

Appendix C: Interview Guide for CJIS Representative/State Police

U.S. Department of Health and Human Service (DHHS) Administration for Children and Families (ACF)
Office of Planning, Research, and Evaluation (OPRE)

Child Care Interstate Background Checks (CC-IBaCs) Environmental Scan

Interview Guide for Criminal Justice Information Service (CJIS) Representative/ State Police

Thank you for agreeing to participate in this interview today. My name is _____. I work for CNA, a research organization based in Arlington, VA. We are working with the U.S. Department of Health and Human Services, Office of Child Care and Office of Planning, Research, and Evaluation to find ways to improve the implementation of the interstate background checks on child care workers that are required under the Child Care and Development Block Grant (CCDBG) Act of 2014. For this study, we are interviewing a wide range of key people involved in the background check process. ACF will use the data collected through the interviews to support the development of promising solutions to strengthen nationwide implementation of child care background checks as mandated by the CCDBG Act and provide states and territories with additional technical assistance to facilitate implementation. Please note that the sole purpose of this study is to gather data to inform how ACF can better support state and territory agencies.

Before we get started, there are a few things I should mention. This is a research project, and your participation is voluntary. We expect that the interview will take about an hour to complete. We will summarize your information and use it to produce a final report that will be used for internal planning at the Office of Child Care, but we will not identify or quote any of the specific people interviewed for the report. We aim to summarize findings so that comments cannot be attributed to any specific person.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB number for this information collection is 0970-0356 and the expiration date is 06/30/2021.

Do you have any questions before we start?

With your permission, we would like to record the interview. The recording will be used to help us ensure our notetaking is accurate. The recordings will be accessible only to the project team. We will destroy the recordings after the study is complete. Are you okay with us recording?

- 1) What is your role with background checks for employment purposes in your agency?

- 2) Have you or your agency had any contact with your state's child care agency about the requirement for background checks for child care workers? *[Interviewer: Ask the respondent to*

describe their contact(s) with the child care agency.] Are contacts with the child care agency ongoing?

- 3) As states conduct background checks on child care workers, you're getting requests from your state's child care background check program and from programs in other states. Can you tell when requests come from out-of-state requestors? Can you tell when checks are requested for child care employment purposes? [If yes] Can you give me an estimate of the number of child care background check requests you receive that are in-state vs. out-of-state requests?

_____ # in-state

_____ # out-of-state

It's the requests from other states – the out-of-state requests – that I'd specifically like to ask you about.

- 4) What criminal history data does your state provide to out-of-state requesters who make requests for employment purposes?

PROBES: Do you provide...

- All available state information?
- Only a portion of available state information (e.g., convictions only)
- A yes / no (has a criminal history/does not have a criminal history) indicator?
- No information?

What is included in all available state information?

If you can only provide a portion of available information, what information do you provide? For instance, do you provide conviction information only?

If you can only provide a yes/no indicator, what exactly does the yes indicator mean? ... the no indicator? What factors do you use to assign a yes or no indicator?

Does what information you provide depend on how the request is made (for instance, if the request is made electronically vs using a hard-copy form)?

Does the information you provide depend on who makes the request (for instance, an individual asking for their own record vs. a state agency from another state requesting a check on an individual for employment purposes)?

Do you provide all information allowed by law? If not, why not?

*[Interviewer: If the state provides any information to out-of-state entities conducting background checks for employment purposes, ask all the following questions related to how these checks are processed when the requestor is an out-of-state entity. If the state provides no information to an out-of-state entity requesting a background check for employment purposes, ask questions 4 through 7 about out-of-state individuals who request their own records **where applicable.**]*

THE PROCESS FOR RECEIVING AND RESPONDING TO OUT-OF-STATE REQUESTS

5) How do you receive requests from out-of-state requestors?

PROBES: Do you accept requests using an online request form?

... by phone or fax?

... email or regular mail?

... through a web service after an account has been created?

If an out-of-state requestor has more than one individual he or she needs checked against your criminal history repository, can he/she request multiple searches in one request or must each request be made individually?

Are requests from out-of-state entities transmitted to you from your another agency in your state? If so, which?

Must individuals appear in-person to make a criminal history search request in your state? If so, why?

6) Do you provide instructions for how to make a request on your agency's website?

PROBES: Do you provide a form for requestors to fill out?

Do you provide a phone number and contact person if requestors have questions?

7) Is the criminal history record search for out-of-state requestors a name or demographic-based search?

PROBES: [If yes] What name information is required for you to complete the criminal history check? ...Last name only, first and last, partial match on name, alias?

Does your search process use other demographic information (for example, date of birth) or other identifying number (for example, SSN or driver's license number)?

What do you do when multiple possible matches are returned?

Can your repository be searched using fingerprints for out-of-state requestors?

Are fingerprints required for out-of-state requests?

8) How are results conveyed to the requestor?

PROBES: Are results provided to the requestor ...

- Electronically, via a web service for account holders
- Electronically, via the registry website
- Email
- Mail
- Telephone
- Fax
- Other

[When the requestor is an individual] Do you send results to a 3rd party when requested?

ADMINISTRATIVE ISSUES

[Interviewer: Ask questions 9 through 12 for individuals requesting their own records if the State provides no information to an out-of-state entity requesting a background check for employment purposes.]

9) What fee do you charge to out-of-state requestors who are requesting a check for child care employment purposes, and how is payment collected?

10) How long does it take you to respond to an out-of-state request made for employment purposes on average?

PROBES: Is there a difference in the time it takes to respond to an in-state vs. an out-of-state request? If so, why?

Is there a difference in the time it takes to respond to requests for employment purposes versus other requests?

Do you have an existing backlog of requests?

[If yes] How large is the existing backlog?

11) I understand that [State] does not participate in the National Fingerprint File program. What has prevented your state from joining the NFF?

CHALLENGES AND SOLUTIONS

12) What challenges have you encountered in responding to out-of-state requests for criminal history record searches for employment purposes? *[Interviewer: Consider the answers to questions above when probing for challenges. For each challenge identified, ask the respondent to describe the issue and how it affects out-of-state registry checks.]*

PROBES: Are there challenges related to ...

- Staffing?
- Funding?
- Communicating with out-of-state requestors?
- Missing or incomplete authorization forms?
- Payment of fees?
- Lack of automation?
- Difficulty with linking automated systems?
- Restrictions on the release of information?
- Legislative authority to respond to out-of-state requests?
- Data quality issues including delays in receiving disposition information from the courts

[If staffing is a challenge ask] How large is your staff shortage (in terms of number of staff)?

13) How do you think the process can be made easier for you and for requesting states?

PROBES: Which of the barriers that you've identified do you see as the barrier most in need of an immediate solution?

What kind of support or resources from the federal government would assist you in overcoming the implementation challenges you've mentioned?

14) Are there any other people in your state from other programs or interested agencies that you think we should interview for this study?