

- 1. Attachment 1 – Crosswalk of Survey Changes from 2016 to 2018**
- 2. Attachment 2 – Additions to the 2016 Survey for 2018**
- 3. Attachment 3 – 2018 Survey of State Criminal History Information Systems**
- 4. Attachment 4 – Screenshots for 2016 web form (2018 not yet developed)**
- 5. Attachment 5 – 2018 Survey Cover Letter to States**
- 6. Attachment 6 – Telephone and Email scripts for follow-up**

Attachment 1 – Crosswalk of Survey Changes 2016 to 2018

2016 to 2018 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 *yellow-highlighted*
- Text deletions/additions have resulted in question number changes between 2016 and 2018.

The average time required for each agency to complete the survey is estimated at ~~6.2~~ 6.75 hours.

**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, ~~2016~~2018?
  - (a) Automated records \_\_\_\_\_ (include subjects whose records are partially automated)
  - (b) Manual records \_\_\_\_\_
  - (c) Total records \_\_\_\_\_ (a+b)
2. Fingerprints processed in ~~2016~~2018:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of</u>	<u>Totals</u>
		<del>2016</del> 2018 volume	
(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 <del>2016</del> 2018?			(a+b+c+d)_____

3. (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) Does your state’s criminal history record employ flagging to indicate? (Check all that apply.)
- Sex offender registrant
  - Violent offender
  - Misdemeanor domestic violence conviction that would exclude someone from purchasing a firearm
  - Active protection order on file with state justice information system and/or NCIC
  - Active warrant on file with state justice information system and/or NCIC
  - Mental health adjudication
  - DNA available
  - 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.*

4. (a) As of December 31, ~~2016~~2018, did your repository conduct “lights out” processing of fingerprints (an identification decision is made without fingerprint technician intervention)? **If no, skip to question 5.**
- Yes       No
- (b) ~~If yes, what~~ **What** percentage of fingerprints was handled with “lights out” processing? \_\_\_\_\_ %
- (c) ~~If yes, what~~ **What** percentage of criminal fingerprints was handled with “lights out” processing? \_\_\_\_\_ %
- (d) ~~If yes, what~~ **What** percentage of noncriminal applicant fingerprints was handled with “lights out” processing? \_\_\_\_\_ %
5. (a) Does your state maintain a protection order file? **If no, skip to question 6.**
- Yes       No
- (b) ~~If yes, which~~ **Which** agency(s) enter protection orders onto the state file? (Check all that apply.)
- Law enforcement
  - Courts
  - Other (describe) \_\_\_\_\_

(c) ~~If yes, how~~ How many active records were in the state protection order record database as of December 31, ~~2016~~2018?

\_\_\_\_\_ records

(d) In ~~2016~~2018, what was the average time elapsed between the issuance of a protection order and entry of the information into the state protection order file?

1 day or less

2-7 days

8-30 days

More than 30 days

~~N/A — State does not maintain a protection order file~~

(e) Are protection orders entered onto the FBI-NCIC Protection Order File?

Yes

No

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

Law enforcement

Courts

Other (describe) \_\_\_\_\_

(g) In ~~2016~~2018, what was the average time elapsed between the issuance of a protection order and entry of the information into the FBI-NCIC Protection Order File?

1 day or less

2-7 days

8-30 days

More than 30 days

~~N/A — State does not maintain a protection order file~~

6. (a) Does your state maintain a warrant file? ~~If no, skip to question 7.~~

Yes

No

(b) ~~If yes,~~ Which agency(s) enter warrants onto the state file? (Check all that apply.)

Law enforcement

Courts

Other (describe) \_\_\_\_\_

(c) In ~~2016~~2018, what was the average time elapsed between the issuance of a warrant and entry of the information into the state warrant file?

- 1 day or less
- 2-7 days
- 8-30 days
- More than 30 days
- N/A – State does not maintain a warrant file

(d) ~~If yes, h~~How many records were in the state warrant database as of December 31, ~~2016~~2018?  
 \_\_\_\_\_ records

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

Felony warrants \_\_\_\_\_

Misdemeanor warrants \_\_\_\_\_

Other (explain) \_\_\_\_\_

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

- Law enforcement
- Courts
- Other (describe) \_\_\_\_\_

(g) In ~~2016~~2018, what was the average time elapsed between the issuance of a warrant and entry of the information into the FBI- NCIC file?

- 1 day or less
- 2-7 days
- 8-30 days
- More than 30 days
- ~~N/A – State does not maintain a warrant file~~

7. In addition to criminal history information, to what other records does your state’s repository provide access? (Check all that apply.)

- Sex offender registry
- Orders of protection
- Wanted persons/warrants
- Retained applicant prints
- Firearm registration
- Domestic violence incident reports
- Other (specify) \_\_\_\_\_

8. (a) When were each of the following systems last replaced or significantly upgraded?

- Computerized Criminal History (CCH)
- Automated Fingerprint Identification System (AFIS)

Message Switch

(b) Does your state have plans to replace any of the following due to systems that are at or nearing the end of their lifecycle?

