


U.S. Department of Justice * Office of Justice Programs
Bureau of Justice Statistics 

*Improving the Quality of the
Nation's Criminal History Records*

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Bureau of Justice Statistics

Justice Research and Statistics Association Annual Conference
Portland, OR - October 2008

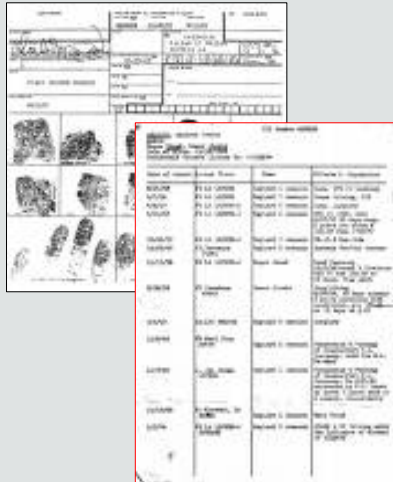
**BJS' Statutory Responsibilities
Around Criminal History Records**

- Provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State criminal history and related records;
- Support the development and enhancement of national systems of criminal history and related records, and facilitate State participation; and,
- Support statistical research for critical analysis of the improvement and utilization of criminal history records.

-- Public Law 109-162

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BJS's Criminal Record Improvement Grant Programs



- National Criminal History Improvement Program
- Stalking and Domestic Violence Record Improvement Program
- Tribal Criminal History Record Improvement Program

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NCHIP Program Elements

- Grants to the States & U.S. Territories
- Various National initiatives:
 - Technical assistance program
 - Conferences and workshops
 - Surveys, study groups, special reports
 - Firearm Inquiry Statistics Program (FIST)
- Continuing evaluation, records quality analysis and research

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SEARCH
The National Consortium for Justice Information and Statistics

Survey of State Criminal History Information Systems, 2007

DNA Forensics: Expanding Uses

Report of the National Task Force on Privacy, Technology, and Criminal Backgrounding of America

Report of the National Task Force on the Commercial Sale of Criminal Justice Information

Report of the BJS/SEARCH National Focus Group on Identity Theft Victimization and Criminal Record Repository Operations

Increasing the Utility of the Criminal History Record

Bureau of Justice Statistics Program Report


Improving Criminal History Records

Use and Management of Criminal History Record Information: A Comprehensive Report

Law and policy: Evolution of information technology, Interstate Identification Index, Federal initiatives and legislation

Criminal Justice Information Policy

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REJIS
Connecting People and Information

Firearm Inquiry Statistics (FIST) Program

Background Checks for Firearm Transfers

Survey of State Procedures Related to Firearm Sales, Midyear

State by State

- Prohibitions against purchasing firearms
- Restoration of rights to purchase firearms
- Permits
- Waiting periods
- Fees
- Appeals

Includes the FBI's National Instant Criminal Background Check System

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Other Initiatives



- Nlets Criminal History Information Exchange Format (CHIEF) Project
- Nlets BJS-CJIS-Nlets Information Sharing Project

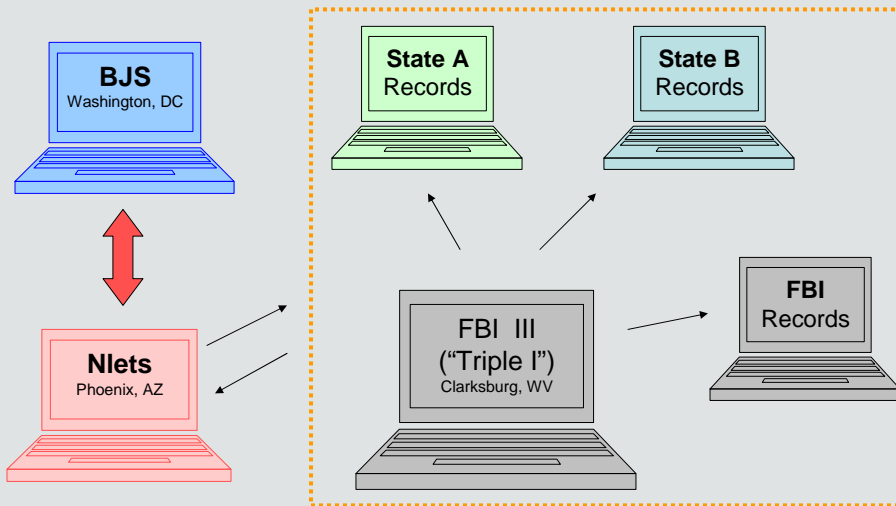


- National Center for State Courts - FBI CJIS Training Project

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BJS Access to III for Recidivism Research and Criminal Record Evaluation



