

Survey of State Criminal History Information Systems, 2014 (OMB #1121-0312)

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2012 vs. 2014 Survey Questions “Cross-walk”

Modifications, Deletions, New Questions by SECTION

- New or modified content is shown in *green text*.
- Deleted content is shown as *red strikethrough text*.
- Explanatory or clarifying comments are in *yellow-highlighted blue*—these are not included in the 2014 Survey instrument.
- Text deletions/additions have resulted in question number changes between 2012 and 2014.

SECTION I: REPOSITORY

The following questions relate to descriptions of your *state’s* 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~~2014?
 - (a) Automated records _____ (include subjects whose records are partially automated)
 - (b) Manual records _____
 - (c) Total records _____

2. Fingerprints processed in ~~2012~~2014:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of</u> 2012 2014 <u>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 2014?			(a+b+c+d) _____

Question 3b was formerly question 3c on the 2012 survey.

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? _____~~

(b) 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

Question 4b was modified to add selections for domestic violence conviction, mental health adjudication, DNA available, DNA not yet collected, and IFFS flags indicating ineligible for firearms purchase under federal law or state law.

(b) Do you employ flagging to indicate? (check all that apply)

- Ineligible to purchase firearms
- Sex offender registrant
- Convicted drug offender
- Violent offender
- Domestic violence conviction
- Mental health adjudication
- DNA available
- DNA not yet collected
- IFFS, indicating ineligible for firearms purchase under federal law
- IFFS, indicating ineligible for firearms purchase under state law
- Other (describe) _____
- ~~(Other Describe):~~ _____

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

5. (a) As of December 31, ~~2012~~2014, 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? _____ %

Questions 6c and 6d were formerly questions 6b and 6c on the 2012 survey.

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

- Yes No

(b) If yes, which agency(ies) enter protection orders onto the state file?
(check all that apply)

- Law enforcement
 Courts
 Other (describe) _____

(c) If no, ~~does law enforcement or courts~~ which agency(s) enter protection order information directly to the FBI-NCIC Protection Order File? ~~Check~~-(check all that apply):-

- ~~Yes, courts~~ Law enforcement
 ~~Yes, law enforcement~~ Courts
 Other (describe) _____

(d) If yes, how many active records were in the state protection order record database as of December 31, ~~2012~~2014?

_____ records

Question 7 was modified to reorder or combine items from the 2012 survey, and to add two new questions. Question 7f on the 2012 survey is now 7b; old questions 7b–c are now combined as 7d; 7c is new; old questions 7d–e are now 7e and g; and 7f is new.

Note: Per Owen Greenspan, question 7f is included because direct entry of warrants by courts into NCIC is a relatively new and growing practice with the advent of ewarrant systems.

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

- Yes No

(b) If yes, how many records were in the state warrant database as of December 31, ~~2012~~2014?

_____ records

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

- ~~Yes No~~

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

- ~~Yes No~~

(c) Of this total, how many are felony warrants, misdemeanor warrants or other types of warrants?

_____ Felony warrants
 _____ Misdemeanor warrants
 _____ Other (explain) _____

(d) Warrants are entered onto the state file by? (check all that apply)

Law enforcement Yes No

Courts Yes No

(e) 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

(f) If your state maintains a warrant file, do any courts enter warrant information directly to the FBI-NCIC Wanted Persons File?

Yes No

(g) 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

The remaining portion of Section I was substantially altered from 2012 to 2014 by the deletion of eight main questions (8, 9, 10, 11a/b, 13a/b, 14a/b/c, 15a/b/c, and 16). Question 12 from 2012 is now renumbered as Question 8, and was revised to remove some notification questions. Questions 9a/b, regarding software components and environments, are new.

~~8. Does your repository maintain the sex offender registry?~~

~~Yes No~~

~~9. As of December 31, 2012, what was the total number of registered sex offenders in your state? _____~~

~~10. As of December 31, 2012, what was the total number of registered sex offenders on your publicly available state registry? _____~~

~~11. As of December 31, 2012, how many hours per day did your state repository operate?~~

~~(a) 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 _____~~

8. 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
 - Domestic Violence Incident Reports: _____
- Domestic violence incident reports
- Other (specify) _____

~~13. (a) In 2012, did the repository perform any compliance audits of agencies that contributed information to the repository?~~

- ~~Yes — No~~

~~(b) In 2012, did the repository perform any compliance audits of **justice** 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?

- 2015 2016
 Other. Please explain: _____

16. Does your state produce statistics on the following?

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

9. (a) Which of the following most accurately describes the software components of your criminal history system?

- Acquired from a software vendor and configured for the state's environment, but with no software modifications
- Acquired from a software vendor, but software changes were necessary to customize for the state's environment
- Built in-house (either by staff or contractors), such that the state's system is unique for our state
- Other (specify) _____

(b) Which of the following most accurately describes the software environment or platform used for your criminal history system?

- Microsoft .NET platform
- Java platform
- Mainframe platform (e.g., COBOL, Natural, PL/I, etc.)
- Other (specify) _____

ADDITIONAL COMMENTS:

SECTION II: ARREST/FINGERPRINT REPORTING AND ENTRY

1. How many felony arrests were reported to your repository during calendar year ~~2012~~2014?

_____ arrests

2. How many ~~criminal justice~~arrest fingerprints were submitted to ~~the~~your repository ~~via livescan~~during ~~2012~~2014? (a+b+c = d)

_____ fingerprints

- (a) _____ via livescan
- (b) _____ via cardscan
- (c) _____ hard copy fingerprints
- (d) _____ total arrest 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~~

The following questions 3, 4 and 5 were originally numbered 4, 5 and 6 in the 2012 survey.

3. What types of biometric information are currently utilized in identification search processes conducted by your agency? ~~Check all that apply.~~ (check all that apply, and indicate volume)

- Latent fingerprints _____ 2014 volume
- Flat prints _____ 2014 volume
- 2-finger prints for identification purposes _____ 2014 volume
- 2-finger prints for updating incarceration or release information to criminal history _____ 2014 volume
- 10-finger prints for updating incarceration or release information to criminal history _____ 2014 volume
- Palm prints _____ 2014 volume
- Facial images/mug shots _____ 2014 volume
- Scars, marks, and tattoo images _____ 2014 volume
- Facial recognition data _____ 2014 volume
- 1- or 2-finger prints for updating disposition information _____ 2014 volume
- Iris capture _____ 2014 volume
- Other (specify) _____

Question 4e in the 2012 survey is now 4c; Question 5c in the 2012 survey is now 5e.