Computerized Criminal History (CCH)

~~If yes, when \_\_\_\_\_~~

~~If yes, what is the estimated replacement cost? \_\_\_\_\_~~

~~If yes, what percentage of the cost will be requested from your state? \_\_\_\_\_~~

~~If yes, what percentage of the cost will be requested from federal sources? \_\_\_\_\_~~

If yes, what is the status of your CCH replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Automated Fingerprint Identification System (AFIS)

~~If yes, when \_\_\_\_\_~~

~~If yes, what is the estimated replacement cost? \_\_\_\_\_~~

~~If yes, what percentage of the cost will be requested from your state? \_\_\_\_\_~~

~~If yes, what percentage of the cost will be requested from federal sources? \_\_\_\_\_~~

If yes, what is the status of your AFIS replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Message Switch

If yes, what is the status of your message switch replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

9. What is the operations budget for your criminal history repository for the current fiscal year? \_\_\_\_\_

10. When does your current fiscal year begin? \_\_\_\_\_

11. How many employees does your state criminal history repository employ?  
\_\_\_\_\_ full-time employees  
\_\_\_\_\_ part-time employees

12. How many contractual staff does your criminal history repository employ?  
\_\_\_\_\_ full-time contractors  
\_\_\_\_\_ part-time contractors

13. If your repository employs contractors, what type of work do they do? (Check all that apply.)

- Data entry
- Document scanning
- Help desk support
- Information technology support
- Software development
- Researching dispositions
- Other (Briefly describe) \_\_\_\_\_

14. (a) Does your repository conduct routine internal data quality audits? *If no, skip to question 15.*

- Yes     No

(b) How frequently?

- More than once per year
- Annually
- Every 2 years
- Every 3 years
- Other (*briefly describe*) \_\_\_\_\_

15. (a) Does your repository conduct routine external data quality audits of contributing agencies? (E.g., inspecting samples of records maintained to determine if they have been submitted to the repository and/or checking to see if the information housed by the repository matches that maintained by contributing agencies.) *If no, skip to question 16.*

- Yes     No

(b) How frequently?

- More than once per year
- Annually
- Every 2 years
- Every 3 years
- Other (*briefly describe*) \_\_\_\_\_

16. Does your state have a law or administrative rule that specifies retention periods for the following? (Check all that apply and provide information where applicable.)

- Felony arrest records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_
- Misdemeanor arrest records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_
- Felony court disposition records
  - Retention period \_\_\_\_\_

- Citation URL \_\_\_\_\_
- Misdemeanor court disposition records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_

**ADDITIONAL COMMENTS:**

**SECTION II: ARREST/FINGERPRINT REPORTING AND ENTRY**

1. How many felony arrests were reported to your repository during calendar year ~~2016~~2018? \_\_\_\_\_ arrests
2. How many arrest fingerprints were submitted to your repository during ~~2016~~2018? (a+b+c = d)
  - (a) \_\_\_\_\_ via livescan
  - (b) \_\_\_\_\_ via cardscan
  - (c) \_\_\_\_\_ hard copy fingerprints
  - (d) \_\_\_\_\_ = total arrest fingerprints
3. (a) As of December 31, ~~2016~~2018, was there a backlog of arrest fingerprint cards to be entered into the AFIS database (i.e., not entered within 48 hours of receipt at repository)? **If no, skip to question 4.**
  - Yes       No
- (b) If yes, how many? \_\_\_\_\_
  - Size of arrest fingerprint card backlog as of December 31, ~~2016~~2018, is not available
- (c) If yes, what is the age of the backlogged arrest information?
  - 1 month or less
  - 2–6 months
  - 7–12 months
  - More than 1 year

- ~~4. (a) As of December 31, 2016, was there a backlog of palm prints to be entered into the AFIS database (i.e., not entered within 48 hours of receipt by repository)?~~
  - ~~Yes       No~~
- ~~(b) If yes, how many? \_\_\_\_\_~~
  - ~~Size of palm print backlog as of December 31, 2016, is not available.~~

4. For the year ending on December 31, 2018, what percentage of arrest fingerprint records



received by the repository were rejected for  poor quality? \_\_\_\_\_ %

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

- ~~Latent fingerprints \_\_\_\_\_ 2014/2016 volume~~
- ~~Flat prints \_\_\_\_\_ 2014/2016 volume~~
- ~~2-finger prints for identification purposes \_\_\_\_\_ 2014/2016 volume~~
- ~~2-finger prints for updating incarceration or release information to criminal history \_\_\_\_\_ 2014/2016 volume~~
- ~~10-finger prints for updating incarceration or release information to criminal history \_\_\_\_\_ 2014/2016 volume~~
- ~~Palm prints \_\_\_\_\_ 201/2016 volume~~
- ~~Facial images/mug shots \_\_\_\_\_ 2014/2016 volume~~
- ~~Scars, marks, and tattoo images \_\_\_\_\_ 201/2016 volume~~
- ~~Facial recognition data \_\_\_\_\_ 2014 volume~~
- ~~1- or 2-finger prints for updating disposition information \_\_\_\_\_ 2014/2016 volume~~
- ~~Iris capture \_\_\_\_\_ 2014/2016 volume~~
- ~~Other (specify) \_\_\_\_\_ 2014/2016 volume~~

5.  Mobile technology

(a) Are agencies in your state using mobile technology to transmit fingerprints for identification purposes?

- Yes       No

(b) Are agencies in your state 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

*Question 5(d) addresses Rapid ID technology, which enables authorized users to instantly search local, state and federal AFIS databases to confirm the identity of a person via fingerprints captured using mobile or tethered fingerprint devices, and to query various criminal justice databases for additional information about the individual. Rapid ID searches, for example, can*

include criminal history record information, outstanding warrants, sex offender status, probation and parole supervision status, caution indicators, and mugshots.

(d) Does your state employ Rapid ID? *If no, skip to question 6.*

Yes       No

Number of searches conducted in 2018 \_\_\_\_\_

Number of hits in 2018 \_\_\_\_\_

6. ~~(a) Total number of law enforcement agencies in your state?~~ \_\_\_\_\_ Law  
enforcement agency submissions

(a) 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) \_\_\_\_\_

(b) Number of agencies that submit arrest fingerprints via cardscan \_\_\_\_\_

(c) Number of agencies that submit hard copy arrest fingerprint cards \_\_\_\_\_

(d) Percentage of arrest prints submitted via livescan during ~~2016~~2018 \_\_\_\_\_ %

9. ~~Does your state have a purchasing contract for livescan equipment?~~

~~Yes, we have a statewide contract that local agencies can purchase from~~

~~Yes, my agency purchases all livescan equipment on behalf of local agencies~~

~~Yes, my state is part of a multi-state contract for livescan equipment~~

~~Yes, certain agencies within my state have negotiated a multi-jurisdiction contract~~

~~No, each local agency negotiates directly with livescan vendors to purchase equipment~~

~~Other, please explain: \_\_\_\_\_~~

10. ~~If no, does your state plan to negotiate a statewide or multi-state purchasing contract for livescan equipment in the future?~~

~~Yes, my state anticipates negotiating a statewide contract for livescan equipment~~

~~Yes, my state anticipates negotiating a multi-state contract for livescan equipment~~

7. Do local law enforcement agencies in your state routinely cite and release individuals without fingerprinting? This includes issuance of a notice to appear when a person is charged with a crime, but is not fingerprinted prior to a court appearance.

Yes, only for violations

Yes, for both violations and misdemeanors

Yes, for all criminal offenses, including felonies

No (*skip to question 9*)

8. If local law enforcement agencies in your state routinely cite and release individuals without

fingerprinting, is there a law or policy requiring the courts to order persons who have not been fingerprinted to do so prior to or after an initial court hearing?

- Yes, by law (*check all that apply*)
  - only for violations
  - for both violations and misdemeanors
  - for all criminal offenses, including felonies
- Yes, by policy or administrative rule (*check all that apply*)
  - only for violations
  - for both violations and misdemeanors
  - for all criminal offenses, including felonies
- No

9. Does your state have a statewide criminal citation file? (*Note: this does not include traffic citation files.*)

- Yes
  - Number of criminal citations contained in file as of December 31, 2018 \_\_\_\_\_
  - Number of citation records added to file during 2018 \_\_\_\_\_
- No

**ADDITIONAL COMMENTS:**

**SECTION III: DISPOSITIONS**

*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 the formal or informal conclusion of an arrest or charge at whatever stage it occurs in the criminal justice process. E.g., release by police after arrest without charging; decline to proceed by prosecutor; or final trial court disposition.)*

1. 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

2. (a) How many final case dispositions did your repository receive during ~~2016~~2018? \_\_\_\_\_ 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? \_\_\_\_\_ %
- (f) What percentage was sent via a secure web portal \_\_\_\_\_ %

*Note: When calculating the percentage of arrests with final dispositions recorded, some states consider an arrest to have a disposition if **any** final disposition can be associated with an arrest cycle. This is commonly referred to as “cycle matching.” Other states do not consider an arrest to have a final disposition until **all** arrest charges are linked to a final disposition. This is commonly referred to as “charge matching.”*

3. Does your state do cycle or charge matching to calculate the percentage of arrests in the criminal history database with final dispositions?
- Cycle matching
  - Charge matching
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 ~~2016~~2018, 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 \_\_\_\_\_
- (c) Is a vendor used to assist your state’s repository in identifying or locating missing dispositions?
- Yes
  - No

6. (a) As of December 31, ~~2016~~2018, 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 (*skip to question 6d*)

(b) If yes, how many automated records were:

- Received via automated means through a centralized (statewide) court case management system \_\_\_\_\_
- Received via the local courts’ case management systems \_\_\_\_\_

(c) If yes, what percentage of dispositions was reported in ~~2016~~2018 by automated means?  
\_\_\_\_\_ %

(d) 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 ~~2016~~2018, what was the average time elapsed between the occurrence of final felony court case dispositions and receipt of information concerning such dispositions by the repository?

- 1 day or less
- 2-7 days
- 8-30 days
- 31-90 days
- 91-180 days
- 181 days to 365 days
- More than 1 year

8. In ~~2016~~2018, what was the average time elapsed between receipt of final felony court disposition information by the repository and entry of that information into the criminal history record database?

- 1 day or less

- 2-7 days
- 8-30 days
- 31-90 days
- 91-180 days
- 181 days to 365 days
- More than 1 year

9. (a) As of December 31, ~~2016~~2018, was your state using any livescan devices in courtrooms/courthouses to link positive identifications with dispositions?

- Yes  No *(If no, skip to question 10.)*

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

\_\_\_\_\_ Devices

10. (a) As of December 31, ~~2016~~2018, 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)? *If no, skip to question 11.*

- 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~~? *If no, skip to question 11c.*

- Yes  No

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

- Received via automated means through a centralized (statewide) prosecutors' case management system
- Received via the local prosecutors' 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 prosecutors~~
- 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: NON-CRIMINAL BACKGROUND CHECKS**

**BACKGROUND CHECKS**

1. (a) Does your state charge a fee to conduct a search of the criminal history record database for noncriminal justice purposes? If no, skip to question 2.