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Other Initiatives



- JRSA Multi-State Projects:
 - Sex Offender Recidivism Study
 - Drug Offender Criminal History Profile
 - Felony Case Processing Statistics

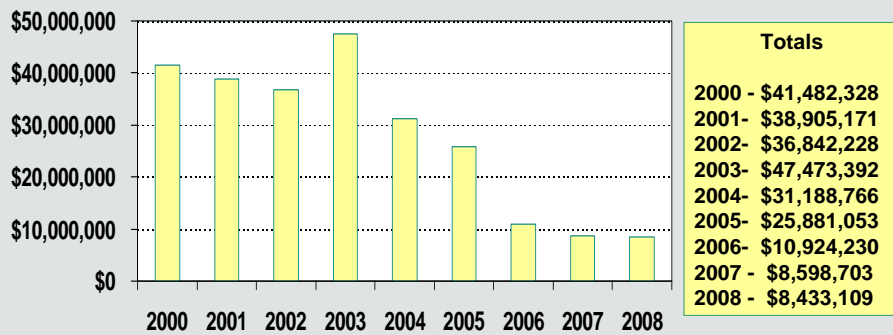


- BJS's State Justice Statistics (SJS) Program
 - Research utilizing criminal history records

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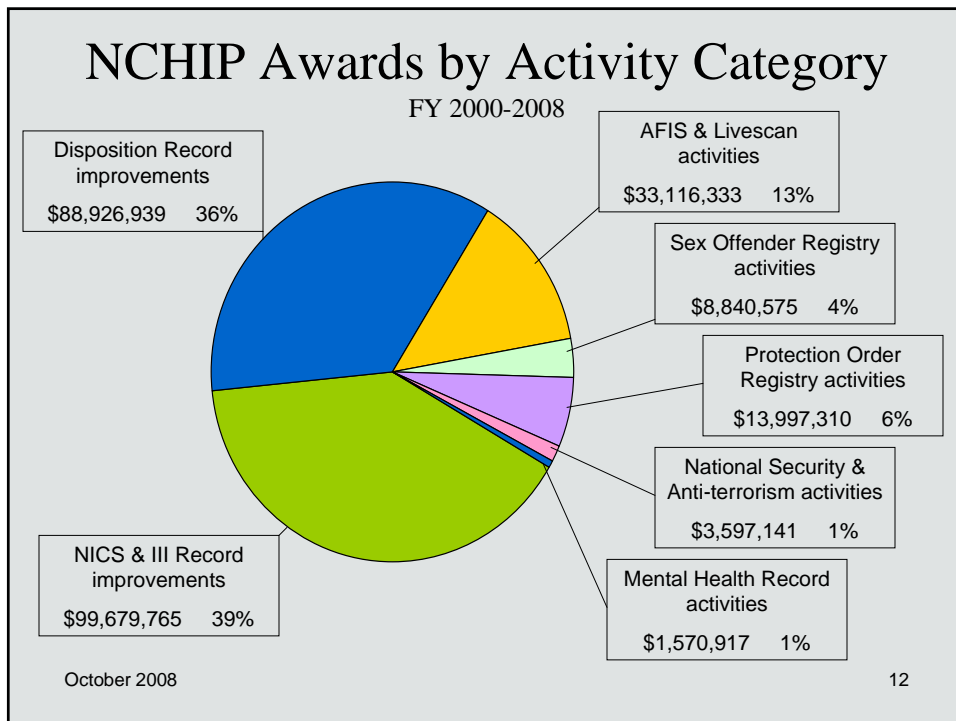
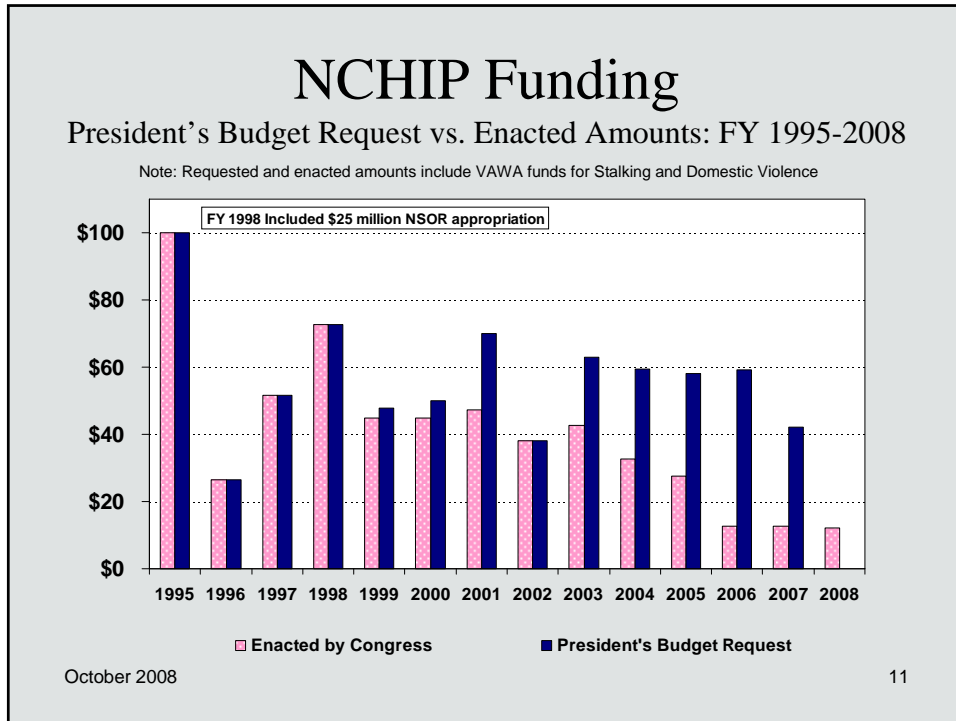
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NCHIP Grants to States/Territories:
FY 2000 - FY 2008