4. (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~~

(c) Do you have plans to implement mobile technology that captures non-fingerprint biometric information?
 Yes No

(d) Is your state employing Rapid ID? Yes No
of searches conducted in 2014 _____
of hits in 2014 _____

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

(b) ~~Total n~~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) Number of agencies that submit arrest fingerprints via cardscan _____

(d) Number of agencies that submit hard copy arrest fingerprint cards _____

(e) Percentage of ~~criminal~~-arrest prints submitted via livescan during ~~2012~~2014: _____ %

ADDITIONAL COMMENTS:

SECTION III: DISPOSITIONS

2012 survey questions 1a and 1b are replaced with 2014 question 1. Old question 12 is replaced with a new question 12, and a handful of other questions have added content. Other than that, this section is relatively stable from 2012.

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~~

1. If you are a National Fingerprint File (NFF) state, 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 did your repository receive during ~~2012~~2014? _____ 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 5 years _____ %
- (b) Arrests in the entire database _____ %
- (c) Felony charges _____ %
5. (a) Of the dispositions received at the repository during ~~2012~~2014, 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? _____ %
- (b) When a disposition cannot be matched, the following action(s) is taken (check all that apply):
- Placed in a suspense file (no further action)
 - Placed in a suspense file for further investigation
 - Disposition information is rejected
 - Follow-up actions are taken by repository staff
 - Court is contacted
 - Other _____
6. (a) As of December 31, ~~2012~~2014, were 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 criminal history record matching and data entry.)
- Yes No
- (b) If yes, what percentage of dispositions was reported in ~~2012~~2014 by automated means?
_____ %
- (c) How are records matched between the court system and the repository? (check all that apply)
- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
 - PCN or TCN assigned subsequent to arrest/booking
 - State Identification Number
 - Arrest Number
 - Name
 - Date of birth
 - Charges
 - N/A. My state does not receive automated disposition information from courts
 - Other (please explain) _____

7. In ~~2012~~2014, 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~~2014, 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~~2014, 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~~2014, 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 prosecutors 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

(c) If yes, how are records matched between prosecutors and the repository? (check all that apply)

- N/A. My state does not receive automated disposition information from courts
- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
- PCN or TCN assigned subsequent to arrest/booking

- State Identification Number
- Arrest Number
- Name
- Date of birth
- Charges
- Other (please explain) _____

12. Does your state post indictment information to the criminal history record?

- Yes
- No

~~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

Note: The original Section IV from the 2012 survey, "Corrections Reporting," and its four questions were removed from the 2014 Survey. This results in Non-Criminal Background Checks being renumbered to Section IV. In addition, the 2014 survey adds two additional sections: Section V: Criminal Justice Rap Back Services, and Section V: Non-criminal Justice Rap Back Services

~~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:

Note: The format of the following question was modified from 2012 to offer check boxes to indicate authority—state check, PL 92-544, or NCPA/VCA. The table also adds choices for Legal guardian and Medical marijuana (dispensars, care givers). It was question 3 on the 2012 survey.

2. ~~Is there a state legal requirement to perform background checks for any of the following?~~
Please indicate the legal authority your state uses for each of the following background checks. (check all that apply)

	N/A (state does not do these checks)	State check only	PL 92-544 statute	NCPA/VCA
Daycare providers				
Caregivers—residential facilities				
School teachers				
Non-teaching school personnel (including volunteers)				
Volunteers working with children				
Prospective foster care parents				
Prospective adoptive parents				
Relative caregivers				
Nurses/Elder caregivers				
Legal guardian				
Hazardous materials licensees				N/A
Medical marijuana (dispensars, care givers)				N/A

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? _____~~

FINGERPRINT-BASED SEARCHES

Questions 3 and 4 below were questions 5 and 6 on the 2012 survey.

3. (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.)

For the 2014 survey, Question 4 now includes requests for information on cardscan usage.

4. (a) Total number of non-criminal justice fingerprints submitted to the repository via livescan during ~~2012~~2014: _____
- (b) Total number of non-criminal justice fingerprints submitted to the repository via cardscan during 2014: _____
- (c) Percentage of non-criminal justice fingerprints submitted via livescan during ~~2012~~2014: _____
- (d) Percentage of non-criminal justice fingerprints submitted via cardscan during 2014: _____
- (e) Total number of livescan devices available for non-criminal justice purposes only: _____
- (f) Total number of cardscan devices available for non-criminal justice purposes only: _____
- (g) Total number of livescan devices used for both criminal and non-criminal justice purposes: _____
- (h) Total number of cardscan 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~~

Questions 5 and 6 below were questions 8 and 9 on the 2012 survey.

5. 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 _____

The 2012 survey question is reworded in the 2014 survey for clarity/brevity.

6. What percentage of fingerprint-based non-criminal criminal justice transactions are identified against arrest fingerprints? ~~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 _____~~

Question 7 is new for 2014.

7. Does the repository attempt to locate missing disposition information before responding to a fingerprint-based non-criminal justice inquiry?

- Yes No

NAME-BASED SEARCHES

Question 8 was originally question 12 in the 2012 survey.

8. How many name-based non-criminal justice background checks were performed in ~~2012~~2014? ~~(A + B + C below)~~(a+b+c+d = e)

(a) Received via Internet _____

- (b) Received via mail _____
- (c) Received via telephone _____
- (d) Other _____
- (e) Total _____

~~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? \$ _____~~

Questions 9a and 9b were originally Questions 17a and 17d on the 2012 survey.

INTERNET ACCESS

9. (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

(b) 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:

SECTION V: CRIMINAL JUSTICE RAP BACK SERVICES

1. Does your state currently provide an in-state criminal justice rap back service?

- Yes No

If you answered "No," skip to question 4.

2. What are the purposes in which criminal justice agencies can be notified of a subsequent inquiry and/or record posting via your in-state criminal justice rap back service? (Check all that apply)

- Error correction/record management update
 Investigative lead
 Sex offender
 Parolee
 Probationer
 Permit/privileged license revocation (i.e., CCW permit, gaming work card, etc.)
 Noncriminal justice purpose fingerprint search
 Other (describe) _____

3. In 2014, how many in-state criminal justice rap back notifications were made to agencies for criminal justice purposes?

4. Do you currently participate in the FBI's Next Generation Identification (NGI) rap back service for criminal justice purposes?

- Yes No

If you answered "No," skip questions 5 through 7.

5. As a participant in NGI's rap back service, do you allow criminal justice agencies in your state to subscribe to the following supervision populations in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*? (check all that apply)

- Sex offenders
 Parolees
 Probationers
 Other supervised persons (describe) _____
 Uncertain

6. As a participant in NGI's rap back service, do you allow law enforcement agencies in your state to create law enforcement investigative subscriptions in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*?

- Yes No Uncertain

7. As a participant in NGI's rap back service, do you plan to (select one):

- Keep your in-state criminal justice rap back service
- Keep your in-state criminal justice rap back service *and* allow enrolment in NGI
- Retire your in-state criminal justice rap back service and use NGI for both in-state and national rap back services
- Uncertain
- My state does not provide an in-state criminal justice rap back service

ADDITIONAL COMMENTS:

SECTION VI: NON-CRIMINAL JUSTICE RAP BACK SERVICES

Note: Questions 1–7 apply to in-state rap back programs for non-criminal justice purposes.

1. Does your state currently provide an in-state noncriminal justice rap back service?
 Yes No

If you answered “No,” skip to question 8.

2. (a) Is your in-state noncriminal justice rap back service authorized by state law or administrative regulation?
 Yes No

- (b) If yes, does the state law or administrative regulation specify the purposes in which noncriminal justice agencies can be notified of a subsequent inquiry and/or record posting?
 Yes No

3. Does your in-state noncriminal justice rap back service have a subscription validation process similar to that required for NGI rap back participation, as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide*?
 Yes, for all subscription populations
 Yes, for some subscription populations
 No

4. What are the occupational groups in which noncriminal justice agencies can be notified of a subsequent record posting? (check all that apply)
 Individuals working with children
 Individuals working with the elderly
 Individuals providing healthcare
 Security guards
 Police, fire, public safety
 Other (describe) _____

5. In 2014, how many in-state noncriminal justice rap back notifications were made to agencies for noncriminal justice purposes?

6. Does your in-state noncriminal justice rap back service impose a fee to enrol a subject's fingerprints for a prescribed period of time?

- Yes \$ _____
 No

7. Does your in-state noncriminal justice rap back service impose a fee for noncriminal justice rap back notifications?

- Yes \$ _____
 No

8. Do you currently participate in NGI's rap back service for noncriminal justice purposes?

- Yes No

If you answered "No," skip questions 9 through 10(d).

9. As a participant in NGI's rap back service, does your state restrict NGI subscribers from selecting from any of the available fees and their associated subscription terms?

- Yes, we limit NGI subscribers in our state to the following (select all that apply):
- Two-year – \$2.25
 - Five-year – \$6.00
 - Lifetime – \$13.00
- No, our subscribers can choose from any of the three fees and their associated subscription terms for their populations
- Yes, we limit our subscribers to using *only* the Lifetime fee (\$13.00) and subscription term
- Yes, we limit our subscriber's choice of fees in a different manner
(describe) _____

10. As a participant in NGI's rap back service—

(a) Do you plan to (select one):

- Keep your in-state noncriminal justice rap back service
- Keep your in-state noncriminal justice rap back service *and* allow enrolment in NGI
- Retire your in-state noncriminal justice rap back service and use NGI for both in-state and national rap back services
- Uncertain
- My state does not provide an in-state non-criminal justice rap back service

(b) Do you restrict the Privacy Risk Mitigation Strategies that your subscribers can choose?

- Yes, we limit the Privacy Risk Mitigation Strategy choices to the following (check as appropriate):
 - Pre-notification with mandatory validation/expiration within 3 years
 - Authority for duration of a license
 - Statutory authority for a set period of time
 - One-year validation/expiration
 - Subscription synchronization through automated or formalized procedures
- No, we will allow the subscribers to choose any of the Privacy Risk Mitigation Strategies
- Not certain

(c) Do you restrict the Triggering Events that your subscribers may choose for future NGI rap back Activity Notifications?

- Yes, we currently restrict, or plan to restrict, the Triggering Event choices to the following (check as appropriate):
 - Criminal Retain Submission
 - Dispositions
 - Expunge/Partial Expungement
 - Warrant entry with FBI number included
 - Warrant Deletion
 - Warrant Modification
 - Sex Offender Registry Entry
 - Sex Offender Registry Deletion
 - Sex Offender Registry Modification
 - Death Notices
- No, we will allow our subscribers to choose any of the Triggering Events to receive as future Rap Back Activity Notifications
- Not certain

(d) Do you use Event-Based Subscription Management (i.e., multiple enrolment of the same subject into NGI) or Category-Based Subscription Management (i.e., single enrolment into NGI with additional enrolments held at the state level), as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide*?

- Event-Based Subscription Management
- Category-Based Subscription Management
- Both Event- and Category-Based Subscription Management
- Uncertain

ADDITIONAL COMMENTS:

**Questions Added to
2012 Survey of State Criminal History Information Systems
for 2014**

Section I: Repository

4. (b) *Added check boxes for domestic violence conviction, mental health adjudication, DNA available, DNA not yet collected, IFFS flag indicating ineligible for firearms purchase under federal law, and IFFS flag indicating ineligible for firearm purchase under state law.*
6. (b) If yes, which agency(ies) enter protection orders onto the state file? (check all that apply)
- Law enforcement
 - Courts
 - Other (describe) _____
- (c) If no, which agency(ies) enter protection order information directly to the FBI-NCIC Protection Order File? (check all that apply)
- Law enforcement
 - Courts
 - Other (describe) _____
7. (c) Of this total, how many are felony warrants, misdemeanor warrants or other types of warrants?
- _____ Felony warrants
- _____ Misdemeanor warrants
- _____ Other (explain) _____
- (d) Warrants are entered onto the state file by? (check all that apply)
- | | | |
|-----------------|------------------------------|-----------------------------|
| Law enforcement | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Courts | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- (f) If your state maintains a warrant file, do any courts enter warrant information directly to the FBI-NCIC Wanted Persons File?
- Yes No
9. (a) Which of the following most accurately describes the software components of your criminal history system?
- Acquired from a software vendor and configured for the state's environment, but with no software modifications
 - Acquired from a software vendor, but software changes were necessary to customize for the state's environment

- Built in-house (either by staff or contractors), such that the state's system is unique for our state
- Other (specify) _____

(b) Which of the following most accurately describes the software environment or platform used for your criminal history system?

- Microsoft .NET platform
- Java platform
- Mainframe platform (e.g., COBOL, Natural, PL/I, etc.)
- Other (specify) _____

Section II: Arrest Fingerprint Reporting and Entry

2. (b) *Added # fingerprints via card scan*

(c) *Added # hard copy fingerprints*

3. *Added check box for iris capture;*
Added transaction volume line for each biometric

4. (d) Is your state employing Rapid ID? Yes No

of searches conducted in 2014 _____

of hits in 2014 _____

5. (c) Number of agencies that submit arrest fingerprints via cardscan _____

(d) Number of agencies that submit hard copy arrest fingerprint cards _____

Section III: Dispositions

5. (b) When a disposition cannot be matched, the following action(s) is taken (check all that apply):

- Placed in a suspense file (no further action)
- Placed in a suspense file for further investigation
- Disposition information is rejected
- Follow-up actions are taken by repository staff
- Court is contacted
- Other _____

6. (c) How are records matched between the court system and the repository? (check all that apply)

- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
- PCN or TCN assigned subsequent to arrest/booking
- State Identification Number
- Arrest Number
- Name
- Date of birth
- Charges
- N/A. My state does not received automated disposition information from courts
- Other (please explain)_____

11. (c) If yes, how are records matched between prosecutors and the repository? (check all that apply)

- N/A. My state does not receive automated disposition information from courts
- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
- PCN or TCN assigned subsequent to arrest/booking
- State Identification Number
- Arrest Number
- Name
- Date of birth
- Charges
- Other (please explain)_____

12. Does your state post indictment information to the criminal history record?

- Yes No

Section IV: Non-Criminal Background Checks

- 2. *Modified with check boxes to indicate authority – state check, PL 92-544, or NCPA/VCA. Added choices for Legal guardian, Hazardous materials licensees, and Medical marijuana (dispensers, care givers).*
- 4. *In addition to livescan, information is now requested on cardscan usage.*
- 7. Does the repository attempt to locate missing disposition information before responding to a fingerprint-based non-criminal justice inquiry?
 - Yes No

Section V: Criminal Justice Rap Back Services

1. (a) Does your state currently provide an in-state criminal justice rap back service?
 Yes No

If you answered "No," skip to question 4.

2. What are the purposes in which criminal justice agencies can be notified of a subsequent inquiry and/or record posting via your in-state criminal justice rap back service? (check all that apply)
- Error correction/record management update
 - Investigative lead
 - Sex offender
 - Parolee
 - Probationer
 - Permit/privileged license revocation (i.e., CCW permit, gaming work card, etc.)
 - Noncriminal justice purpose fingerprint search
 - Other (describe) _____

3. In 2014, how many in-state criminal justice rap back notifications were made to agencies for criminal justice purposes? _____

4. Do you currently participate in the FBI's Next Generation Identification (NGI) rap back service for criminal justice purposes?
 Yes No

If you answered "No," skip questions 5 through 7.

5. As a participant in NGI's rap back service, do you allow criminal justice agencies in your state to subscribe the following supervision populations in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*? (check all that apply)
- Sex Offenders
 - Parolees
 - Probationers
 - Other supervised persons (describe) _____
 - Uncertain

6. As a participant in NGI's rap back service, do you allow law enforcement agencies in your state to create law enforcement investigative subscriptions in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*?
 Yes No Uncertain

7. As a participant in NGI's rap back service, do you plan to (select one):
- Keep your in-state criminal justice rap back service
 - Keep your in-state criminal justice rap back service *and* allow enrolment in NGI
 - Retire your in-state criminal justice rap back service and use NGI for both in-state and national rap back services

- Uncertain
- My state does not provide an in-state criminal justice rap back service

Section VI: Non-Criminal Justice Rap Back Services

1. (a) Does your state currently provide an in-state noncriminal justice rap back service?
- Yes
 - No

If you answered "No," skip to question 8.

2. (a) Is your in-state noncriminal justice rap back service authorized by state law or administrative regulation?
- Yes
 - No
- (b) If yes, does the state law or administrative regulation specify the purposes in which noncriminal justice agencies can be notified of a subsequent inquiry and/or record posting?
- Yes
 - No

3. Does your in-state noncriminal justice rap back service have a subscription validation process similar to that required for NGI rap back participation, as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide*?
- Yes, for all subscription populations
 - Yes, for some subscription populations
 - No

4. What are the occupational groups in which noncriminal justice agencies can be notified of a subsequent record posting? (check all that apply)
- Individuals working with children
 - Individuals working with the elderly
 - Individuals providing healthcare
 - Security guards
 - Police, fire, public safety
 - Other (describe) _____

5. In 2014, how many in-state noncriminal justice rap back notifications were made to agencies for noncriminal justice purposes? _____

6. Does your in-state noncriminal justice rap back service impose a fee to enrol a subject's fingerprints for a prescribed period of time?
- Yes \$ _____
 - No

7. Does your in-state noncriminal justice rap back service impose a fee for noncriminal

justice rap back notifications?

- Yes \$ _____
 No

8. Do you currently participate in NGI's rap back service for noncriminal justice purposes?
 Yes No

If you answered "No," skip questions 9 through 10(d).

9. As a participant in NGI's rap back service, does your state restrict NGI subscribers from selecting from any of the available fees and their associated subscription terms?
- Yes, we limit NGI subscribers in our state to the following (select all that apply):
- Two-year – \$2.25
 - Five-year – \$6.00
 - Lifetime – \$13.00
- No, our subscribers can choose from any of the three fees and their associated subscription terms for their populations
- Yes, we will limit our subscribers to using *only* the Lifetime fee (\$13.00) and subscription term
- Yes, we will limit our subscriber's choice of fees in a different manner (describe)_____

10. As a participant in NGI's rap back service—

(a) Do you plan to (select one):

- Keep your in-state noncriminal justice rap back service
- Keep your in-state noncriminal justice rap back service *and* allow enrolment in NGI
- Retire your in-state noncriminal justice rap back service and use NGI for both in-state and national rap back services
- Uncertain
- My state does not provide an in-state non-criminal justice rap back service

(b) Do you restrict the Privacy Risk Mitigation Strategies that your subscribers can choose?

- Yes, we limit the Privacy Risk Mitigation Strategy choices to the following (check as appropriate):
- Pre-notification with mandatory validation/expiration within 3 years
 - Authority for duration of a license
 - Statutory authority for a set period of time
 - One-year validation/expiration
 - Subscription synchronization through automated or formalized procedures
- No, we will allow our subscribers to choose any of the Privacy Risk Mitigation Strategies
- Not certain

(c) Do you restrict the Triggering Events that your subscribers may choose for future rap

back Activity Notifications?

- Yes, we currently restrict, or plan to restrict, the Triggering Event choices to the following (check as appropriate):
 - Criminal Retain Submission
 - Dispositions
 - Expunge/Partial Expungement
 - Warrant entry with FBI number included
 - Warrant Deletion
 - Warrant Modification
 - Sex Offender Registry Entry
 - Sex Offender Registry Deletion
 - Sex Offender Registry Modification
 - Death Notices
- No, we will allow our subscribers to choose any of the Triggering Events to receive as future Rap Back Activity Notifications
- Not certain

(d) Do you use Event-Based Subscription Management (i.e., multiple enrolment of the same subject into NGI) or Category-Based Subscription Management (i.e., single enrolment into NGI with additional enrolments held at the state level), as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide*?

- Event-Based Subscription Management
- Category-Based Subscription Management
- Both Event- and Category-Based Subscription Management
- Uncertain

The survey is divided into 6 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 2014, or as of December 31, 2014.
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" and to describe significant changes between the current response and data reported in the 2012 survey.
6. If a question is not applicable to your repository, please indicate "NA" in the "Additional Comments" area at the end of each section.

SECTION I: REPOSITORY

This section completed by

Name _____ Title _____

Agency _____

Phone _____ Email _____

Date completed _____

The following questions relate to descriptions of your state's 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, 2014?
 - (a) Automated records _____ (include subjects whose records are partially automated)
 - (b) Manual records _____
 - (c) Total records _____

2. Fingerprints processed in 2014:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of 2014 volume</u>	<u>Totals</u>
(a) Criminal (retained)	_____	_____ %	
(b) Criminal (not retained)	_____	_____ %	(a+b) _____
(c) Noncriminal (retained)	_____	_____ %	
(d) Noncriminal (not retained)	_____	_____ %	(c+d) _____
(e) What was the <u>total number</u> of fingerprint-based background checks conducted during 2014?			(a+b+c+d) _____

3. (a) Does your state combine both criminal events and noncriminal justice applicant information in the same record?
 Yes No
- (b) Of the total records in your database, _____ % represent records that contain both criminal events and noncriminal 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? (Check all that apply.)
 Ineligible to purchase firearms
 Sex offender registrant
 Convicted drug offender
 Violent offender
 Domestic violence conviction
 Mental health adjudication
 DNA available
 DNA not yet collected
 IFFS, indicating ineligible for firearms purchase under federal law
 IFFS, indicating ineligible for firearms purchase under state law
 Other (describe) _____

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

5. (a) As of December 31, 2014, 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 noncriminal applicant fingerprints was handled with “lights out” processing? _____ %
6. (a) Does your state maintain a protection order file?
 Yes No

(b) If yes, which agency(ies) enter protection orders onto the state file?
(Check all that apply.)

- Law enforcement
- Courts
- Other (describe) _____

(c) If yes, how many active records were in the state protection order record database as of December 31, 2014?
_____ records

(d) Are protection orders entered onto the FBI-NCIC Protection Order File?
 Yes No

(e) If yes, which agency(ies) enter protection order information to the FBI-NCIC Protection Order File? (Check all that apply.)

- Law enforcement
- Courts
- Other (describe) _____

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

- Yes No

(b) If yes, which agency(ies) enter warrants onto the state file? (Check all that apply.)

- Law enforcement
- Courts
- Other (describe) _____

(c) If yes, how many records were in the state warrant database as of December 31, 2014?
_____ records

(d) Of this total, indicate the number of:

Felony warrants _____
Misdemeanor warrants _____
Other (explain) _____

(e) Which agency(ies) enter warrant information to the FBI-NCIC Wanted Person File?
(Check all that apply.)

- Law enforcement
- Courts
- Other (describe) _____

8. 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
- Wanted persons/warrants
- Retained applicant prints
- Rap back services for criminal justice purposes
- Firearm registration
- Domestic violence incident reports
- Other (specify) _____

9. (a) Which of the following most accurately describes the software components of your criminal history system?

- Acquired from a software vendor and configured for the state's environment, but with no software modifications
- Acquired from a software vendor, but software changes were necessary to customize for the state's environment
- Built in-house (either by staff or contractors), such that the state's system is unique for our state
- Other (specify) _____

(b) Which of the following most accurately describes the software environment or platform used for your criminal history system?

- Microsoft .NET platform
- Java platform
- Mainframe platform (e.g., COBOL, Natural, PL/I, etc.)
- Other (specify) _____

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 to your repository during calendar year 2014?
_____ arrests

2. How many arrest fingerprints were submitted to your repository during 2014? (a+b+c = d)
 - (a) _____ via livescan
 - (b) _____ via cardscan
 - (c) _____ hard copy fingerprints
 - (d) _____ total arrest fingerprints

3. What types of biometric information are currently utilized in identification search processes conducted by your agency? (Check all that apply, and indicate volume.)

<input type="checkbox"/> Latent fingerprints	_____ 2014 volume
<input type="checkbox"/> Flat prints	_____ 2014 volume
<input type="checkbox"/> 2-finger prints for identification purposes	_____ 2014 volume
<input type="checkbox"/> 2-finger prints for updating incarceration or release information to criminal history	_____ 2014 volume
<input type="checkbox"/> 10-finger prints for updating incarceration or release information to criminal history	_____ 2014 volume
<input type="checkbox"/> Palm prints	_____ 2014 volume
<input type="checkbox"/> Facial images/mug shots	_____ 2014 volume
<input type="checkbox"/> Scars, marks, and tattoo images	_____ 2014 volume
<input type="checkbox"/> Facial recognition data	_____ 2014 volume
<input type="checkbox"/> 1- or 2-finger prints for updating disposition information	_____ 2014 volume
<input type="checkbox"/> Iris capture	_____ 2014 volume
<input type="checkbox"/> Other (specify) _____	_____ 2014 volume

4. (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 have plans to implement mobile technology that captures non-fingerprint biometric information?
 Yes No
- (d) Is your state employing Rapid ID?
 Yes No

Number of searches conducted in 2014 _____

Number of hits in 2014 _____

5. (a) Total number of law enforcement agencies in your state _____
- (b) 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 multiple local police departments) _____
- (c) Number of agencies that submit arrest fingerprints via cardscan _____
- (d) Number of agencies that submit hard copy arrest fingerprint cards _____
- (e) Percentage of arrest prints submitted via livescan during 2014 _____ %

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. If you are a National Fingerprint File (NFF) state, have you elected not to forward disposition information on second and subsequent arrests to the FBI?
 Yes No N/A (Not an NFF participant)

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 did your repository receive during 2014? _____ 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 5 years _____ %
- (b) Arrests in the entire database _____ %
- (c) Felony charges _____ %
5. (a) Of the dispositions received at the repository during 2014, 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? _____ %
- (b) When a disposition cannot be matched, the following action(s) is taken: (Check all that apply.)
- Placed in a suspense file (no further action)
 - Placed in a suspense file for further investigation
 - Disposition information is rejected
 - Follow-up actions are taken by repository staff
 - Court is contacted
 - Other _____
6. (a) As of December 31, 2014, 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 criminal history record matching and data entry.)
- Yes No
- (b) If yes, what percentage of dispositions was reported in 2014 by automated means? _____ %
- (c) How are records matched between the court system and the repository? (Check all that apply.)
- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
 - PCN or TCN assigned subsequent to arrest/booking
 - State Identification Number
 - Arrest Number
 - Name
 - Date of birth
 - Charges

- N/A. My state does not receive automated disposition information from courts
- Other (please explain) _____

7. In 2014, 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 2014, 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, 2014, was your state using any livescan devices in 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, 2014, 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 prosecutors association?

- Yes
- No

(b) If yes, this information is: (Check all that apply.)

- Received via automated means
- Received via the prosecutor's case management system
- Paper-based
- A mix of automated and paper-based

(c) If yes, how are records matched between prosecutors and the repository? (Check all that apply.)

- N/A. My state does not receive automated disposition information from courts
- Process Control Number (PCN) or Transaction Control Number (TCN) assigned when fingerprints were taken at time of arrest/booking
- PCN or TCN assigned subsequent to arrest/booking
- State Identification Number
- Arrest Number
- Name
- Date of birth
- Charges
- Other (please explain)_____

12. Does your state post indictment information to the criminal history record?

- Yes No

ADDITIONAL COMMENTS:

SECTION IV: NONCRIMINAL BACKGROUND CHECKS

This section completed by

Name _____ Title _____

Agency _____

Phone _____ Email _____

Date completed _____

BACKGROUND CHECKS

1. (a) Does your state charge a fee to conduct a search of the criminal history record database for noncriminal justice purposes?

Yes No

- (b) If yes, 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 _____

2. Please indicate the legal authority your state uses for each of the following background checks. (Check all that apply. Check N/A when not applicable.)

	N/A (state does not do these checks)	State check only	PL 92-544 statute	NCPA/VCA
Daycare providers				
Caregivers—residential facilities				
School teachers				
Non-teaching school personnel (including volunteers)				
Volunteers working with children				
Prospective foster care parents				
Prospective adoptive parents				
Relative caregivers				
Nurses/Elder caregivers				
Legal guardians				
Hazardous materials licensees				N/A

FINGERPRINT-BASED SEARCHES

3. (a) Has your state privatized the taking of fingerprints for noncriminal 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.)

4. (a) Total number of noncriminal justice fingerprints submitted to the repository via liveness during 2014

(b) Total number of noncriminal justice fingerprints submitted to the repository via cardscan during 2014

(c) Percentage of noncriminal justice fingerprints submitted via liveness during 2014

(d) Percentage of noncriminal justice fingerprints submitted via cardscan during 2014

(e) Total number of liveness devices available for noncriminal justice purposes only

(f) Total number of cardscan devices available for noncriminal justice purposes only

(g) Total number of liveness devices used for both criminal and noncriminal justice purposes

(h) Total number of cardscan devices used for both criminal and noncriminal justice purposes

5. What information is contained in the results for fingerprint-based noncriminal justice background checks? (Check all that apply.)

- Full record
- Convictions only
- Juvenile records
- Arrests without disposition—over 1 year old

Other _____

6. What percentage of fingerprint-based noncriminal justice transactions are identified against arrest fingerprints?

_____ %

7. Does the repository attempt to locate missing disposition information before responding to a fingerprint-based noncriminal justice inquiry?

Yes No

NAME-BASED SEARCHES

8. How many name-based noncriminal justice background checks were performed in 2014?
(a+b+c+d = e)

(a) Received via Internet _____

(b) Received via mail _____

(c) Received via telephone _____

(d) Other _____

(e) Total _____

INTERNET ACCESS

9. Does your repository provide web-based noncriminal justice background checks to the public?

Yes No

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

Yes, Fee \$ _____ No

ADDITIONAL COMMENTS:

SECTION V: CRIMINAL JUSTICE RAP BACK SERVICES

This section completed by

Name _____ Title _____

Agency _____

Phone _____ Email _____

Date completed _____

1. Does your state currently provide an in-state criminal justice rap back service?

Yes No

If you answered "No," skip to question 4.

2. What are the purposes in which criminal justice agencies can be notified of a subsequent inquiry and/or record posting via your in-state criminal justice rap back service? (Check all that apply.)

- Error correction/record management update
- Investigative lead
- Sex offender
- Parolee
- Probationer
- Permit/privileged license revocation (i.e., CCW permit, gaming work card, etc.)
- Noncriminal justice purpose fingerprint search
- Other (describe) _____

3. In 2014, how many in-state criminal justice rap back notifications were made to agencies for criminal justice purposes?

4. Do you currently participate in the FBI's Next Generation Identification (NGI) rap back service for criminal justice purposes?

Yes No

If you answered "No," skip questions 5 through 7.

5. As a participant in NGI's rap back service, do you allow criminal justice agencies in your state to subscribe to the following supervision populations in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*? (Check all that apply.)
- Sex offenders
 - Parolees
 - Probationers
 - Other supervised persons (describe) _____
 - Uncertain
6. As a participant in NGI's rap back service, do you allow law enforcement agencies in your state to create law enforcement investigative subscriptions in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide*?
- Yes No Uncertain
7. As a participant in NGI's rap back service, do you plan to: (Select one.)
- Keep your in-state criminal justice rap back service
 - Keep your in-state criminal justice rap back service *and* allow enrollment in NGI
 - Retire your in-state criminal justice rap back service and use NGI for both in-state and national rap back services
 - Uncertain
 - My state does not provide an in-state criminal justice rap back service

ADDITIONAL COMMENTS:

SECTION VI: NONCRIMINAL JUSTICE RAP BACK SERVICES

This section completed by

Name _____ Title _____

Agency _____

Phone _____ Email _____

Date completed _____

Note: Questions 1–7 apply to in-state rap back programs for noncriminal justice purposes.

1. Does your state currently provide an in-state noncriminal justice rap back service?
 Yes No

If you answered “No,” skip to question 8.

2. (a) Is your in-state noncriminal justice rap back service authorized by state law or administrative regulation?

Yes No

- (b) If yes, does the state law or administrative regulation specify the purposes in which noncriminal justice agencies can be notified of a subsequent inquiry and/or record posting?

Yes No

3. Does your in-state noncriminal justice rap back service have a subscription validation process similar to that required for NGI rap back participation, as described in the *NGI Rap Back Noncriminal Justice Policy and Implementation Guide*?

Yes, for all subscription populations
 Yes, for some subscription populations
 No

4. What are the occupational groups in which noncriminal justice agencies can be notified of a subsequent record posting? (Check all that apply.)

Individuals working with children
 Individuals working with the elderly

- Individuals providing healthcare
- Security guards
- Police, fire, public safety
- Other (describe) _____

5. In 2014, how many in-state noncriminal justice rap back notifications were made to agencies for noncriminal justice purposes?

6. Does your in-state noncriminal justice rap back service impose a fee to enroll a subject's fingerprints for a prescribed period of time?

- Yes \$ _____
- No

7. Does your in-state noncriminal justice rap back service impose a fee for noncriminal justice rap back notifications?

- Yes \$ _____
- No

8. Do you currently participate in NGI's rap back service for noncriminal justice purposes?

- Yes No

If you answered "No," skip questions 9 through 10(d).

9. As a participant in NGI's rap back service, does your state restrict NGI subscribers from selecting from any of the available fees and their associated subscription terms?

- Yes, we limit NGI subscribers in our state to the following: (Select all that apply.)
 - Two-year – \$2.25
 - Five-year – \$6.00
 - Lifetime – \$13.00
- No, our subscribers can choose from any of the three fees and their associated subscription terms for their populations
- Yes, we limit our subscribers to using *only* the Lifetime fee (\$13.00) and subscription term
- Yes, we limit our subscriber's choice of fees in a different manner (describe) _____

10. As a participant in NGI's rap back service—

(a) Do you plan to: (Select one.)

- Keep your in-state noncriminal justice rap back service
- Keep your in-state noncriminal justice rap back service *and* allow enrollment in NGI
- Retire your in-state noncriminal justice rap back service and use NGI for both in-state and national rap back services
- Uncertain
- My state does not provide an in-state noncriminal justice rap back service

(b) Do you restrict the Privacy Risk Mitigation Strategies that your subscribers can choose?

- Yes, we limit the Privacy Risk Mitigation Strategy choices to the following: (Check all that apply.)
 - Pre-notification with mandatory validation/expiration within 3 years
 - Authority for duration of a license
 - Statutory authority for a set period of time
 - One-year validation/expiration
 - Subscription synchronization through automated or formalized procedures
- No, we will allow the subscribers to choose any of the Privacy Risk Mitigation Strategies
- Not certain

(c) Do you restrict the Triggering Events that your subscribers may choose for future NGI Rap Back Activity Notifications?

- Yes, we currently restrict, or plan to restrict, the Triggering Event choices to the following: (Check all that apply.)
 - Criminal Retain Submission
 - Dispositions
 - Expunge/Partial Expungement
 - Warrant entry with FBI Number included
 - Warrant Deletion
 - Warrant Modification
 - Sex Offender Registry Entry
 - Sex Offender Registry Deletion
 - Sex Offender Registry Modification
 - Death Notices
- No, we will allow our subscribers to choose any of the Triggering Events to receive as future Rap Back Activity Notifications
- Not certain

(d) Do you use Event-Based Subscription Management (i.e., multiple enrollment of the same subject into NGI) or Category-Based Subscription Management (i.e., single

enrollment into NGI with additional enrollments held at the state level), as described in the *NGI Rap Back Noncriminal Justice Policy and Implementation Guide*?

- Event-Based Subscription Management
- Category-Based Subscription Management
- Both Event- and Category-Based Subscription Management
- Uncertain

ADDITIONAL COMMENTS:

Screenshots from the 2012 Survey of State Criminal History Information Systems

BJS



Survey of State Criminal History Information Systems, 2012

OMB No. 1121-0312; Approval Expires 01/31/2014

Please log in to access the survey.

State:

Password:

SUBMIT

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.

BJS



Survey of State Criminal History Information Systems, 2012

OMB No. 1121-0312; Approval Expires 01/31/2014

SECTION	COMPLETED
Section I: Repository	
Section II: Arrest/Fingerprint Reporting and Entry	
Section III: Dispositions	
Section IV: Corrections Reporting	
Section V: Non-Criminal Background Checks	

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.

Survey of State Criminal History Information Systems, 2012 | Section I: Repository

This section completed by:

Name

Title

Agency

Phone

Email

This online survey allows for respondents to complete and submit individual sections. If you are completing more than one section and have already entered your full name and contact information, you may enter only your name on the subsequent sections you are completing.
Note: Your state's 2010 responses are displayed in color.

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) 2040

(b) Manual records: 0

(c) Total records: 2040

2. Fingerprints processed in 2012:

PURPOSE	NUMBER	PERCENTAGE OF 2012 VOLUME	TOTALS
(a) Criminal (retained)	<input type="text"/>	<input type="text"/>	
(b) Criminal (not retained)	<input type="text"/>	<input type="text"/>	(a+b) <input type="text"/>
(c) Non-criminal (retained)	<input type="text"/> 982	<input type="text"/> 30%	
(d) Non-criminal (not retained)	<input type="text"/> 0	<input type="text"/> 0%	(c+d) <input type="text"/> 982
(e) What was the <u>total number</u> of fingerprint-based background checks conducted during 2012?			(a+b+c+d) <input type="text"/>



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

Date

Dear _____

I am writing to seek your assistance in providing information to the Bureau of Justice Statistics (BJS), U.S. Department of Justice, on the status of state-held criminal records. Approximately every two years since 1989, the *Survey of State Criminal History Information Systems* has captured a snapshot of the continuing growth, ongoing improvements, and practices associated with initiating and updating state criminal records. As in previous years, your response to this survey is voluntary.

As in the past, survey responses will be compiled by SEARCH, The National Consortium for Justice Information and Statistics. A copy of the 2014 survey questionnaire is attached. However, I strongly encourage you to complete the survey online via a password-protected section of the SEARCH Web site. Responses should reflect conditions as of **December 31, 2014**. Those wishing to use the online response option to fill out the survey can visit [URL] and use your state's assigned password [password] to gain access. The online survey allows each section to be completed independently by the appropriate staff person. Respondents using the online survey tool to enter 2014 data can view previously submitted 2012 data for comparison purposes. Where applicable, your state's 2012 responses are displayed in color within each section of the online survey.

Statistical data presented in past surveys has supported and provided insight to both State and Federal legislative efforts that involve the use of criminal history records. Prominent among these is the Brady Handgun Violence Prevention Act, which mandated the development of the National Instant Criminal Background Check System (NICS). Further, the survey provides trend data demonstrating the correlation between continuing federal funding incentives such as the BJS-administered National Criminal History Improvement Program (NCHIP) and documented results.

Your past cooperation and assistance with this effort has provided a wealth of useful data for law- and policymakers, researchers, justice practitioners, and others who depend on survey data to craft responsible laws, policies, and procedures, and to prepare informative reports and educational materials. The published 2012 survey is available at <https://www.ncjrs.gov/pdffiles1/bjs/grants/244563.pdf>

Please contact SEARCH staff Dennis DeBacco at 916-392-2550 ext. 325 (email: dennis@search.org) if you have any questions or comments about the survey. **We ask that you submit your survey responses by [Date].** Thank you in advance for your assistance and cooperation with this important effort.

Sincerely,

William J. Sabol
Acting Director

Email Script

From: Dennis DeBacco
Sent: [Date]
To: [SEARCH Members and Repository Directors who did not respond to our initial request for information]
Cc:
Subject: **Survey of State Criminal History Information Systems, 2014**
Attachments: Survey Cover Letter [version], Survey Questionnaire [version]

Greetings,

By email dated [Date], the attached cover letter and *Survey of State Criminal History Information Systems, 2014* was sent to you for completion and online entry into a password-protected section of the SEARCH Web site by close of business [Date]. If you are receiving this email today, SEARCH is not in receipt of your state's information. If you have difficulties submitting your response via the website, you may fax your completed form to me at the number provided below.

At your earliest convenience or by close of business [Date], please review the attachments to this email and respond as indicated.

Your assistance in responding to this request is greatly appreciated. Should you or any member of your staff have questions regarding the survey or if additional information is needed, please do not hesitate to contact me.

Thank you.

Dennis DeBacco

Justice Information Services Specialist
SEARCH, the National Consortium for Justice
Information and Statistics
7311 Greenhaven Drive, Suite 270
Sacramento, CA 95831
(916) 392-2550 ext. 325, (Office)
(775) 412-1950 (Cell)
(916) 392-8440 (Fax)
Email to: Dennis@search.org

Telephone Script

Hello, this is Dennis DeBacco from SEARCH, the National Consortium for Justice Information and Statistics. I am calling today to advise that we did not receive your state's completed criminal history information systems survey for 2014. The questionnaire and cover letter instructions were emailed to you on [Date] wherein online entry into a password-protected section of the SEARCH Web site was requested by close of business [Date].

- Did you receive this information and will your state be responding to the request?

- Was the material sent to the proper location or should it be redirected?
- Do you have any questions about the survey or do you need assistance to access the SEARCH Web site?
- Do you prefer to submit your response via fax?
- Can you provide this information by [Date]?

Your assistance in responding to this request is greatly appreciated. Thank you and have a pleasant day.

Paperwork Reduction Act Statement - FAQ

Why the information is being collected. Among the many operations related to the criminal justice statistics function of the Bureau of Justice Statistics (BJS) is the administration of the National Criminal History Improvement Program (NCHIP), established by the Brady Handgun Violence Prevention Act (Brady Act) and the NICS Record Improvement Program (NARIP). Since 1989, BJS has sponsored the biennial survey of state criminal history information systems through a cooperative agreement with SEARCH, Group INC. *The Survey of State Criminal History Information Systems* has provided state and federal lawmakers, policymakers, state criminal record agency administrators, researchers and others with the only comprehensive data available on the number and completeness of state-maintained criminal history records, the backbone of the nation's criminal record information sharing network. Survey information has supported and helped gauge the efficacy of initiatives, NCHIP and NARIP among them, designed to improve criminal history records to support firearm suitability determinations, sex offender and domestic violence protection order registries. The *Survey of State Criminal History Information Systems* is essential to assessing the impact of the NCHIP and NARIP programs nationally. The survey supports the BJS mission under Title 42 U.S.C. Section 3732, to provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of state criminal history and related records. It also supports the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System (NICS), the Interstate Identification Index (III), the Next Generation Identification system (NGI, formerly Interstate Automated Fingerprint Identification System), the National Incident-Based Reporting System (NIBRS), and the records contained in the National Crime Information Center (NCIC). The survey also facilitates state participation in national records and information systems, and supports statistical research for critical analysis of the improvement and utilization of criminal history records.

Use of information. Data for this collection will be obtained through a voluntary biennial survey administered to state criminal record agency administrators. State and Federal lawmakers use the collected statistics to identify areas of needed funding and to gauge the efficacy of programs implemented to improve criminal record quality at the state and national levels. The General Accountability Office (GAO) relied heavily on the most recently published data (*Survey of State Criminal History Systems, 2012*) for their review of the use of criminal history record checks for noncriminal justice purposes. State Police, Public Safety offices and Attorney Generals, the agencies that typically administer the state criminal records that repositories maintain, use survey data to compare their progress with that of other states; to learn the status of operational and technological trends; to become aware of methods implemented by other states to improve record quality by promoting increased reporting from local justice jurisdictions; and as the impetus for examining their own operations and services. Researchers use the data to support scholarly investigations into issues associated with the use of criminal history records for both criminal and noncriminal justice purposes. The survey also provides users with comparative and trend data, providing the ability to track changes in certain databases and follow other trend information of value for state-to-state analysis, such as variances in fees charged for background checks, variances in length of time from occurrence of disposition to posting on criminal history record, increases in percentage of fingerprints submitted via livescan, and use of livescan

systems in courtrooms/courthouses. BJS frequently uses survey data to assess record automation, completion, and accessibility by state and over time. The data collected from this survey is compared with data provided by the FBI systems to assess the extent of gaps in reporting of arrests and dispositions available nationally. Several key performance measures for the NCHIP and NARIP programs emanate from the data obtained from this survey (such as, trends in percentage of automated records to total number of records, and percentage of arrests in state systems with linked final dispositions).

Burden estimate. Similar to past surveys and initiated under the yearend 2006 data collection effort, survey respondents continue to be able to access online, password-protected reporting forms. Respondent data is electronically entered and transmitted to a secure database where it is analyzed by assigned project staff for accuracy and completeness before being compiled for inclusion into the biennial *State Criminal History Information Systems Report* to the granting authority. Online edit functionality is also employed by the online reporting tool to detect common errors in data reporting and anomalies against data reported in previous cycles.

Changes have been made in the organization of the current survey. First and foremost, significant effort was made to reduce or eliminate questions that tend to yield the same responses each year or where the information requested can be obtained from other sources. Additions to the survey include expanded questions concerning arrest and disposition reporting and records that are associated with domestic violence protection orders, wanted persons, mental health adjudications, and persons who are ineligible to purchase firearms. To account for recent technological enhancements to national and state criminal justice information systems and the way in which records are maintained, accessed and disseminated, the 2014 survey adds two additional sections: Section V: Criminal Justice Rap Back Services, and Section VI: Noncriminal Justice Rap Back Services.

The survey will be sent to criminal history repositories in 56 jurisdictions including the 50 States, the District of Columbia, American Samoa, Guam, the N. Mariana Islands, the Commonwealth of Puerto Rico and the U.S. Virgin Islands. The average time required for each agency to complete the survey is estimated at 6.2 hours. The total respondent burden is estimated at 347 hours. The estimated burden is based on the average amount of time reported by 6 states that reviewed the survey as follows: Kansas 6 hours, Missouri 6 hours, New York 5 hours, Ohio 6 hours, Tennessee 6 hours, Washington 8 hours

Confidentiality. The data collected are in the public domain and not subject to confidentiality guarantees. Collected data are primarily statistics of an administrative nature, and do not allow for the identification of any individual. Each responding state will be provided with a unique password to ensure that only its representatives provide information to the survey.