- 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.)~~

	N/A (state does not do these checks)	State check only	PL 92-544 statute	NCPA/VCA
<del>Daycare providers</del>				
<del>Caregivers residential facilities</del>				
<del>School teachers</del>				
<del>Non-teaching school personnel (including volunteers)</del>				
<del>Volunteers working with children</del>				
<del>Prospective foster care parents</del>				

<del>Prospective adoptive parents</del>				
<del>Relative caregivers</del>				
<del>Nurses/Elder caregivers</del>				
<del>Legal guardians</del>				
<del>Hazardous materials licensees</del>				N/A
<del>Medical marijuana (dispensars, caregivers)</del>				N/A

2. Please ~~indicate the legal authority your state uses for each~~ which of the following background checks are performed by your state pursuant to law. (Check all that apply.)

	National check	State check only
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		
Medical marijuana (dispensars, caregivers)		

**FINGERPRINT-BASED SEARCHES**



3. (a) Has your state privatized the taking of fingerprints for noncriminal justice purposes?  
 Yes       No

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

- (b) If yes, 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 livescan during ~~2016~~2018 \_\_\_\_\_
- (b) Total number of noncriminal justice fingerprints submitted to the repository via cardscan during ~~2016~~2018 \_\_\_\_\_
- (c) Percentage of noncriminal justice fingerprints submitted via livescan during ~~2016~~2018 \_\_\_\_\_
- (d) Percentage of noncriminal justice fingerprints submitted via cardscan during ~~2016~~2018 \_\_\_\_\_
- (e) Total number of livescan devices available for noncriminal justice purposes only \_\_\_\_\_
- (f) Total number of cardscan devices available for noncriminal justice purposes only \_\_\_\_\_
- (g) Total number of livescan 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 did your repository perform in 2018? (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~~ IN-STATE RAP BACK SERVICES**

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

- Yes     No

*If you answered "No," 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 ~~2016~~2018, 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
- Not currently, but my state has passed legislation to authorize participation
- No, but my state is considering legislation to authorize participation

*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: NON-CRIMINAL JUSTICE RAP BACK SERVICES**

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

5. Does your state currently provide an in-state noncriminal justice rap back service?

Yes  No

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

6. (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

7. 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

8. 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) \_\_\_\_\_

9. In ~~2016~~2018, how many in-state noncriminal justice rap back notifications were made to agencies for noncriminal justice purposes? \_\_\_\_\_

10. 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

11. 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) \_\_\_\_\_~~

~~9. 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 Not certain~~

**ADDITIONAL COMMENTS:**

## Attachment 2 – Additions to the 2016 Survey for 2018

### SECTION I: REPOSITORY

8. (a) When were each of the following systems last replaced or significantly upgraded?

- Computerized Criminal History (CCH)
- Automated Fingerprint Identification System (AFIS)
- Message Switch

(b) Does your state have plans to replace any of the following due to systems that are at or nearing the end of their lifecycle?

Computerized Criminal History (CCH)

If yes, what is the status of your CCH replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Automated Fingerprint Identification System (AFIS)

If yes, what is the status of your AFIS replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Message Switch

If yes, what is the status of your message switch replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

9. What is the operations budget for your criminal history repository for the current fiscal year? \_\_\_\_\_

10. When does your current fiscal year begin? \_\_\_\_\_

11. How many employees does your state criminal history repository employ?

\_\_\_\_\_ full-time employees

\_\_\_\_\_ part-time employees

12. How many contractual staff does your criminal history repository employ?

\_\_\_\_\_ full-time contractors

\_\_\_\_\_ part-time contractors



13. If your repository employs contractors, what type of work do they do? (Check all that apply.)

- Data entry
- Document scanning
- Help desk support
- Information technology support
- Software development
- Researching dispositions
- Other (Briefly describe) \_\_\_\_\_

14. (a) Does your repository conduct routine internal data quality audits? *If no, skip to question 15.*

- Yes       No

(b) How frequently?

- More than once per year
- Annually
- Every 2 years
- Every 3 years
- Other (*briefly describe*) \_\_\_\_\_

15. (a) Does your repository conduct routine external data quality audits of contributing agencies? (E.g., inspecting samples of records maintained to determine if they have been submitted to the repository and/or checking to see if the information housed by the repository matches that maintained by contributing agencies.) *If no, skip to question 16.*

- Yes       No

(b) How frequently?

- More than once per year
- Annually
- Every 2 years
- Every 3 years
- Other (*briefly describe*) \_\_\_\_\_

16. Does your state have a law or administrative rule that specifies retention periods for the following? (*Check all that apply and provide information where applicable.*)

- Felony arrest records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_
- Misdemeanor arrest records
  - Retention period \_\_\_\_\_

- Citation URL \_\_\_\_\_
- Felony court disposition records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_
- Misdemeanor court disposition records
  - Retention period \_\_\_\_\_
  - Citation URL \_\_\_\_\_

## SECTION II: ARREST/FINGERPRINT REPORTING AND ENTRY

4. For the year ending on December 31, 2018, what percentage of arrest fingerprint records received by the repository were rejected for poor quality? \_\_\_\_\_%
8. If local law enforcement agencies in your state routinely cite and release individuals without fingerprinting, is there a law or policy requiring the courts to order persons who have not been fingerprinted to do so prior to or after an initial court hearing?
- Yes, by law (*check all that apply*)
    - only for violations
    - for both violations and misdemeanors
    - for all criminal offenses, including felonies
  - Yes, by policy or administrative rule (*check all that apply*)
    - only for violations
    - for both violations and misdemeanors
    - for all criminal offenses, including felonies
  - No
9. Does your state have a statewide criminal citation file? (Note: this does not include traffic citation files.)
- Yes
    - If yes, number of criminal citations contained in file as of December 31, 2018 \_\_\_\_\_
    - If yes, number of citation records added to file during 2018 \_\_\_\_\_
  - No

## SECTION III: DISPOSITIONS

3. Does your state do cycle or charge matching to calculate the percentage of arrests in the criminal history database with final dispositions?
- Cycle matching
  - Charge matching

## **SECTION V: RAP BACK SERVICES**

4. Added boxes for:
- Not currently, but my state has passed legislation to authorize participation
  - No, but my state is considering legislation to authorize participation

## Attachment 3 – 2018 Survey of State Criminal History Information Systems



OMB No. 0000-0000: Approval Expires [00/00/00]

# Survey of State Criminal History Information Systems, 2018

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. 2015-RU-BX-K001 awarded by the Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. **Please note: Completion of the survey is voluntary; however, doing so is a special condition placed on all National Criminal History Improvement Program (NCHIP) and NICS Act Record Improvement Program (NARIP) awards.**

If you use the online survey tool, accessible at <http://www.search.org/surveys/repository/>, to enter 2018 data, you can view previously submitted 2016 data for comparison purposes. Where applicable, your state's 2016 responses are displayed in color within each section of the online survey. It is hoped that this information will help you complete the survey more accurately and efficiently. **The cover letter provides the password to gain access to your state's online survey.** Direct your questions or comments to SEARCH staff Dennis DeBacco at 775-412-1950 or [dennis@search.org](mailto:dennis@search.org).

If it is more convenient, you may request a PDF copy of the survey, complete it manually, and fax (916-392-8440) or e-mail it to the attention of Dennis DeBacco at [dennis@search.org](mailto:dennis@search.org). **The deadline for survey submission is [date].**

The survey is divided into five sections. You may submit each section independently and not necessarily in the order presented. This is done so that different people on your 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 2018, or as of December 31, 2018.
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 provide explanatory notes for responses that require explanation or when "no data is available," and to describe significant changes between the current response and data reported in the 2016 survey.
6. If a question is not applicable to your repository, **please note the question number and indicate "NA" in the "Additional Comments" area at the end of each section.**

### Burden Statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The survey will be sent to criminal history repositories in 56 jurisdictions, including the 50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands. The average time required for each agency to complete the survey is estimated at 6.75 hours. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the

## 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, 2018?
  - (a) Automated records \_\_\_\_\_ *(include subjects whose records are partially automated)*
  - (b) Manual records \_\_\_\_\_
  - (c) Total records \_\_\_\_\_ (a+b)

2. Fingerprints processed in 2018:

<u>Purpose</u>	<u>Number</u>	<u>Percentage of 2018 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 2018?			(a+b+c+d) _____

3. (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) Does your state’s criminal history record employ flagging to indicate the following?  
(Check all that apply.)

- Sex offender registrant
- Violent offender
- Misdemeanor domestic violence conviction that would exclude someone from purchasing a firearm
- Active protection order on file with state justice information system and/or NCIC
- Active warrant on file with state justice information system and/or NCIC
- Mental health adjudication
- DNA available
- 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.*

4. (a) As of December 31, 2018, did your repository conduct “lights out” processing of fingerprints (an identification decision is made without fingerprint technician intervention)? *If no, skip to question 5.*

- Yes       No

(b) What percentage of fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

(c) What percentage of criminal fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

(d) What percentage of noncriminal applicant fingerprints was handled with “lights out” processing? \_\_\_\_\_ %

5. (a) Does your state maintain a protection order file? *If no, skip to question 6.*

- Yes       No

(b) Which agency(s) enter protection orders onto the state file?  
(Check all that apply.)

- Law enforcement
- Courts
- Other (describe) \_\_\_\_\_

(c) How many active records were in the state protection order record database as of December 31, 2018?

\_\_\_\_\_ records

(d) In 2018, what was the average time elapsed between the issuance of a protection order and entry of the information into the state protection order file?

- 1 day or less
- 2–7 days
- 8–30 days
- More than 30 days

(e) Are protection orders entered onto the FBI-NCIC Protection Order File? *If no, skip to question 6.*

- Yes       No

(f) Which agency(s) enter protection order information to the FBI-NCIC Protection Order File? *(Check all that apply.)*

- Law enforcement
- Courts
- Other (describe) \_\_\_\_\_

(g) In 2018, what was the average time elapsed between the issuance of a protection order and entry of the information into the FBI-NCIC Protection Order File?

- 1 day or less
- 2–7 days
- 8–30 days
- More than 30 days

6. (a) Does your state maintain a warrant file? *If no, skip to question 7.*

- Yes       No

(b) Which agency(s) enter warrants onto the state file? *(Check all that apply.)*

- Law enforcement
- Courts
- Other (*describe*) \_\_\_\_\_

(c) In 2018, what was the average time elapsed between the issuance of a warrant and entry of the information into the state warrant file?

- 1 day or less
- 2–7 days
- 8–30 days
- More than 30 days

N/A – State does not maintain a warrant file

(d) How many records were in the state warrant database as of December 31, 2018?

\_\_\_\_\_ records

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

Felony warrants \_\_\_\_\_

Misdemeanor warrants \_\_\_\_\_

Other (*explain*) \_\_\_\_\_

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

Law enforcement

Courts

Other (*describe*) \_\_\_\_\_

(g) In 2018, what was the average time elapsed between the issuance of a warrant and entry of the information into the FBI-NCIC Wanted Person file?

1 day or less

2–7 days

8–30 days

More than 30 days

7. In addition to criminal history information, to what other records does your state's repository provide access? (*Check all that apply.*)

Sex offender registry

Orders of protection

Wanted persons/warrants

Retained applicant prints

Firearm registration

Domestic violence incident reports

Other (*specify*) \_\_\_\_\_

8. (a) When were each of the following systems last replaced or significantly upgraded?

Computerized Criminal History (CCH) \_\_\_\_\_

Automated Fingerprint Identification System (AFIS) \_\_\_\_\_

Message Switch \_\_\_\_\_

(b) Does your state have plans to replace any of the following due to systems that are at or nearing the end of their lifecycle? (*Check all that apply and indicate project status.*)



Computerized Criminal History (CCH)

If applicable, what is the status of your CCH replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Automated Fingerprint Identification System (AFIS)

If applicable, what is the status of your AFIS replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

Message Switch

If applicable, what is the status of your message switch replacement project?

- Planning
- Reviewing bids/proposals
- Implementation and testing

9. What is the operations budget for your criminal history repository for the current fiscal year? \_\_\_\_\_

10. When does your current fiscal year end? \_\_\_\_\_

11. How many employees does your state criminal history repository employ?

\_\_\_\_\_ full-time employees

\_\_\_\_\_ part-time employees

12. How many contractual staff does your criminal history repository employ?

\_\_\_\_\_ full-time contractors

\_\_\_\_\_ part-time contractors

13. If your repository employs contractors, what type of work do they perform? (*Check all that apply.*)

- Data entry
- Document scanning
- Help desk support
- Information technology support
- Software development
- Researching dispositions
- Other (*briefly describe*) \_\_\_\_\_

14. (a) Does your repository conduct routine internal data quality audits? *If no, skip to question 15.*

- Yes       No

(b) How frequently?

- More than once per year  
 Annually  
 Every 2 years  
 Every 3 years  
 Other (*briefly describe*) \_\_\_\_\_

15. (a) Does your repository conduct routine external data quality audits of contributing agencies? (E.g., inspecting samples of records maintained to determine if they have been submitted to the repository and/or checking to see if the information housed by the repository matches that maintained by contributing agencies.) *If no, skip to question 16.*

- Yes       No

(b) How frequently?

- More than once per year  
 Annually  
 Every 2 years  
 Every 3 years  
 Other (*briefly describe*) \_\_\_\_\_

16. Does your state have a law or administrative rule that specifies retention periods for the following? (*Check all that apply and provide information where applicable.*)

- Felony arrest records  
    o Retention period \_\_\_\_\_  
    o Citation URL \_\_\_\_\_
- Misdemeanor arrest records  
    o Retention period \_\_\_\_\_  
    o Citation URL \_\_\_\_\_
- Felony court disposition records  
    o Retention period \_\_\_\_\_  
    o Citation URL \_\_\_\_\_
- Misdemeanor court disposition records  
    o Retention period \_\_\_\_\_  
    o Citation URL \_\_\_\_\_

**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 2018?  
\_\_\_\_\_ arrests
  
2. How many arrest fingerprints were submitted to your repository during 2018? (a+b+c = d)
  - (a) \_\_\_\_\_ via livescan
  - (b) \_\_\_\_\_ via cardscan
  - (c) \_\_\_\_\_ hard copy fingerprints
  - (d) \_\_\_\_\_ = total arrest fingerprints
  
3. (a) As of December 31, 2018, was there a backlog of arrest fingerprint cards to be entered into the AFIS database (i.e., not entered within 48 hours of receipt at repository)? *If no, skip to question 4.*  
 Yes       No  
  
(b) How many arrest fingerprint cards were backlogged? \_\_\_\_\_  
 Size of arrest fingerprint card backlog as of December 31, 2018, is not available  
  
(c) What is the age of the backlogged arrest information?
  - 1 month or less
  - 2–6 months
  - 7–12 months
  - More than 1 year
  
4. For the year ending on December 31, 2018, what percentage of arrest fingerprint records received by the repository were rejected for poor quality? \_\_\_\_\_ %

5. Mobile technology

(a) Are agencies in your state using mobile technology to transmit fingerprints for identification purposes?

- Yes       No

(b) Are agencies in your state 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

*Question 5(d) addresses Rapid ID technology, which enables authorized users to instantly search local, state and federal AFIS databases to confirm the identity of a person via fingerprints captured using mobile or tethered fingerprint devices, and to query various criminal justice databases for additional information about the individual. Rapid ID searches, for example, can include criminal history record information, outstanding warrants, sex offender status, probation and parole supervision status, caution indicators, and mugshots.*

(d) Does your state employ Rapid ID? *If no, skip to question 6.*

- Yes       No

Number of searches conducted in 2018 \_\_\_\_\_

Number of hits in 2018 \_\_\_\_\_

6. Law enforcement agency submissions

(a) 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) \_\_\_\_\_

(b) Number of agencies that submit arrest fingerprints via cardscan \_\_\_\_\_

(c) Number of agencies that submit hard copy arrest fingerprint cards \_\_\_\_\_

(d) Percentage of arrest prints submitted via livescan during 2018 \_\_\_\_\_ %

7. Do local law enforcement agencies in your state routinely cite and release individuals without fingerprinting? This includes issuance of a notice to appear when a person is charged with a crime, but is not fingerprinted prior to a court appearance.

- Yes, only for violations  
 Yes, for both violations and misdemeanors

- Yes, for all criminal offenses, including felonies
- No (*skip to question 9*)

8. If local law enforcement agencies in your state routinely cite and release individuals without fingerprinting, is there a law or policy requiring the courts to order persons who have not been fingerprinted to do so prior to or after an initial court hearing?

- Yes, by law (*check all that apply*)
  - only for violations
  - for both violations and misdemeanors
  - for all criminal offenses, including felonies
- Yes, by policy or administrative rule (*check all that apply*)
  - only for violations
  - for both violations and misdemeanors
  - for all criminal offenses, including felonies
- No

9. Does your state have a statewide criminal citation file? (*Note: this does not include traffic citation files.*)

- Yes
  - Number of criminal citations contained in file as of December 31, 2018 \_\_\_\_\_
  - Number of citation records added to file during 2018 \_\_\_\_\_
- No

**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 the formal or informal conclusion of an arrest or charge at whatever stage it occurs in the criminal justice process. (E.g., release by police after arrest without charging; decline to proceed by prosecutor; or final trial court disposition.)*

1. 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

2. (a) How many final case dispositions did your repository receive during 2018? \_\_\_\_\_ 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? \_\_\_\_\_ %

(f) What percentage was sent via a secure web portal? \_\_\_\_\_ %

*Note: When calculating the percentage of arrests with final dispositions recorded, some states consider an arrest to have a disposition if **any** final disposition can be associated with an arrest cycle. This is commonly referred to as “cycle matching.” Other states do not consider an arrest to have a final disposition until **all** arrest charges are linked to a final disposition. This is commonly*

referred to as “charge matching.”

3. Does your state perform cycle or charge matching to calculate the percentage of arrests in the criminal history database with final dispositions?
- Cycle matching
  - Charge matching
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 2018, 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 to an arrest, 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
  - Court-provided charge(s) and corresponding disposition is posted to the beginning or end of record
  - Other \_\_\_\_\_
- (c) Is a vendor used to assist your state’s repository in identifying or locating missing dispositions?
- Yes       No
6. (a) As of December 31, 2018, was any court disposition data reported directly to the repository by automated means? *(Note: “automated” refers to 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 *(skip to question 6d)*
- (b) How many court disposition records were:



- Received via automated means through a centralized (statewide) court case management system \_\_\_\_\_
- Received via the local courts' case management systems \_\_\_\_\_

(c) What percentage of dispositions was reported in 2018 by automated means?  
 \_\_\_\_\_%

(d) 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
- Other (please explain) \_\_\_\_\_

7. In 2018, what was the average time elapsed between the occurrence of final felony court case dispositions and receipt of information concerning such dispositions by the repository?

- 1 day or less
- 2–7 days
- 8–90 days
- 91–180 days
- 181–365 days
- More than 1 year

8. In 2018, what was the average time elapsed between receipt of final felony court disposition information by the repository and entry of that information into the criminal history record database?

- 1 day or less
- 2–7 days
- 8–30 days
- 31–90 days
- 91–180 days
- 181–365 days
- More than 1 year

9. (a) As of December 31, 2018, was your state using any livescan devices in courtrooms/courthouses to link positive identifications with dispositions? *If no, skip*

to question 10.

- Yes       No

(b) How many livescan devices are in courtrooms/courthouses?

\_\_\_\_\_ Devices

10. (a) As of December 31, 2018, 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)? *If no, skip to question 11.*

- Yes       No

(b) 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? *If no, skip to question 11c.*

- Yes       No

(b) This information is: (*Check all that apply.*)

- Received via automated means through a centralized (statewide) prosecutors' case management system
- Received via the local prosecutors' case management system
- Paper-based
- A mix of automated and paper-based

(c) How are records matched between prosecutors 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
- 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? *If no, skip to question 2.*

Yes       No

- (b) 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 which of the following background checks are performed by your state pursuant to law. *(Check all that apply.)*

	National check	State check only
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		
Medical marijuana (dispensers, caregivers)		

**FINGERPRINT-BASED SEARCHES**

3. (a) Has your state privatized the taking of fingerprints for noncriminal justice purposes?  
*If no, skip to question 4.*

- 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 livescan during 2018 \_\_\_\_\_

(b) Total number of noncriminal justice fingerprints submitted to the repository via cardscan during 2018 \_\_\_\_\_

(c) Percentage of noncriminal justice fingerprints submitted via livescan during 2018 \_\_\_\_\_%

(d) Percentage of noncriminal justice fingerprints submitted via cardscan during 2018 \_\_\_\_\_%

(e) Total number of livescan devices available for noncriminal justice purposes only \_\_\_\_\_

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

(g) Total number of livescan 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 did your repository perform in 2018? (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: IN-STATE 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? *If no, skip to question 4.*  
 Yes       No
  
2. What are the purposes for 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 2018, 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
  - Not currently, but my state has passed legislation to authorize participation
  - No, but my state is considering legislation to authorize participation

5. Does your state currently provide an in-state noncriminal justice rap back service? *If no, skip to question 8.*
- Yes       No
6. (a) Is your in-state noncriminal justice rap back service authorized by state law or administrative regulation? *If no, skip to question 7.*
- Yes       No
- (b) 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
7. 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
8. 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) \_\_\_\_\_
9. In 2018, how many in-state noncriminal justice rap back notifications did your repository make to agencies for noncriminal justice purposes? \_\_\_\_\_
10. 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
11. Does your in-state noncriminal justice rap back service impose a fee for noncriminal justice rap back notifications?
- Yes      \$ \_\_\_\_\_  
 No

**ADDITIONAL COMMENTS:**



# Attachment 4 – Screenshots for 2016 web form (2018 not yet developed)

## Survey of State Criminal History Information Systems, 2016

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. 2015-RU-BX-K0001 awarded by the Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. **Please note:** Completion of the survey is voluntary; however, doing so is a special condition placed on all National Criminal History Improvement Program (NCHIP) and NICS Act Record Improvement Program (NARIP) awards.