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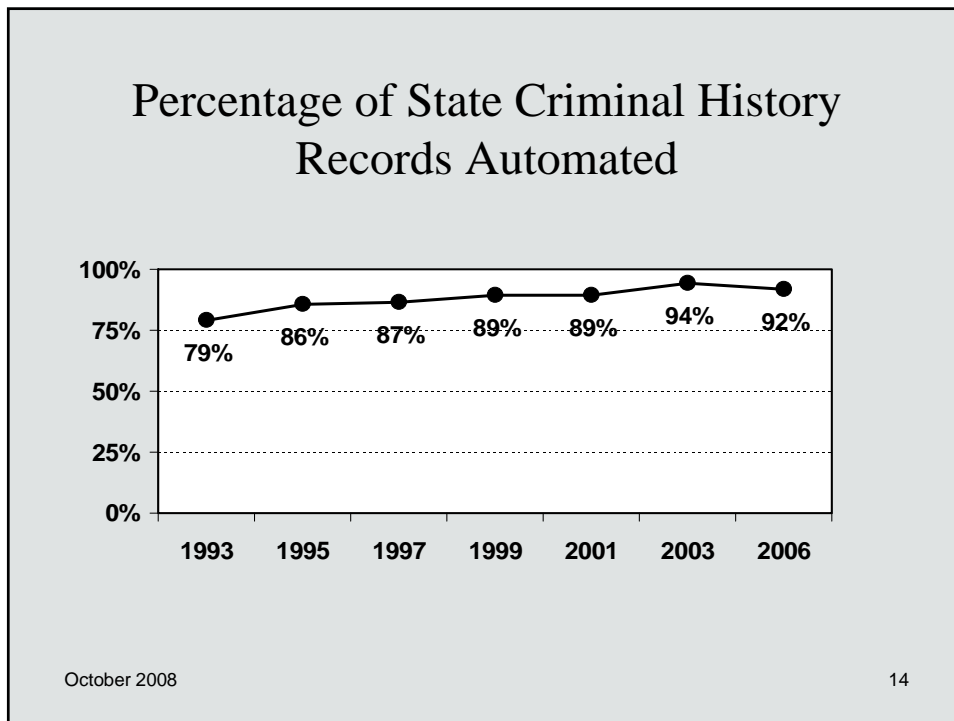
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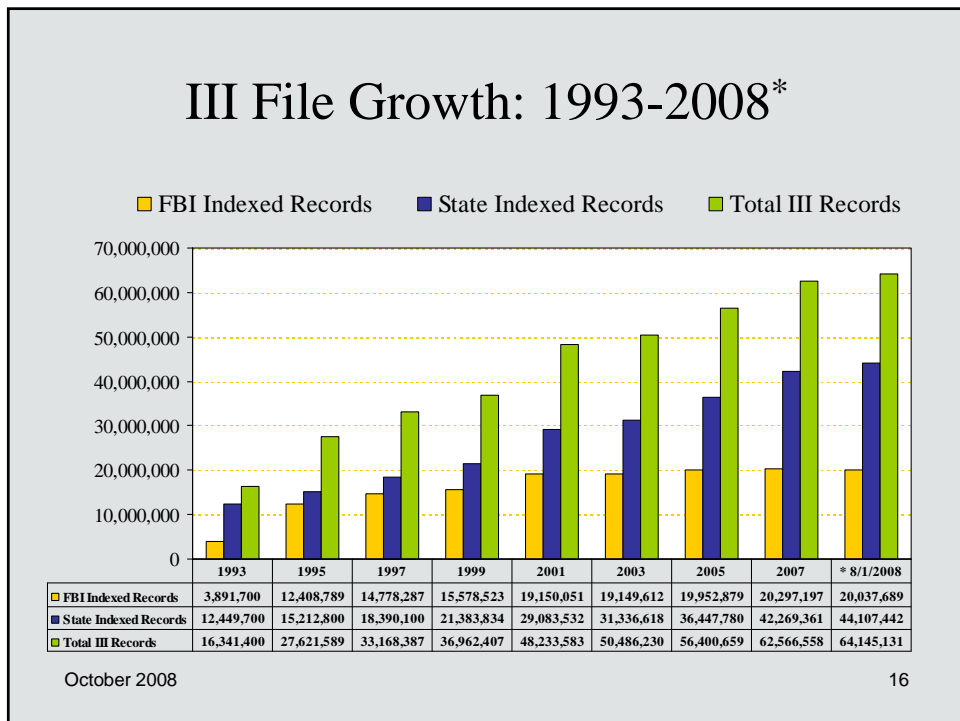
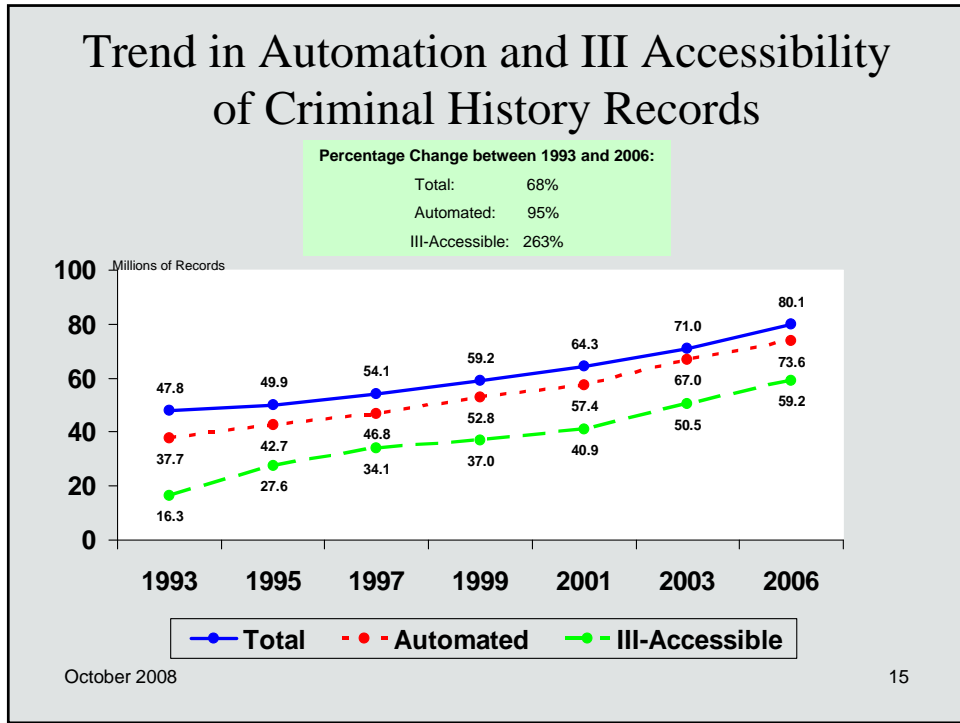


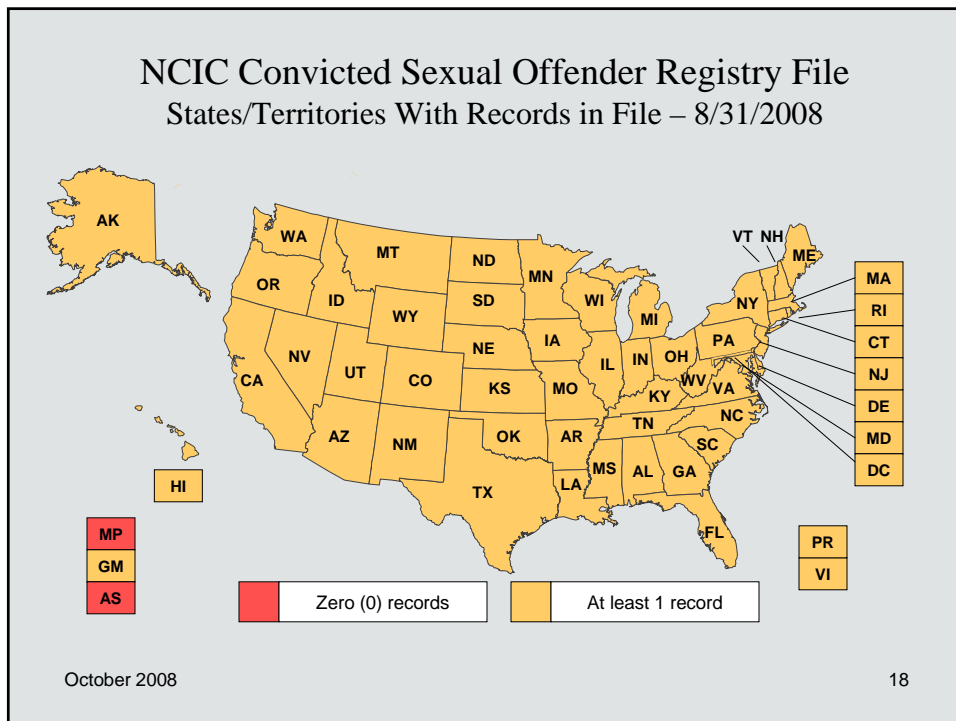
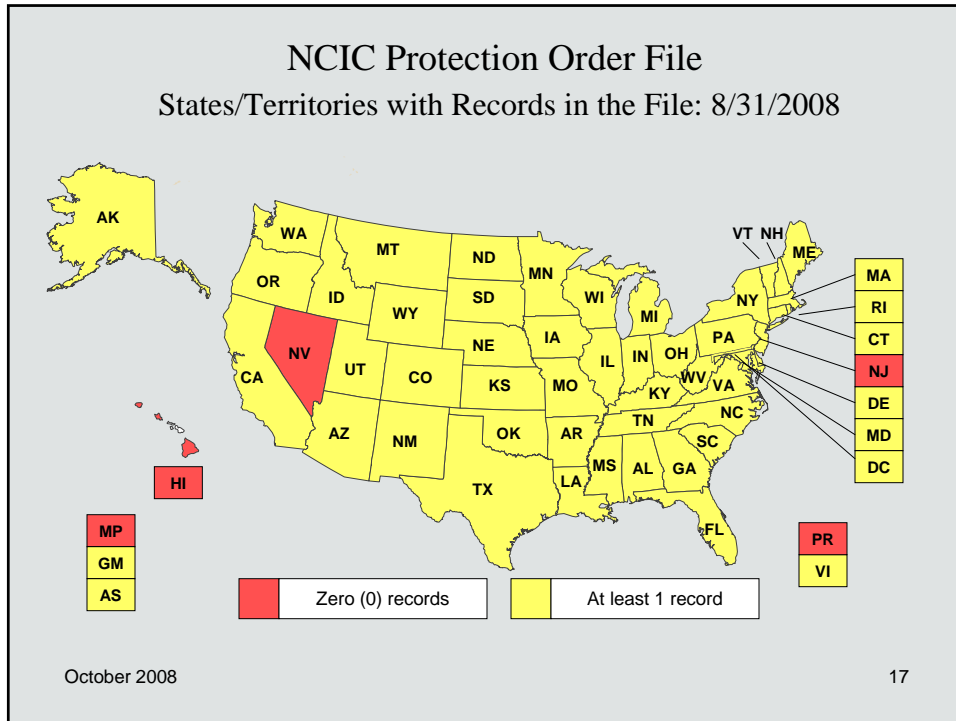
NCHIP Funds Awarded by Spending Category, Fiscal Years 2000 through 2008

