**State Repository Quality Assurance Program  
— Program Guide   
— Program Checklist**

**and**

**A Methodology for Determining Costs Associated with Noncriminal Justice Purpose Background Checks**

**Version 2 - February 2017**

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**Contents**

**Acknowledgments 4**

**I. State Repository Quality Assurance Program Guide 5**

Introduction 5

Glossary of Terms 6

**II. State Repository Quality Assurance Program Checklist 12**

Instructions 12

1. Arrest Record Reporting 15

2. National Fingerprint File (NFF) 17

3. 28 CFR § 20 22

4. Disposition Reporting 25

5. Noncriminal Justice Applicant Request Processing 29

6. Identity History Summary Standards and Specifications 31

7. Hit Rates 32

8. Miss Rates 33

9. ABIS Accuracy and Performance Measures 35

10. Livescan Accuracy and Performance Measures 37

11. Turn-Around Time (Criminal/Noncriminal) 38

12. Interstate Identification Index (III) 39

13. Electronic Biometric Transmission Specification (EBTS) 41

14. National Instant Criminal Background Check System (NICS) 43

15. Personnel and Training Practices 44

16. Criminal Justice Rap Back Service 48

17. Noncriminal Justice Rap Back Service 49

18. Other Considerations 52

Comments from the Checklist Assessment 56

**III. A Methodology for Determining Costs Associated with Noncriminal Justice   
Background Checks 57**

Introduction 57

Instructions 57

Personnel Costs 58

Personnel Costs – Other 59

Information Technology Costs to Support Criminal History Activities 60

Overhead Costs 61

Calculating the Cost of a Single Transaction 62

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**I. State Repository Quality Assurance Program Guide**

**Introduction**

The State Repository Records and Reporting Quality Assurance Program (QAP) encourages justice data quality and information integrity through a voluntary self-assessment against performance standards relating to information maintenance and reporting requirements. These maintenance and reporting requirements include criminal history record operations, mandatory reports, responding to survey requests, and reporting to and receiving information from a variety of justice information systems and computerized applications that are administered and made available to states and U.S. territories through the FBI’s Criminal Justice Information Services Division.

Referenced justice information systems or rules include the National Crime Information Center (NCIC); the Interstate Identification Index (III); the National Crime Prevention and Privacy Compact; the National Instant Criminal Background Check System (NICS); and the National Fingerprint File (NFF). To aid in identifying and developing relevant performance standards, the SEARCH Membership established a QAP Refreshment Advisory Committee to update the work developed by the original QAP Advisory Committee, which affirmed the continuing use of a checklist as the vehicle for the self-assessment.[[1]](#footnote-1) The impetus for the refreshment effort was in part based on recent policy changes made by the Compact Council and technology upgrades resulting from the FBI’s Next Generation Identification (NGI) implementation. The recommendations from this report on which the QAP has focused include a state and federal effort to:

* Improve the accuracy, completeness, and integration of national criminal history record systems.
* Establish national standards relating to prompt disposition reporting and record completeness.
* Expand the number of repositories adopting the standardized Identity History Summary.

It is envisioned that state record repositories will utilize the QAP checklist to improve information quality, information sharing, information security, and compliance with relevant statutory and regulatory requirements.

Self-assessments will not be made publicly available or shared with counterparts in other states unless a repository chooses to do so. Although not intended at the outset of the program, the QAP Refreshment Advisory Committee recognizes that as the program continues forward, it may be useful to develop a means for repositories to learn how other repositories overcame specific performance shortcomings.

**Glossary of Terms**

**ABIS** Automated Biometric Identification System and automated biometric identification is the process of automatically matching one or many unknown fingerprints, palm prints, or other biometric data against a database of known and unknown biometric information. Automated Biometric Identification Systems are primarily used by law enforcement agencies for criminal identification initiatives, and by noncriminal justice agencies to conduct criminal history background checks for licensing, employment, and regulatory purposes. Although not technically a component of an ABIS, in many jurisdictions livescan devices, which are used to capture fingerprint images at booking for transmission to an ABIS, are referred to as being part of the ABIS.

**AKA** Also Known As.

**APB** Advisory Policy Board to the FBI’s Criminal Justice Information Services (CJIS) Division. The APB is responsible for reviewing policy, technical, and operational issues related to current and future CJIS Division programs and for making recommendations to the Director of the FBI. Also known as the CJIS APB.

**Booking** Once a person is arrested, they typically are taken to a police or jail facility in the city or county of arrest for booking. During booking, biographical information is collected and photographs and arrest fingerprints are taken and, along with charges and other arrest information, entered into a records management system and/or transmitted directly to the state criminal records repository.

**CAR Transmission** Criminal tenprint submission Answer Required. An electronic Interstate Identification Index (III) response or answer to a base Electronic Biometric Transmission Specification (EBTS) criminal tenprint submission.

**Charge Tracking** The ability to track, or otherwise record, information about individual charges and related actions, from arrest to final disposition.

**CHIEF** Criminal History Information Exchange Format.

**CJIS** The FBI’s Criminal Justice Information Services Division.

**CJIS APB** See APB.

**CNA Transmission** Criminal No Answer Transmission. An electronic message from a record contributor to III to advise that a response to the record contributor’s tenprint submission is not necessary or requested.

**Compact** The National Crime Prevention and Privacy Compact.[[2]](#footnote-2)

**Consolidation** Combines multiple criminal history records belonging to the same person into a single criminal history record.

**Contributor of Information** Refers generally to a criminal justice agency that submits documented criminal justice information (arrest fingerprint cards, arrest warrants, court dispositions, etc.) to a state criminal history records repository for entry into information systems maintained by the state criminal records repository, and in most instances to be either transmitted to or made available to systems maintained by FBI CJIS.

**CPI Transmission** Criminal Print IDENT transmission. An electronic message from a record contributor to III to advise that the record contributor has identified a subsequent criminal fingerprint submission against a previously established III record.

**Criminal Justice Agency** Any court and any governmental agency that performs a function in the administration of criminal justice pursuant to a statute or executive order, and which allocates a substantial part of its budget to a function in the administration of criminal justice.

**Criminal Justice Purpose** Activities relating to the detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The administration of criminal justice includes criminal identification activities and the collection, storage, and dissemination of criminal history records.

**Disposition** The formal or informal conclusion of an arrest or charge at whatever stage it occurs in the criminal justice system.

**Dissemination** Disclosing records of criminal history or the absence of records of criminal history to a person or agency outside the organization that has control of the information.

**DNA** Deoxyribonucleic acid is a [nucleic acid](http://en.wikipedia.org/wiki/Nucleic_acid) containing the [genetic](http://en.wikipedia.org/wiki/Genetics) instructions used in the development and functioning of all known living [organisms](http://en.wikipedia.org/wiki/Organism).

**DOB** Date-of-Birth.

**EBTS** Electronic Biometric Transmission Specification.

**Expungement** Pursuant to a court order or statute, an expungement is the deletion of a single arrest or an entire criminal history record.

**Facial Recognition System** A computer application for automatically identifying or verifying a person from a digital image or a video frame from a video source.

**FBI CJIS** See CJIS.

**FFL** Federal Firearms License/Licensees.

**Fingerprint Examiner** A person who classifies, examines, searches, and matches fingerprint images against fingerprint files to establish positive identity and to link a person and their fingerprints to a previously established criminal history record. Examiners also register, search, analyze, and identify fingerprints in Automated Biometric Identification Systems.

**FIS** Fingerprint Image Search.

**Hit** A positive database search response to an inquiry that is conducted using a subject’s personal identifiers (name, date-of-birth, social security number, fingerprints, etc.).

**Hit Rate** A mathematical calculation that denotes the frequency in which a positive response to an inquiry is delivered or returned to a requestor.

**III**  The Interstate Identification Index is the cooperative federal-state system for the exchange of criminal history records. (Often referred to by its acronym, “Triple I.”)

**III Participating State** A state or U.S. territory that participates and contributes information to the Interstate Identification Index.

**Identity History Summary** An Identity History Summary—often referred to as a criminal history record, a police background clearance, police/good conduct certificate, or a “rap sheet”—is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, federal employment, naturalization, military service, or civil retained prints. It can also be used to satisfy a requirement to live, work, or travel in a foreign country, for employment or licensing within the U.S., or adopting a child in the U.S. or internationally. It may relate to a denial of a firearms purchase. The process of responding to an Identity History Summary Check is generally known as a criminal background check.

**Iris Scan** An automated method of biometric identification.

**JTF** The Joint Task Force on Rap Sheet Standardization.

**Latent Examiner** A person who works to identify often partial fingerprints recovered from a crime scene.

**Latent Fingerprint** Chance or accidental fingerprint impressions left by friction ridge skin on a surface, regardless of whether it is visible at the time of deposition.

**Latent Search** A digitized search (inquiry) of a latent fingerprint image against either a database of known subjects’ fingerprints or against a database of unidentified latent fingerprints, using an Automated Biometric Identification System.

**LEEP** The Law Enforcement Enterprise Portal is an electronic gateway that provides law enforcement agencies, intelligence partners, and criminal justice entities with centralized access to many different resources and services via a single sign-on. These resources strengthen case development for investigators and enhance information sharing between agencies.

**LFFS** Latent Fingerprint Features Search.

**LFIS** Latent Fingerprint Image Search.

**Lights-out processing** Refers to a system that requires minimal or zero human assistance in which a fingerprint image is presented as input to an Automated Biometric Identification System that automatically produces an electronic search response.

**Livescan** An inkless electronic system designed to capture an individual’s fingerprint images, palm prints, photographs, and demographic data (name, sex, race, date-of-birth, etc.) in a digitized format that can be transmitted to a centralized location, records management system, and/or Automated Biometric Identification System for processing.

**Master Fingerprints** The inked fingerprint card impressions or digitized fingerprint images of known individuals that are stored within fingerprint files.

**Miss** A negative or a no-match response to an inquiry that is conducted against a file or database using a subject’s personal identifiers (name, date-of-birth, social security number, fingerprints, etc.) that should have returned a positive or matching response.

**Missed Identification(s)** See Miss.

**Miss Rate** A mathematical calculation that denotes the frequency of missed identifications.

**Mug Shot** A police photograph, or booking photograph portrait taken after an individual is arrested.

**Name Search** An inquiry of a person’s name, often in combination with other personal identifiers (sex, race, date-of-birth, etc.), conducted against a file or database to determine if information matching the individual exists within the file or database being searched.

**National Crime Prevention and Privacy Compact** The Compact was established under the National Crime Prevention and Privacy Compact Act of 1998. It provides technical and policy oversight through the National Crime Prevention and Privacy Compact Council for the exchange by states and the FBI of criminal records information for noncriminal justice purposes.

**NFF** The National Fingerprint File is a database of fingerprints or other uniquely personal identifying information that relates to an arrested or charged individual and that is maintained by the FBI to provide positive identification of record subjects indexed in the III system.

**NFF-Participating State** A state or U.S. territory that participates in the National Fingerprint File. Under the NFF concept, once a state has established with the FBI an individual’s first arrest record in that state, subsequent arrest fingerprints and biographical information within that state are forwarded to the FBI, but not arrest detail.

**NFUF Transmission** An electronic message from a record contributor to III to advise that the request is from a Non-federal applicant user/contributor.

**NIBRS** National Incident Based Reporting System. As part of the FBI’s Uniform Crime Reporting program, NIBRS is an incident-based reporting system for crimes known to the police. NIBRS was created in 1991 to improve the quantity and quality of crime data collected by law enforcement by capturing more detailed information on each single crime occurrence. The FBI UCR program is actively working to increase NIBRS participation by partnering with the Bureau of Justice Statistics on the National Crime Statistics Exchange, working with advocacy groups to emphasize the importance of NIBRS data for the public and the law enforcement community, and transitioning the UCR program to a NIBRS-only data collection by 2021.

**NICS** The National Instant Criminal Background Check System is an automated system established in accordance with the Brady Handgun Violence Prevention Act to check the eligibility of prospective gun purchasers.

**NICS Index** An electronic file that contains information provided by local, state, tribal, and federal agencies of persons prohibited from receiving firearms under federal law. The NICS Index contains prohibiting information not found in the FBI’s National Crime Information Center or the Interstate Identification Index.

**NIEM** The National Information Exchange Model (NIEM) is an XML-based information exchange framework for sharing data between communities of interest (COI), across all levels of the United States government. COIs may include law enforcement, the court system, public safety, intelligence, homeland security, and emergency and disaster management.

**NGI** The Next Generation Identification System (NGI) is operated and maintained by the FBI’s CJIS Division. NGI includes several systems: Advanced Fingerprint Identification Technology (AFIT), the Latents and National Palm Print System (NPPS), the Repository for Individuals of Special Concern (RISC), Rap Back Services, the Interstate Photo System (IPS), and the Iris Recognition (IR) system.

**Nlets** The International Justice and Public Safety Network (Nlets) is a secure information sharing system for state and local law enforcement agencies. It provides electronic messaging to allow justice and other regulatory information exchanges between local, state, and federal criminal justice and public safety agencies. The network is operated by Nlets, a nonprofit corporation owned and operated by the states.

**Noncriminal Justice Agency** Agencies and entities that do not perform a function in the administration of criminal justice pursuant to a statute or executive order, and which do not allocate a substantial part of their budget to a function in the administration of criminal justice.

**Noncriminal Justice Purpose** Uses of criminal history records for purposes authorized by federal or state law other than purposes relating to criminal justice activities, including employment suitability, licensing determinations, and immigration and naturalization matters.

**Positive Identification** A determination, based upon a comparison of fingerprints or other equally reliable biometric identification techniques, that the subject of a record search is the same person as the subject of a criminal history record or records indexed in repository and III files. Identifications based solely upon a comparison of subjects’ names or other nonunique identification characteristics or numbers, or combinations thereof, do not constitute positive identification.