Respondents using the online survey tool, accessible at <http://www.search.org/surveys/repository/>, to enter 2016 data can view previously submitted 2014 data for comparison purposes. Where applicable, your state's 2014 responses are displayed in color within each section of the online survey. It is hoped that this information will help respondents complete the survey more accurately and efficiently. **The cover letter provides the password to gain access to your state's online survey.** Direct your questions or comments to SEARCH staff Dennis DeBacco at 775-412-1950 or [dennis@search.org](mailto: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, 1900 Point West Way, Suite 275, Sacramento, CA 95815. **The deadline for survey submission is March 17, 2017.**

The survey is divided into six sections. You may submit each independently and not necessarily in the order presented. This is done so that different people on your 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 2016, or as of December 31, 2016.
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 provide explanatory notes for responses that require explanation or when "no data is available," and to describe significant changes between the current response and data reported in the 2014 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.

[Get Started »](#)

## Survey of State Criminal History Information Systems, 2016 | 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 2014 responses are displayed in color.

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, 2016?

(a) Automated records	<input type="text" value="0"/>	(Include subjects whose records are partially automated)	<b>2172726</b>
(b) Manual records	<input type="text" value="0"/>		<b>57837</b>
(c) Total records	<input type="text" value="0"/>		<b>2230563</b>

### 2. Fingerprints processed in 2016:

PURPOSE	NUMBER	PERCENTAGE OF 2016 VOLUME		TOTALS
(a) Criminal (retained)	<input type="text" value="256546"/>	<input type="text" value="0%"/>	<input type="text" value="51%"/>	
(b) Criminal (not retained)	<input type="text" value="0"/>	<input type="text" value="0%"/>	<input type="text" value="0%"/>	(a+b) <input type="text" value="272963"/> <b>256546</b>
(c) Noncriminal (retained)	<input type="text" value="0"/>	<input type="text" value="0%"/>	<input type="text" value="0%"/>	
(d) Noncriminal (not retained)	<input type="text" value="251011"/>	<input type="text" value="91%"/>	<input type="text" value="49%"/>	(c+d) <input type="text" value="191339"/> <b>251011</b>
(e) What was the <u>total number</u> of fingerprint-based background checks conducted during 2016?				(a+b+c+d) <input type="text" value="464302"/> <b>507557</b>

### 3. (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

Yes, all subjects with felony convictions

## Survey of State Criminal History Information Systems, 2016

OMB No.: 1121-0312 Approval Expires: 02/29/2020

SECTION	COMPLETED
<a href="#">Section I: Repository</a>	X
<a href="#">Section II: Arrest/Fingerprint Reporting and Entry</a>	X
<a href="#">Section III: Dispositions</a>	X
<a href="#">Section IV: Noncriminal Justice Background Checks</a>	X
<a href="#">Section V: Criminal Justice Rap Back Services</a>	X
<a href="#">Section VI: Noncriminal Justice Rap Back Services</a>	X

### 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 6.2 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.

## Attachment 5 – 2018 Survey Cover Letter to States



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

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Washington, D.C. 20531

### MEMORANDUM

**Date:** TBD  
**To:** Directors, State Criminal Record Repositories  
**From:** Devon B. Adams  
Chief, Criminal Justice Data Improvement Program  
**Subject:** Survey of Criminal History Information Systems

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; however, doing so is a special condition placed on all National Criminal History Improvement Program (NCHIP) and NICS Act Record Improvement Program (NARIP) awards.

Survey responses will be compiled by SEARCH, The National Consortium for Justice Information and Statistics. A copy of the 2018 survey questionnaire is attached. A password-protected section of the SEARCH Web site is available for those states that wish to provide their survey responses online. Responses should reflect conditions as of ***December 31, 2018***. Those wishing to use the online response option to fill out the survey are urged to visit <http://www.searchgroup.org/surveys/repository/> and use your state's assigned password **XXXXX** 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 2018 data can view previously submitted 2016 data for comparison purposes. Where applicable, your state's 2016 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 NCHIP and NARIP Program awards 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 2016 survey is available at <https://www.ncjrs.gov/pdffiles1/bjs/grants/251516.pdf>.

Your contributions to the Web-enabled *Survey of State Criminal History Information Systems* make it a useful resource to users both within and outside of the criminal justice community.

Please contact SEARCH staff Dennis DeBacco at 775-412-1950 (email: [dennis@search.org](mailto:dennis@search.org)) if you have any questions or comments about the survey, or if you would like details on how to submit the survey via fax or mail. **We ask that you submit your survey responses by XXXX, 2019.** Thank you in advance for your assistance and cooperation with this important effort.

DBA/bg

## Attachment 6 – Telephone and Email scripts for follow-up

### 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 2018. 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.

### 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, 2018

**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, 2018* 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  
1900 West Point Way, Suite 275  
Sacramento, CA 958315  
(916) 392-2550 ext. 325, (Office)  
(775) 412-1950 (Cell)  
(916) 392-8440 (Fax)  
Email to: [Dennis@search.org](mailto:Dennis@search.org)