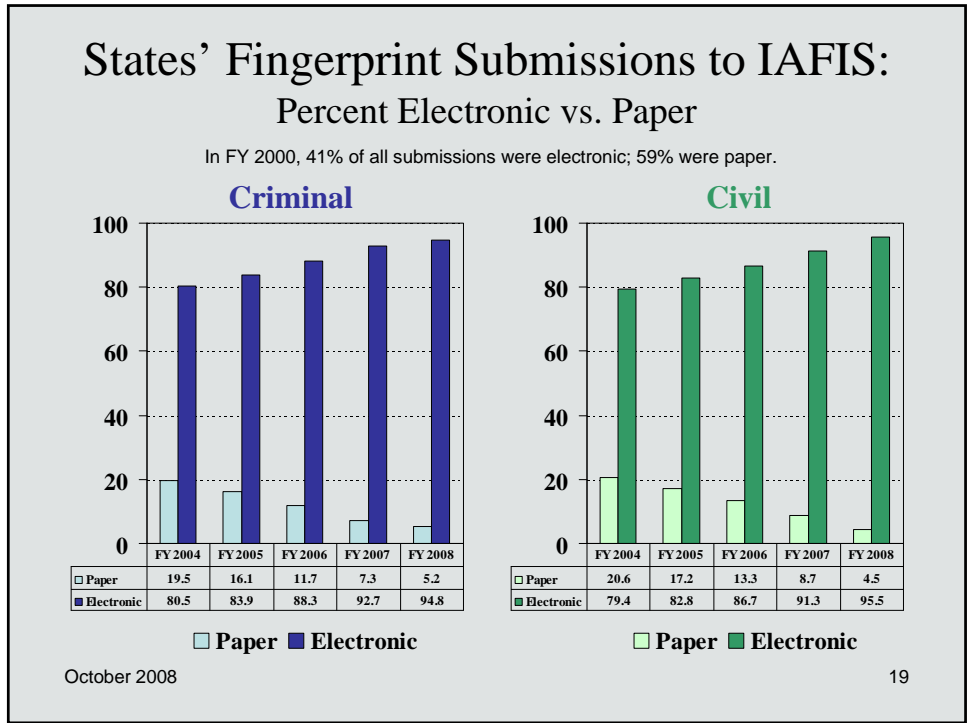
NCHIP spending category	Examples of grant fund uses by spending category	Total award amounts for 2000-08	Percentage of Total
NICS/III/ criminal records improvements	Purchase equipment for major automated criminal records systems or overall upgrades. Convert and automate manual records, develop policies, and fund other activities required to bring states into compliance with the FBI's standards for national data systems. Develop nonfelony databases for domestic violence related misdemeanor records.	\$ 99,679,765	40%
Disposition reporting improvements	Upgrade and automate records management systems to capture data on dispositions from courts, district attorney offices, and probation and parole systems. Develop protocols and standards for transferring disposition data to the state central repository, linking disposition data to arrest records. Install electronic fingerprinting equipment in courts to identify defendants and facilitate record linkage. Research missing dispositions in response to NICS inquiries. Update "arrest only" records to include case disposition information.	\$ 88,926,939	36%
AFIS/Livescan activities	Purchase and install electronic fingerprinting equipment that conforms to FBI technical standards. Implement technology to support the automated transfer of fingerprint data to IAFIS.	\$ 33,116,333	13%
Sex offender registry enhancements	Establish a state sex offender registry system that complies with FBI standards and supports an interface with the FBI's National Sex Offender Registry. Classify state legislation relevant to sex offender registration. Continually review registrants' addresses and status.	\$ 8,840,575	4%
Protection order activities	Establish state-level protection order systems. Establish protocols and record linkages to the NCIC Protection Order File	\$ 13,997,310	6%
National security/anti-terrorism activities	Develop linkages to the state repository used for background checks on persons employed in sensitive positions. Purchase electronic fingerprinting equipment. Develop policies governing the use of equipment to ensure privacy and compliance with applicable regulations regarding noncriminal justice background checks.	\$ 3,597,141	1%
Mental health records	Develop nonfelony databases for mental health records. Implement interfaces between mental health record systems and criminal record repositories. Transmit qualifying records to the NICS Index.	\$ 1,570,917	1%
Total		\$249,728,980	100%

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Electronic Submissions to IAFIS Type by Number of States/Territories

Date	Criminal, Civil & Latent	Criminal & Civil	Criminal & Latent	Civil & Latent	Criminal Only	Civil Only	Latent Only
12/2001	12	17	4	0	2	0	2
10/2003	27	13	4	0	3	0	2
4/2005	37	8	4	0	2	1	1
2/2007	47	4	1	1	0	0	1
5/2008	47	4	1	1	2	0	1

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Potential “*New*” Grants Programs
Authorized Under The NICS
Improvement Amendments Act of 2007
(NIAA)

Public Law 110-180, enacted on January 8, 2008

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Briefly, the NIAA ...

- Enhances the Brady Act requirement that federal departments and agencies provide relevant information to the NICS; and
- Provides incentives to states to submit complete information to the AG on persons prohibited from receiving or possessing firearms:
 - Authorizes two new grant programs;
 - Creates a potential waiver of NCHIP match requirement;
 - Creates a potential withholding of Byrne JAG funds for states that do not meet the Act's record completeness goals.

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Preliminary Plans for NIAA Grant Application Process

- Envision sending Program Announcement to NCHIP administering agencies.
- NCHIP agency would probably administer both grant programs for the State.
- Some States may choose to have a separate court agency administer the court grant.
- States would submit a “NICS Record Improvement Plan” to address problematic record categories, and encourage collaborative assessment and planning.

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Authorizations for NIAA Grant Programs

(Not Yet Appropriated)

<u>Grants</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>5-Year Total</u>
States	\$125m	\$250m	\$250m	\$125m	\$125m	\$875m
State Courts	\$62.5m	\$125m	\$125m	\$62.5m	\$62.5m	\$437.5m
Total	<u>\$187.5m</u>	<u>\$375m</u>	<u>\$375m</u>	<u>\$187.5m</u>	<u>\$187.5m</u>	<u>\$1,312.5m</u>

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Waiver & Penalty Provisions

<u>Timeframe</u>	<u>Incentive</u>	<u>Amount</u>	<u>Completeness Goal</u>
Beginning in 2011	Waiver	NCHIP Match (20%)	90% record completeness
Beginning in 2011	Discretionary Penalty*	3% of Byrne JAG Funds	50% record completeness
Beginning in 2013	Discretionary Penalty*	4% of Byrne JAG Funds	70% record completeness
Beginning in 2018	Mandatory Penalty*	5% of Byrne JAG Funds	90% record completeness

* The AG may waive the applicable penalties to a State if it provides substantial evidence that it is making a reasonable effort to comply with the reporting requirements.

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Grant Program Eligibility

- Must implement “relief from disability program.”
- Must provide the AG a "reasonable estimate" of available records.
 - Potential for SAC involvement

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Record Estimates - Methodology

Federal Register Notice

August 4, 2008 (Volume 73, Number 150, Page 45245)

<http://www.gpoaccess.gov/>



Information Collection Form

<http://www.ojp.usdoj.gov/bjs/pub/pdf/sepform.pdf>



NIAA Questions & Answers

<http://www.ojp.usdoj.gov/bjs/niaa.htm>

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