**QAP** State Repository Quality Assurance Program.

**Rap Back** A service that provides authorized agencies or entities with new arrest or conviction information for persons who were previously the subject of a noncriminal justice purpose background check.

**Record Consolidation** See Consolidation.

**Record Contributor** See Contributor of Information.

**Sealed Record** The definition of “sealed record” varies from state to state. It generally applies to an arrest cycle or an entire criminal history record to which access/dissemination is limited by court order or statute.

**SEARCH** The National Consortium for Justice Information and Statistics, a nonprofit membership organization of governor appointees.

**SID Number** State Identification Number. An identifying number assigned to the subject of record by the state in which the arrest occurred. Subsequent arrests by the same person are grouped under the same SID number.

**State Repository** The state agency designated by the governor or other appropriate executive official or the legislature of a state to perform centralized recordkeeping functions for criminal history records and services in the state or U.S. territory.

**Technical Search** A manual and/or digitized search (inquiry) of an individual’s fingerprints against a database of known subjects’ fingerprints to determine if a matching record of the individual exists.

**Ten-Print Search** See Technical Search.

**UCN** Universal Control Number. A unique identifying number assigned to the record subject by the FBI when a fingerprint record is on file within the FBI’s Interstate Identification Index (III). It may be used to link subjects to National Crime Information Center (NCIC) wanted person, missing person, and protection order records.

**UCR** Uniform Crime Reporting. Administered by the FBI, the program’s primary objective is to generate reliable offense and arrest information for use in law enforcement administration, operation, and management; however, its data have over the years become one of the country’s leading social indicators. Criminologists, sociologists, legislators, municipal planners, the media, and other students of criminal justice use the data for varied research and planning purposes. Crime statistics are compiled from UCR data and published annually by the FBI in the *Crime in the United States* series.

**User Agreement** A contract between agencies that spells out each agency’s roles and obligations about how a system or service will be used and maintained. With respect to FBI/CJIS and the NCIC, the purpose of a user agreement is to ensure that each agency participating in the NCIC system understands its role in maintaining the reliability, confidentiality, completeness, accuracy, and security of all records contained in, or obtained by means of, the NCIC.

**WIN** The Western Identification Network. A consortium of eight western states that share an ABIS.

**XML** eXtensible Markup Language. A markup language that defines a set of rules for encoding documents in a format which is both human-readable and machine-readable.

**II. State Repository Quality Assurance Program Checklist**

**IMPORTANT NOTE**

Completing this checklist allows a repository to do a self-assessment of its operations. It is envisioned that once completed, the checklist will be a tool that can serve three main purposes: 1) to establish a baseline of repository operations, including alignment with nationally accepted requirements and best practices; 2) to identify gaps in repository operations; and 3) to train and educate existing and future staff on repository operations.

**Once completed, the QAP checklist remains with the repository**. Repositories are under no obligation to share their checklists with other agencies; indeed, the checklists are intended to be internal working documents that can help guide and improve repository operations. SEARCH is committed to helping repositories maintain best practices and procedures, and is available through its ongoing Technical Assistance program for individual state consultation and guidance. SEARCH has no plans to share any state’s checklist results with others in the field.

State criminal history record repositories provide informational services that, in many ways, are the underpinning for critical decision-making throughout the criminal justice system and beyond. Repository information has a direct bearing on the administration of criminal justice, public safety, and homeland security. Also, it greatly influences who works with our children and with individuals in other vulnerable populations, such as the elderly and the disabled. In tens of millions of instances each year, it is a determinant of whether an individual gets the job that he or she seeks.

Despite the far-reaching importance of repository information and how it is collected, processed, maintained, disseminated, and shared with other state and national repositories and exchange partners, it is largely governed by a hodgepodge of federal and state statutes, policies, procedures, practices, and technologies.

The QAP checklist was established to maintain awareness of these requirements and to perform periodic self-assessments of repository programs and operations. It provides a comprehensive inventory of questions for states to answer regarding their alignment to these known requirements. The QAP checklist provides a utility for determining if performance measures need to be established or adjusted, and if recognized standards and known best practices need to be adopted and incorporated into current repository programs and operations.

**Instructions**

The QAP checklist contains a series of questions that span eighteen (18) topical areas:

1. Arrest Record Reporting

2. National Fingerprint File (NFF)

3. 28 CFR § 20 – Criminal Justice Information Systems

4. Disposition Reporting

5. Noncriminal Justice Applicant Request Processing

6. Identity History Summary Standards and Specifications

7. Hit Rates

8. Miss Rates

9. ABIS Accuracy and Performance Measures

10. Livescan Accuracy and Performance Measures

11. Turn-Around Time (Criminal/Noncriminal)

12. Interstate Identification Index (III)

13. Electronic Biometric Transmission Specifications (EBTS)

14. National Instant Criminal Background Check System (NICS)

15. Personnel and Training Practices

16. Criminal Justice Rap Back Service

17. Noncriminal Justice Rap Back Service

18. Other Considerations

Note: Some of the above sections contain links to the SEARCH or other websites where applicable supporting documentation (i.e., statutes, policies, procedures, technical briefs, etc.) to a topical area are available to individuals who are working to complete the QAP checklist. In instances where a link points to the FBI’s Law Enforcement Enterprise Portal (LEEP), the requestor must have an active LEEP account to access the website and referenced document. To view information regarding eligibility and to obtain a LEEP account, contact LEEP directly at <https://www.cjis.gov> and follow the “Apply for an Account” link.

**To begin the QAP checklist:**

1. Designate an approving official for your checklist; this will be the individual responsible for oversight of the program being assessed. Typically, this is the administrator of the state’s criminal history records repository program or, when applicable, the administrator of the state’s justice information system.
2. Review the document in its entirety to determine and assess what supporting documentation and subject matter expertise needs to be obtained and made available for the QAP checklist to be completed.
3. Note where website links are provided to obtain additional supporting documentation.
4. Complete the header information to denote date of assessment, location, point-of-contact, assessor(s), approving official’s name, and date of approval.
5. For the checkboxes where the choices are Y=Yes, N=No and Other, **select only one.**

* If the answer is Y, you will be asked to provide the criteria on which it is based (see #6 below)
* If the answer is N, **explain in the Narrative Comments section (optional but recommended)**
* If the answer is Other, **explain in the Narrative Comments section (required)**.Any specific functions that are not applicable to your agency should be marked as “Other” and further explained in the Narrative Comments section.

1. For the checkboxes S, A, O, and T, **select all that apply**.

* S = Based on Statute
* A = Based on Administrative rule or policy
* O = Based on Operational procedure or practice
* T = Based on Technical requirement or specification

1. The column **Narrative Comments and Answers to Questions** is reserved for explaining and adding detail for ***all*** “yes, no, and other” as well as “S, A, O, and T” answers as described by instruction numbers 5 and 6 above. Respondents are encouraged to provide detailed narrative to support and explain ***most*** answers. This enables users of this checklist and agency administrators to establish a baseline of repository operations that will help in measuring performance and improvement over time. (See the example narrative answers on the next page.)
2. The column **Action Items** is a space for the respondent to flag or note that a question requires follow-up and/or additional attention to remedy a potential problem or shortcoming.

**Example narrative answers to varying dropdown choices and checkbox selections with action noted:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 3.4 | Does your repository have a state law, administrative rule, or other requirement, other than NFF compliance, focusing on accuracy?  Y  N  Other  S  A  O  T | While no specific accuracy rate requirement has been set, accuracy is addressed in the State User Agreement at Section 2-3. In addition, a biennial audit of computerized criminal history data is conducted every even year. This audit consists of obtaining arrest affidavits from the arresting agencies for the arrest events in the audit sample, and obtaining copies of final dispositions from the Clerk of Courts. These documents are compared to the corresponding data maintained in CCH to determine the number and percentage of errors detected as an “error record” for percentage calculations documented in the audit report. | Discuss w/ exec staff the need for setting a fixed rate for accuracy. |
| 3.4.1 | If yes, is your repository in compliance with state accuracy requirements?  Y  N  Other | The state repository has maintained an accuracy rate of over 96% since 2008, and the 2012 audit had a 98% accuracy rate. |  |

|  |  |  |  |
| --- | --- | --- | --- |
| 4.2 | Does your state have a state law, administrative rule, or other requirement for prosecutors to report dispositions to the repository?  Y  N  Other  S  A  O  T | Per State Statute 176.866(2), each Clerk of the Court shall monitor its records and submit uniform disposition reports to the State’s Centralized Repository of Criminal History Records. Pursuant to Administrative Regulation AR 176.866, Clerks respond on behalf of statewide Prosecutors and Courts and submit dispositions electronically a minimum of once a month. |  |
| 4.2.1 | If yes, does it specify a timeline for prosecutors to send dispositions to the repository?  Y  N  Other | Clerks send at least monthly. |  |
| 4.2.2 | Are prosecutors in your state in compliance with disposition reporting requirements?  Y  N  Other | As indicated above, no direct requirement for Prosecutors. |  |
| 4.2.3 | Is the requirement enforceable if a prosecutor is not in compliance?  Y  N  Other | N/A |  |

Date of Assessment       Location

Point of Contact       Assessors

Approving Official       Date of Approval

|  |  |  |  |
| --- | --- | --- | --- |
| **1** | **ARREST RECORD REPORTING:** These questions determine whether the repository effectively collects all arrest information required by law, administrative rule, or other requirement in your state. Missing arrest information has a negative accumulative effect on the overall quality of an offender’s criminal history record, such as the inability to match dispositions to the offender or to verify his identity when arrest fingerprints are absent. Unreported arrest information will also be missing from FBI criminal history and NFF-participating state databases. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 1.1 | Does a state law, administrative rule, or other requirement specify what information is to be obtained during booking?    S  A  O  T |  |  |
| 1.1.1 | Does it require that this information is to be submitted to the repository? |  |  |
| 1.1.2 | Does it specify who is to send it? |  |  |
| 1.1.3 | Does it specify a timeline for sending the information to the repository? |  |  |
| 1.1.4 | With respect to the above, are contributors of information in compliance with state laws, administrative rules, etc.? (If some jurisdictions are in compliance while others are not, explain under Narrative Comments.) |  |  |
| 1.2 | **(NFF-participating states, skip to question 1.4)**  Does a state law, administrative rule, or other requirement specify what information obtained during arrest is to be sent to the FBI by your repository?    S  A  O  T |  |  |
| 1.2.1 | Is your state in compliance with this requirement? |  |  |
| 1.2.2 | Does the requirement specify a timeline for sending the information to the FBI? (If there is no requirement, identify under Narrative Comments how you measure the timeline and what is your current performance.) |  |  |
| 1.3 | **(NFF-participating states, skip to question 1.4)**  Does your repository forward all retained information to the FBI except in those cases when sending the information would conflict with a state statute or other restriction (e.g., NFF state, juvenile information)?    S  A  O  T |  |  |
| 1.4 | Is your repository notified by the prosecutor when a prosecutor adds, amends, or dismisses charges?    S  A  O  T |  |  |
| 1.4.1 | Is this information added to the criminal history record? |  |  |
| 1.4.2 | Is your repository notified when the prosecutor decides not to file charges?    S  A  O  T |  |  |
| 1.4.3 | Is this information added to the criminal history record? |  |  |
| 1.5 | Is there a state law, administrative rule, or other practice to ensure the collection of information, including fingerprints, from subjects who are not formally booked but who appear in court as a result of a citation/summons?    S  A  O  T |  |  |
| 1.5.1 | Is there a state law, administrative rule, or other practice to ensure the collection of information, including fingerprints, from subjects who are not formally booked but who appear in court as a result of a grand jury indictment?    S  A  O  T |  |  |
| 1.5.2 | Is your repository in compliance with these requirements? |  |  |
| 1.6 | Describe which arrest and disposition information is reportable to the state repository (e.g., felonies, serious misdemeanors, all misdemeanors, driving under the influence, etc.).    S  A  O  T |  |  |
| **2** | **NATIONAL FINGERPRINT FILE (NFF):** NFFstates submit fingerprint images from a subject’s first arrest to establish a pointer record within III. Any subsequent activity related to this NFF pointer record is the sole responsibility of the participating NFF state. The NFF state sends fingerprint images for subsequent arrests to the FBI. NFF-participating states must be a signatory to the National Crime Prevention and Privacy Compact. This section seeks to enable NFF-participating state repositories to measure their continuing ability to meet NFF qualification requirements. (Refer – *III/NFF Operational and Technical Manual, Chapter 8, Section 2* at www.cjis.gov)  ***Explain any ‘No’ responses in sections 2.2–2.21 in the Narrative Comments section.*** | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 2.1 | Are you an NFF-participating state?    S  A  O  T  **If no, skip to Section 3.** |  |  |
| 2.2 | Does your state perform technical searches on both criminal and noncriminal justice fingerprints prior to their submission to the FBI?    S  A  O  T |  |  |
| 2.3 | Does your state maintain a fingerprint submission reject rate that is less than 0.75% of the total number of criminal fingerprint submissions to the FBI?    S  A  O  T |  |  |
| 2.4 | When forwarding fingerprint submissions for previously indexed NFF records, does your state maintain an error rate that is less than 2% of the total number of criminal fingerprint submissions to the FBI?    S  A  O  T |  |  |
| 2.5 | Does your state continue to submit fingerprints for individuals for whom primary identification records were established by the FBI prior to your state becoming an III or NFF participant?    S  A  O  T |  |  |
| 2.6 | Does your state submit criminal fingerprints to the FBI within two weeks of receipt at the repository?    S  A  O  T |  |  |
| 2.7 | Do the master fingerprints at your state repository include all 10 fingers, noting amputation(s), scars, or missing fingers?    S  A  O  T |  |  |
| 2.8 | Does your state ensure that an SID Number is on each criminal fingerprint submission not identified at the state level and submitted to the FBI for establishment of an NFF record?    S  A  O  T |  |  |
| 2.9 | Does your state monitor and ensure that the number of criminal fingerprint submissions that contain non-unique SIDs shall be less than 0.25% of the total criminal fingerprint submissions to the FBI?    S  A  O  T |  |  |
| 2.10 | Does your state monitor and ensure that missed identifications by the repository resulting in the issuance of multiple SIDs for the same individual shall be less than 2% of the total criminal fingerprint submissions to the FBI?    S  A  O  T |  |  |
| 2.11 | When a second and/or subsequent criminal fingerprint submission is identified with an Indexed record, does your state send an electronic Criminal Print Ident (CPI) message to the FBI within 24 hours after the arrest is posted to your state’s criminal history system?    S  A  O  T |  |  |
| 2.12 | Does your state add supplemental identifiers (scars, marks, tattoos, DOBs, AKAs, etc.) to Indexed records when second and/or subsequent criminal fingerprints are identified by your repository and contain identifiers not previously recorded?    S  A  O  T |  |  |
| 2.13 | Does your state submit a Fingerprint Image Search (FIS) to the FBI for second and /or subsequent arrests as FIS transactions?    S  A  O  T |  |  |
| 2.14 | Does your state conduct record file maintenance upon receipt of unsolicited file maintenance messages from the FBI via your state’s III interface? (These may include advisories regarding record consolidations, state/FBI missed identifications, and/or expungements of the state SID.)    S  A  O  T |  |  |
| 2.14.1 | If yes, are record consolidations processed within two business days of notification and are other file maintenance requests processed within seven business days of notification? |  |  |
| 2.15 | Are responses to inquiries provided from your state’s automated criminal history system within 10 minutes or less of receipt?    S  A  O  T |  |  |
| 2.15.1 | If no, does your criminal history system within 10 minutes of receipt, acknowledge receiving the inquiry and does your system provide a notice of when the record will be provided? |  |  |
| 2.15.2 | When your state system cannot provide on-line record responses within 10 minutes, does your state assign personnel as necessary to resolve record processing problems and to restore the system’s capacity to provide timely on-line responses? |  |  |
| 2.16 | In responding to an III request for a noncriminal justice purpose, does your state provide the entire record that is maintained on the record subject, except for information that is sealed?    S  A  O  T |  |  |
| 2.17 | Does your state have written procedures requiring thorough testing of upgrades or modifications to your state’s computer system(s) (ABIS, CCH) to detect software errors and/or related procedural problems, particularly on-line testing of these changes to limit adverse effects to the NFF system operations?    S  A  O  T |  |  |
| 2.18 | Does your state’s automated criminal history record system have sufficient capability to provide a mean response time of 15 seconds to record requests via Nlets?    S  A  O  T |  |  |
| 2.19 | Do your state’s record responses include literal translations of all alphabetic and/or numeric codes in order that they can be readily understood?    S  A  O  T |  |  |
| 2.20 | Do your state’s record responses exclude any out-of-state and/or Federal criminal history record information maintained in your state’s files?    S  A  O  T |  |  |
| 2.21 | Does your state’s central criminal history record repository provide its indexed criminal history records in response to all authorized requests made through the NFF for criminal justice purposes and, when based on positive identification, for noncriminal justice purposes as authorized by the National Crime Prevention and Privacy Compact?    S  A  O  T |  |  |
