SECTION IV: CORRECTIONS REPORTING

This section completed by

Name _____ Title _____

Agency _____

Phone _____ Email _____

Date Completed _____

1. In 2012, what was the average time elapsed between receipt of corrections admission data by the repository and entry of that data into the criminal history record database?

_____ days

Not currently receiving corrections admission data

2. In 2012, what was the average time elapsed between receipt of corrections release data by the repository and entry of that data into the criminal history record database?

_____ days

Not currently receiving corrections release data

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

Yes No

(b) Does your agency forward admission/release or status change information received from corrections agencies to the FBI?

Yes No

(c) How many corrections agencies currently report by automated means?

_____ agencies, representing _____% of the admission/release or status change activity

4. (a) As of December 31, 2012, 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:

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SECTION V: 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 state fees were charged for the state record search as of December 31, 2012?

(b) **Fingerprint-supported search:**

\$_____ retained
 \$_____ non-retained
 \$_____ volunteer (retained)
 \$_____ volunteer (not retained)

(c) **Name search:** *via Internet*

\$_____ nonprofit
 \$_____ government
 \$_____ volunteer (retained)
 \$_____ volunteer (not retained)
 \$_____ others

via Mail

\$_____ nonprofit
 \$_____ 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
 \$ _____ (other)_____

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,
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. (a) 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.

- No, my state does not provide a rap back service for noncriminal justice purposes
- Yes, always
- Yes, but only for notification of subsequent arrest
- Yes, but only for notification of subsequent conviction
- Other: _____

(b) If your agency retains non-criminal fingerprints for the purpose of providing subsequent arrest or conviction information (“rap back”) to the contributor of the applicant fingerprint card, how many arrest or conviction notifications were generated for the period January 1, 2012 – December 31, 2012?

FINGERPRINT-BASED SEARCHES

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

Yes No

(b) Is this service provided by?

A single vendor Multiple vendors

(c) Does the vendor(s) assess a fee above what the state charges to perform the background check?

Yes, Fee \$ _____ No

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

6. (a) Total number of non-criminal justice fingerprints submitted to the repository via livescan during 2012: _____

(b) Percentage of non-criminal justice fingerprints submitted via livescan during 2012: _____

(c) Total number of livescan devices available for non-criminal justice purposes only: _____

(d) 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? (I.e., applicant fingerprints identified against an arrest fingerprint.)

_____ %

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

- No. The 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 2012?
(A + B + C below)

A. Received via Internet _____

B. Received via mail _____

C. Received via telephone _____

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 (i.e., your system provides criminal record information based on the search information provided)?

_____ %

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 office of court administration 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: