

February 2018: U.S. Department of Justice Releases Latest Survey Regarding State Criminal Record Repositories

The Survey Includes Some Disturbing Facts on the Currency and Accuracy of Records

Employers and state occupation licensing boards often depend on states’ criminal record repositories as primary resources when performing a criminal record background checks. However, employers and boards may not realize that a search of these record repositories 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 supported by documented 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 History Information Systems*. This latest survey, **released February 2018**, provides statistics compiled from March thru June 2017 by SEARCH, the National Consortium for Justice Information and Statistics. The 132-page document with 40 data tables is available at <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=273696>.

Here Are Some Eye-Catching Facts Reported by This Survey

- 14 states report 20% or more of all dispositions received could NOT be linked to the arrest/charge information in the state criminal record database. 13 states don’t know how many dispositions they have that cannot be linked. (Table 8a)
- 8 states report a delay when a felony case is decided and when the record is received by repository of at least 31 days and as much as over one year. (Table 8b)
- 9 states report an additional delay of at least 31 days and as much as over one year after the record has been received and before it is entered into the state’s criminal record database. (Table 8b)
- There were 2,294,309 unprocessed or partially processed court case dispositions left hanging for 23 states including 502,009 from AZ, 331,200 from CT, and 225,500 from PA. (Table 13)
- There were 23,297,400 name-based background check performed by states nationwide. One wonders about the accuracy of these checks when compared to the same name searched at the courts. (Table 14)

The State-by-State Statistics Below are Taken Directly From This Survey

State	Percentage of all dispositions received that could NOT be linked to a specific arrest record. (Table 8a)	Elapsed time between occurrence of final felony court disposition and receipt of data by repository (Table 8bB)	Elapsed time between receipt of final felony court disposition and its entry in state’s criminal database (Table 8bB)	Number of Name-Based Background Checks done for Non-Criminal Justice Purposes (Table 14) (23,297,400 nationwide)
AL	unknown	nr	nr	0
AK	nr	2-7days	unknown	14,500
AR	1%	8-30 days	2-7 days	243,700
AZ	<1%	31-90 days	31-90 days	2,200
CA	9%	8-30 days	31-90 days	10,400
CO	43%	1 day or less	1 day or less	360,400
CT	nr	nr	nr	40,000
DE	0%	1 day or less	1 day or less	4,600
DC	nr	nr	nr	nr
FL	30%	8-30 days	1 day or less	1,046,800
GA	0%	8-30 days	8-30 days	0
HI	23%	8-30 days	1 day or less	345,800

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IA	<1%	1 day or less	1 day or less	267,700
ID	62%	1 day or less	1 day or less	17,200
IL	4%	nr	nr	568,100
IN	37%	>1 year	1 day or less	864,300
KS	41%	>1 year	>1 year	337,500
KY	21%	2-7days	2-7 days	25,000
LA	50%	nr	nr	121,200
MA	48%	nr	nr	1,413,400
MD	29%	1 day or less	1 day or less	0
ME	0	1 day or less	1 day or less	372,200
MI	10%	1 day or less	1 day or less	2,102,400
MN	nr	1 day or less	1 day or less	344,800
MO	16%	8-30 days	1 day or less	448,400
MS	nr	>1 year	2-7 days	30,000
MT	5%	8-30 days	31-90 days	195,100
NC	nr	31-90 days	1 day or less	21,400
ND	nr	91-180 days	31-90 days	29,200
NE	0%	1 day or less	1 day or less	40,600
NH	nr	nr	nr	143,200
NJ	0	2-7days	1 day or less	125,300
NM	nr	31-90 days	181-365 days	12,100
NV	44%	31-90 days	31-90 days	183,700
NY	6%	1 day or less	1 day or less	0
OH	33%	31-90 days	31-90 days	1,400
OK	2%	8-30 days	8-30 days	197,200
OR	16%	1 day or less	2-7 days	336,200
PA	28%	nr	1 day or less	1,861,700
RI	nr	2-7days	1 day or less	0
SC	nr	nr	2-7 days	556,700
SD	na	8-30 days	8-30 days	0
TN	5%	2-7days	nr	0
TX	3%	8-30 days	1 day or less	7,948,900
UT	22%	1 day or less	1 day or less	11,000
VA	nr	8-30 days	8-30 days	304,200
VT	5%	8-30 days	8-30 days	152,300
WA	3%	2-7days	2-7 days	1,316,200
WI	7%	1 day or less	2-7 days	879,800
WV	15%	8-30 days	181-365 days	500
WY	2%	nr	nr	0

Editor's Note: This information should not be confused with criminal record data obtained from courts or from centralized state judicial court systems.