



Survey of State Criminal History Information Systems, 2014

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 noncriminal 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 <http://www.search.org/surveys/repository/>, 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. 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. 325, 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 []**.

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.

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: