

Facts About the Accuracy and Completeness of Criminal Records at the State Agency Criminal Record Repositories

Employers and state occupation licensing boards often depend on state criminal record repositories as a primary resource when performing a criminal record background check. What these entities do not realize is that a search of the state criminal record database may not be as accurate and complete as assumed, regardless if fingerprints are submitted.

There are three key reasons why the completeness, consistency, and accuracy of state criminal record repositories could be suspect—

1. Timeliness of Receiving Arrest and Disposition Data
2. Timeliness of Entering Arrest and Disposition Data into the Repository
3. Inability to Match Dispositions with Existing Arrest Records

The basis for these concerns is actually supported by facts provided by the U.S. Department of Justice (DOJ). Every two years the DOJ's Bureau of Justice Statistics releases an extensive *Survey of State Criminal Record Repositories*. The twelfth survey released January 2014 (and based on statistics compiled as of Dec 31, 2012) is a 118-page document with 39 data tables. The survey is found at <https://www.ncjrs.gov/pdffiles1/bjs/grants/244563.pdf>.

Below are some eye-catching facts reflected from this *Survey*:

- 13 states report 20% or more of all dispositions received could NOT be linked to the arrest/charge information in the state criminal record database. 14 states don't know how many dispositions they have that cannot be linked.
- 17 states have over 1.8 million unprocessed or partially processed court dispositions, ranging from 200 in Wyoming to 633,100 in Utah.
- 17 state reports there is at least a 60 day backlog between the time of a felony case is decided and when the record is entered in the criminal history database. 12 states do not know how long the delay is.

The content below is taken directly from this *Survey*.

State	% of Arrests in DB that have final case dispositions Recorded	Percentage of all dispositions received that could NOT be linked to a specific arrest record.	Average # of Days between occurrence of final felony court disposition and receipt of data by repository	Average # of Days between receipt of final felony court disposition and entry in state criminal database
AL	34%	0%	unknown	unknown
AK	Unknown	unknown	19	44
AR	66%	3%	30	2
AZ	63%	9%	16	2
CA	unknown	unknown	unknown	60
CO	unknown	unknown	unknown	unknown
CT	97%	6%	2	2
DE	99%	0%	0	0
DC	unknown	unknown	unknown	unknown
FL	69%	20%	30	2
GA	70%	unknown	30	7
HI	94%	21%	9	0
IA	96%	1%	7	7
ID	49%	50%	2	2
IL	69%	6%	38	42

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IN	47%	50%	30	<1
KS	57%	31%	555	665
KY	40%	unknown	unknown	unknown
LA	unknown	12%	unknown	180
MA	99%	unknown	unknown	unknown
MD	97%	24%	10	0
ME	81%	0%	14	14
MI	85%	12%	1	1
MN	66%	7%	1	1
MO	67%	15%	18	28
MS	13%	10%	unknown	2
MT	47%	30%	16	59
NC	85%	0%	32	0
ND	unknown	unknown	unknown	unknown
NE	62%	0%	1	1
NH	unknown	unknown	unknown	unknown
NJ	84%	47%	1	1
NM	unknown	6%	unknown	unknown
NV	45%	23%	unknown	unknown
NY	89%	2%	0	0
OH	50%	21%	unknown	1
OK	39%	unknown	30	30
OR	86%	12%	unknown	unknown
PA	74%	31%	unknown	1
RI	75%	unknown	unknown	unknown
SC	66%	unknown	Unknown	unknown
SD	95%	unknown	15	1
TN	50%	1%	n/a	n/a
TX	82%	0%	30	1
UT	72%	63%	0	0
VA	87%	22%	14	14
VT	92%	5%	60	60
WA	95%	3%	15	15
WI	81%	2%	unknown	8
WV	90%	unknown	180	180
WY	84%	5%	360	2

Note this information should not be confused with criminal record data obtained from a centralized state court system. The 30 or so states operating such a system provide access to criminal court data with very little time delay.