| 2.22 | Does your state’s central criminal history record repository provide its indexed criminal history records in response to all authorized requests made through the III for criminal justice purposes and, when based on positive identification, for noncriminal justice purposes as authorized by the National Crime Prevention and Privacy Compact?    S  A  O  T |  |  |
| **3** | **28 CFR § 20:** Repositories may want to revisit their 28 CFR § 20 compliance strategies—considering the expanded use of criminal history background information for various suitability determinations, and the frequent sharing of such information beyond the justice realm, such as with non-justice governmental agencies and the private sector. These questions address whether user agreements are established with record contributors/recipients to protect individual privacy, as required by the federal code. Repositories will also be able to address information accuracy and other issues through these questions. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 3.1 | Are user agreements executed between your repository and agencies that contribute information to repository files?    S  A  O  T |  |  |
| 3.1.1 | If yes, are the agreements applicable to criminal justice agency contributors of information? |  |  |
| 3.1.2 | Are the agreements also applicable to noncriminal justice entities that submit requests for information? |  |  |
| 3.1.3 | Do the agreements contain signatures of current/appropriate agency representatives? |  |  |
| 3.1.4 | Are the agreements periodically updated and re-executed? |  |  |
| 3.1.5 | If yes, how often are they updated or re-executed? |  |  |
| 3.2 | Are user agreements executed between your repository and agencies that receive information from repository files?    S  A  O  T |  |  |
| 3.2.1 | If yes, are the agreements applicable to criminal justice agency recipients of information? |  |  |
| 3.2.2 | Are the agreements applicable to noncriminal justice recipients of information? |  |  |
| 3.2.3 | Do the agreements contain signatures of current/appropriate agency representatives? |  |  |
| 3.2.4 | Are the agreements periodically updated and re-executed? |  |  |
| 3.2.5 | If yes, how often are they updated or re-executed? |  |  |
| 3.3 | Does your repository have a state law, administrative rule, or other requirement focusing on record dissemination?    S  A  O  T |  |  |
| 3.3.1 | If yes, does it apply to disseminating information for criminal justice purposes? |  |  |
| 3.3.2 | Does it apply to disseminating information for noncriminal justice purposes? |  |  |
| 3.3.3 | Does legislation tie disqualification for certain jobs to certain convictions? |  |  |
| 3.3.4 | Does the disseminated Identity History Summary only show offenses/convictions for disqualifying events? |  |  |
| 3.3.5 | Is your repository in compliance with state record dissemination requirements? |  |  |
| 3.4 | Does your repository have a state law, administrative rule, or other requirement, other than NFF compliance, that focuses on accuracy?    S  A  O  T |  |  |
| 3.4.1 | If yes, is your repository in compliance with state accuracy requirements? |  |  |
| 3.5 | Does your repository have a state law, administrative rule, or other requirement that authorizes a record subject to inspect and challenge the accuracy of his or her record?    S  A  O  T |  |  |
| 3.5.1 | If yes, does it require fingerprints? |  |  |
| 3.5.2 | Is your repository in compliance with this requirement? |  |  |
| 3.6 | With respect to maintaining or accessing criminal history records in your state, does your state have a law, administrative rule, or other requirement that addresses information or record privacy?    S  A  O  T |  |  |
| 3.6.1 | If yes, does it apply to disseminating information for criminal justice purposes? |  |  |
| 3.6.2 | Does it apply to disseminating information for noncriminal justice purposes? |  |  |
| 3.6.3 | Is your repository in compliance with state privacy requirements? |  |  |
| **4** | **DISPOSITION REPORTING: Disposition reporting, while much improved, remains a significant national problem. The absence of disposition information impacts decisions throughout the criminal justice system, decisions about employment and placement of persons in positions of trust, and firearms transfers.** Some of the strategies states employ to improve disposition reporting include charge-tracking procedures, the issuance of regular missing-disposition reports to local justice reporting agencies, and training throughout the criminal justice community highlighting the importance of disposition reporting. The questions here touch on these and other approaches aimed at improving routine reporting of disposition information, matching of disposition information with arrest information, and increasing the numbers of dispositions at each repository. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 4.1 | Does your state have a state law, administrative rule, or other requirement for courts to report dispositions to the repository? (If some courts are complying while others are not, explain under Narrative Comments.)    S  A  O  T |  |  |
| 4.1.1 | If yes, does it specify a timeline for courts to send dispositions to the repository? |  |  |
| 4.1.2 | Are courts in your state in compliance with disposition reporting requirements? |  |  |
| 4.1.3 | Is the requirement enforceable if a court is not in compliance? |  |  |
| 4.1.4 | Do courts submit dispositions electronically to the repository? |  |  |
| 4.1.5 | Do courts use livescan technology to capture fingerprints in the courtroom? |
| 4.2 | Does your state have a state law, administrative rule, or other requirement for prosecutors to report dispositions to the repository?    S  A  O  T |  |  |
| 4.2.1 | If yes, does it specify a timeline for prosecutors to send dispositions to the repository? |  |  |
| 4.2.2 | Are prosecutors in your state in compliance with disposition reporting requirements? |  |  |
| 4.2.3 | Is the requirement enforceable if a prosecutor is not in compliance? |  |  |
| 4.2.4 | Do prosecutors submit dispositions electronically to the repository? |
| 4.3 | Does your state have a state law, administrative rule, or other requirement for correctional facilities to report dispositions to the repository?    S  A  O  T |  |  |
| 4.3.1 | If yes, does it specify a timeline for correctional facilities to send dispositions to the repository? |  |  |
| 4.3.2 | Are correctional facilities in your state in compliance with disposition reporting requirements? |  |  |
| 4.3.3 | Is the requirement enforceable if a correctional facility is not in compliance? |  |  |
| 4.3.4 | Do correctional facilities submit dispositions electronically to the repository? |
| 4.4 | Does your state have a state law, administrative rule, or other requirement for probation/parole officials to report dispositions to the repository?    S  A  O  T |  |  |
| 4.4.1 | If yes, does it specify a timeline for probation/parole officials to send dispositions to the repository? |  |  |
| 4.4.2 | Are probation/parole officials in your state in compliance with disposition reporting requirements? |  |  |
| 4.4.3 | Is the requirement enforceable if a probation/parole official is not in compliance? |  |  |
| 4.4.4 | Do probation/parole officials submit dispositions electronically to the repository? |
| 4.5 | If your state (non-NFF) has a disposition reporting requirement, does it specify a timeline for sending disposition information to the FBI?    S  A  O  T |  |  |
| 4.5.1 | If yes, is disposition information sent to the FBI in accordance to this timeline? |  |  |
| 4.6 | Does your state utilize charge tracking procedures to report charge changes reported to the repository by prosecutors?    S  A  O  T |  |  |
| 4.6.1 | Does your state utilize charge tracking procedures to report charge changes reported to the repository by courts?    S  A  O  T |  |  |
| 4.7 | Does your repository have a method to monitor/track disposition reporting levels from local jurisdictions?    S  A  O  T |  |  |
| 4.8 | Does your repository have a method to monitor an arrest for which a disposition is not received, e.g., reports sent to courts/prosecutors listing every arrest over a year old with no decision reported?    S  A  O  T |  |  |
| 4.8.1 | If yes, does your repository monitor an arrest for which a disposition is not received? |  |  |
| 4.9 | Does your repository have a method to monitor a disposition for which an arrest is not received, e.g., reports sent to arresting agencies for records over a year old with no disposition reported?    S  A  O  T |  |  |
| 4.9.1 | If yes, does your repository maintain an electronic file of dispositions for which no arrest is received? |  |  |
| 4.10 | Is disposition reporting in your state linked via a tracking number, and is the tracking number supported by fingerprints?    S  A  O  T |  |  |
| 4.10.1 | If yes, is the tracking number linked to the arrest or to the individual arrest charges? Explain in narrative. |  |  |
| 4.10.2 | If tracking numbers are used, does the tracking number provide for sub-numbers to enable charge tracking? |  |  |
| **5** | **NONCRIMINAL JUSTICE APPLICANT REQUEST PROCESSING:** The number of noncriminal justice fingerprints processed by criminal history repositories has grown to such a degree that, in many repositories, they now exceed the number of processed criminal justice fingerprints. These questions touch on some of the lesser discussed but still important issues associated with noncriminal justice checks. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 5.1 | Does your repository verify authority (lawful authority, such as a state or federal statute) for submitted state and FBI background checks?    S  A  O  T |  |  |
| 5.2 | Does your repository retain noncriminal justice applicant fingerprints?    S  A  O  T |  |  |
| 5.2.1 | If yes, does your repository register noncriminal justice applicant fingerprints to your ABIS database?    S  A  O  T |  |  |
| 5.3 | Does your state conduct compliance audits of noncriminal justice agencies that receive state criminal history record information?    S  A  O  T |  |  |
| 5.3.1 | Does your state conduct similar audits of noncriminal justice agencies that receive FBI criminal history record information?    S  A  O  T |  |  |
| 5.4 | In conducting noncriminal justice background checks, does your repository also inquire upon NCIC files?    S  A  O  T |  |  |
| 5.4.1 | If yes, is only authorized information (information pertaining to orders of protection, stolen property, wanted and missing persons) disseminated to the requestor?    S  A  O  T |  |  |
| 5.5 | Does your state have a vendor (or vendors) that collect applicant fingerprints? (single statewide vendor or multiple vendors)    S  A  O  T |  |  |
| 5.5.1 | If so, how do they submit applicant fingerprints to the repository? (e.g., electronically, paper, mix of both, etc.) |  |  |
| **6** | **Identity History Summary** **STANDARDS AND SPECIFICATIONS:** Except for FBI CJIS and states that participate in and have implemented through Nlets the Criminal History Information Exchange Format (CHIEF), Identity History Summaries (formerly known as “rap sheets”) are typically delivered in non-uniform, state‐specific formats. To make improvements in this regard and from 1996 through 2009, the Joint Task Force (JTF) on Rap Sheet Standardization—with representation from the FBI’s CJIS Division, the CJIS APB, Nlets, SEARCH, and state and local law enforcement agencies—was formed to develop national rap sheet (now the Identity History Summary) standards and standardized criminal history record transmission specifications and formats to exchange information using eXtensible Markup Language (XML). The questions here examine a state’s readiness to adhere to those standards. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 6.1 | Does your repository adhere to any currently accepted version (accepted by the International Justice and Public Safety Network, also known as Nlets) of the NIEM-based XML Identity History Summary transmission specification? If not, indicate why not or plans to adopt.    S  A  O  T |  |  |
| 6.2 | Does a state law or administrative rule/policy require and/or authorize your repository to set a flag or similar notation on your state’s Identity History Summary to indicate that a DNA sample is required from subjects arrested and/or convicted of certain crimes?    S  A  O  T |  |  |
| 6.2.1 | If yes, does it require and/or authorize your repository to set a flag or similar notation on your state’s Identity History Summary to indicate that a DNA sample is available? |  |  |
| 6.2.2 | If a flag or similar notation is required to be set, is your repository in compliance with this requirement? |  |  |
| 6.3 | Does your Identity History Summary include a flag to indicate that the record subject has been convicted of a sexual offense?    S  A  O  T |  |  |
| 6.4 | Does your Identity History Summary include flags to account for state firearm restrictions?    S  A  O  T |  |  |
| 6.5 | Does your Identity History Summary account for federal firearms transfer restrictions?    S  A  O  T |  |  |
| **7** | **HIT RATES:** A mathematical calculation that denotes the frequency in which a positive response to an inquiry is delivered or returned to a requestor. Evaluating hit rates can provide valuable information to the repository, such as whether equipment is operating properly and staff is performing up to expectations. Problems at the local law enforcement level might also be revealed. These questions will allow a repository to determine whether it could benefit from these valuable processes. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 7.1 | Does your repository have a process for measuring identification/hit rates?    S  A  O  T |  |  |
| 7.1.1 | If yes, are identification/hit rates for criminal justice purposes monitored? |  |  |
| 7.1.2 | Are identification/hit rates for noncriminal justice purposes monitored? |  |  |
| 7.1.3 | If yes, are identification/hit rates monitored and/or captured for various categories of applicants (e.g., school teachers, security guards, volunteers, etc.)? |  |  |
| **8** | **MISS RATES:** A mathematical calculation that denotes the frequency of missed identifications. As with the previous section, evaluating and investigating miss rates is similarly valuable to the repository. Again, is equipment and staff performing properly? Do processes and procedures need to be revisited? The questions below address these and other issues, and they identify how to address any problems that may be revealed through such evaluation and investigation. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 8.1 | Does your repository have a process for evaluating/ investigating missed identifications against Computerized Criminal History (CCH) files?    S  A  O  T |  |  |
| 8.1.1 | If yes, are miss rates for criminal justice purposes monitored? |  |  |
| 8.1.2 | Are miss rates for noncriminal justice purposes monitored?    S  A  O  T |  |  |
| 8.1.3 | Does your repository have a process for evaluating/ investigating missed identifications against your Automated Biometric Identification System (ABIS)?    S  A  O  T |  |  |
| 8.2 | Does your repository offer follow-up training or other remedial action in response to missed identifications?    S  A  O  T |  |  |
| 8.3 | Does your repository have “lights out” processing capabilities?    S  A  O  T |  |  |
| 8.3.1 | If yes, are they implemented? |  |  |
| 8.3.2 | If “lights out” processing capabilities are operational in your repository, has any analysis/study been done to determine the effect of lights-out processing on miss rates? |  |  |
| 8.3.3 | If yes, have corrective action strategies been written? |  |  |
| 8.4 | Does your repository analyze name search algorithm performance?    S  A  O  T |  |  |
| 8.5 | Is there investigation to determine why a miss occurs when no match is made on a name search but a subsequent technical search yields a match to a similar name?    S  A  O  T |  |  |
| 8.6 | Does your repository inform submitting agencies when a miss is identified and consolidated into one record?    S  A  O  T |  |  |
| 8.7 | Does your repository have a written policy to describe how record consolidations are handled?    S  A  O  T |  |  |
| **9** | **ABIS ACCURACY AND PERFORMANCE MEASURES:** As the repository’s single largest financial investment, and with so much depending on its performance, the ABIS must be maintained to function at its optimum level. The questions here allow a repository to determine whether the performance of its ABIS can be improved to better meet repository needs. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 9.1 | Does your repository have processes or methodologies in place to determine the source of ABIS accuracy performance deterioration?    S  A  O  T |  |  |
| 9.2 | Does your repository conduct periodic ABIS benchmark tests?    S  A  O  T |  |  |
| 9.3 | Does your repository/laboratory conduct latent accuracy testing on ABIS?    S  A  O  T |  |  |
| 9.4 | Does your ABIS provide sufficient capacity to handle both ten-print and latent searching?    S  A  O  T |  |  |
| 9.5 | Does your ABIS provide sufficient capacity to handle palmprint and latent palmprint searching?    S  A  O  T |  |  |
| 9.6 | Does your ABIS provide sufficient capacity to handle iris scan searching?    S  A  O  T |  |  |
| 9.7 | Does your ABIS provide sufficient capacity to handle photo searching?    S  A  O  T |  |  |
| 9.8 | Does your state have a written priority scheme for use of ABIS matchers?    S  A  O  T |  |  |
| 9.9 | Does your state use methods to ensure that your ABIS continues to meet performance standards established by the ABIS vendor?    S  A  O  T |  |  |
| 9.10 | Can your ABIS process a standard EBTS Latent Fingerprint Image Search (LFIS) from a dissimilar ABIS/latent device?    S  A  O  T |  |  |
| 9.10.1 | Can your ABIS process a standard EBTS Latent Fingerprint Features Search (LFFS) from a dissimilar ABIS/latent device?    S  A  O  T |  |  |
| 9.11 | Can your ABIS process latent palm prints from a dissimilar ABIS/latent device?    S  A  O  T |  |  |
| 9.12 | Can your ABIS process iris scans from a dissimilar ABIS device?    S  A  O  T |  |  |
| 9.13 | Can your ABIS process photos from a dissimilar ABIS device?    S  A  O  T |  |  |
| **10** | **LIVESCAN ACCURACY AND PERFORMANCE MEASURES:** Livescan devices that transmit data and images to the repository must be maintained to function at their optimum service levels. The questions here allow a repository to determine whether the performance of its livescan equipment can be improved to better meet repository needs. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 10.1 | Does the repository provide local jurisdictions with information on standards that govern livescan transmissions to the state repository? (e.g. purchase guidance)    S  A  O  T |  |  |
| 10.1.1 | If your repository provides local jurisdictions with information on transmission standards, do these include fingerprint images?    S  A  O  T |  |  |
| 10.1.2 | If your repository provides local jurisdictions with information on transmission standards, do these include palmprint images?    S  A  O  T |  |  |
| 10.1.3 | If your repository provides local jurisdictions with information on transmission standards, do these include iris scan images?    S  A  O  T |  |  |
| 10.1.4 | If your repository provides local jurisdictions with information on transmission standards, do these include photographic images?    S  A  O  T |  |  |
| 10.2 | Is there a policy/requirement that livescans at local agencies be maintained at specific service/performance levels?    S  A  O  T |  |  |
| 10.3 | Is there a policy/requirement that livescans at local agencies be periodically tested for resolution performance?    S  A  O  T |  |  |
| 10.3.1 | Is there a standard resolution set for your state ABIS?    S  A  O  T |  |  |
| 10.3.2 | If so, what is the standard?    S  A  O  T |  |  |
| **11** | **TURN-AROUND TIME (CRIMINAL/NONCRIMINAL):** The questions below assess a repository’s ability to measure performance by determining how long it takes to process criminal and noncriminal justice purpose fingerprint transactions. Through these measurements, each repository can identify areas of weakness and improve response times to authorized requestors of criminal history record information who rely upon a program’s ability to send timely responses. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 11.1 | Does your state have a requirement/standard specifying turn-around time for criminaljustice fingerprint processing?    S  A  O  T |  |  |
| 11.1.1 | Is your repository in compliance with this requirement/standard? |  |  |
| 11.1.2 | If your state measures turn-around time for criminal justice purposes, does it begin when the fingerprints arrive at the repository? |  |  |
| 11.1.3 | If no, when does it begin? |  |  |
| 11.2 | Does your state have a requirement/standard specifying turn-around time for noncriminal justice fingerprint processing?    S  A  O  T |  |  |
| 11.2.1 | Is your repository in compliance with this requirement/standard? |  |  |
| 11.2.2 | If your state measures turn-around time for noncriminal justice purposes, does it begin when the fingerprints arrive at the repository? |  |  |
| 11.2.3 | If no, when does it begin? |  |  |
| 11.3 | Does your repository monitor its performance against these standards?    S  A  O  T |  |  |
| **12** | **INTERSTATE IDENTIFICATION INDEX (III):** The III provides a means of conducting national criminal history record searches for criminal justice and other purposes as specified by existing local, state, and/or federal laws. The FBI maintains an index of each subject’s descriptors. The FBI and state criminal history repositories each maintain criminal history record information and share record dissemination responsibilities. All states participate in the III program and must meet minimum participation requirements. This section seeks to enable state repositories to measure their continuing ability to meet these minimum qualification requirements. (Refer – *III/NFF Operational and Technical Manual,* Chapter 3, Section 2 at www.cjis.gov.) | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 12.1 | Does your state maintain the subject’s fingerprints or a copy of them as the basic source for each indexed record to support each arrest event in the criminal history record?    S  A  O  T |  |  |
| 12.2 | Does your state (non-NFF) have a mechanism to monitor/ensure that all arrest, disposition, and custody/supervision data are submitted to FBI CJIS without undue delay?    S  A  O  T |  |  |
| 12.2.1 | If no, does your state have a formal process in place to identify and correct any policy, process, procedure, or impediment that prevents records from containing all known, arrest, disposition, and custody/ supervision data? Please provide necessary narrative. |  |  |
| 12.3 | Does your state have a mechanism to monitor/ensure that the SID number from an III record is removed or expunged when the corresponding record data no longer exists at the state level?    S  A  O  T |  |  |
| 12.4 | Does your state conduct regularly scheduled audits to identify discrepancies in III records pointing to the state’s database?    S  A  O  T |  |  |
| 12.4.1 | Does your state conduct regularly scheduled audits to synchronize III records pointing to the state’s database?    S  A  O  T |  |  |
| 12.5 | Does your state have a formal process to identify any discrepancies to ensure that records are complete, accurate, and timely?    S  A  O  T |  |  |
| 12.5.1 | If yes, please provide necessary narrative. |  |  |
| 12.6 | Does your state respond immediately via Nlets to III record requests with the record or an acknowledgment and a notice to indicate when the record will be provided?    S  A  O  T |  |  |
| 12.7 | Does your state translate alphabetic and/or numeric codes contained in record responses to literal words or logical abbreviations so the responses are easily understood?    S  A  O  T |  |  |
| 12.8 | Does your state have a mechanism to monitor/ensure that III responses do not include any out-of-state criminal history record information (including federal information) that is maintained in state files?    S  A  O  T |  |  |
| 12.9 | Is a single agency within your state responsible for ensuring that the standards for III participation are met?    S  A  O  T |  |  |
| 12.10 | To what purpose codes does your state respond? (List all that apply.) |  |  |
| **13** | **ELECTRONIC BIOMETRIC TRANSMISSION SPECIFICATION (EBTS):** In an age of expanding biometric use, such as with the addition of palm prints and DNA profiles to criminal history records, repositories must keep pace with the most current biometric transmission standards to ensure that these valuable investigative and identification tools are made available to the FBI and law enforcement agencies in other states. It is also important for repositories to utilize commonly accepted standards so other justice agencies can merge shared biometric data into their databases. These questions allow a repository to examine its biometric transmission standards to ensure the utility of biometric data transmitted from a local law enforcement agency to the state and from the state agency to the FBI. <https://www.fbibiospecs.cjis.gov/> | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 13.1 | Does your state meet the FBI’s Electronic Biometric Transmission Specification (EBTS) requirements for electronic reporting?    S  A  O  T |  |  |
| 13.2 | When transmitting information electronically to the FBI, does your state populate only the FBI’s required fields?    S  A  O  T |  |  |
| 13.3 | Does your state have a standard for the electronic transmission of arrest information from local jurisdictions to the repository?    S  A  O  T |  |  |
| 13.4 | Does your state have a standard for the electronic transmission of disposition information from local jurisdictions to the repository?    S  A  O  T |  |  |
| 13.5 | Does your state have a standard for the electronic transmission of custody information from local jurisdictions to the repository?    S  A  O  T |  |  |
| 13.6 | Can your ABIS process a base EBTS criminal tenprint submission – Answer required (CAR) transmission?    S  A  O  T |  |  |
| 13.7 | Can your ABIS process a base EBTS criminal tenprint submission – No answer necessary (CNA) transmission?    S  A  O  T |  |  |
| 13.8 | Can your ABIS process a base EBTS non-federal applicant user fee (NFUF) transmission?    S  A  O  T |  |  |
| **14** | **NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS):** NICS is a computerized system established under the Brady Handgun Violence Prevention Act of 1993 (Brady Act) to provide information to federal firearms licensees (FFLs) on whether a prospective purchaser is eligible to receive or possess firearms. The questions in this section attempt to determine if states are compliant with NICS requirements and if states are contributing to NICS indices. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 14.1 | Are contacts for obtaining disposition information provided to NICS and periodically updated by your state?    S  A  O  T |  |  |
| 14.2 | Does your state contribute information/records to the NICS Index?    S  A  O  T |  |  |
|  | If yes, is information provided to the following NICS Index files? (Questions 14.2.1–14.2.11) |  |  |
| 14.2.1 | Denied Persons (based upon state denial) |  |  |
| 14.2.2 | Felony/Serious Misdemeanor Convictions (name-based that cannot be entered on III) |  |  |
| 14.2.3 | Misdemeanor Crimes of Domestic Violence Convictions (name-based that cannot be entered on III) |  |  |
| 14.2.4 | Mental Defectives/Commitments |  |  |
| 14.2.5 | Controlled Substance Abusers |  |  |
| 14.2.6 | Wanted person records that have not been entered into NCIC |  |  |
| 14.2.7 | If yes to 14.2.6, are wanted person records removed from NICS when the subject of the warrant has been located or is no longer wanted by authorities? |  |  |
| 14.2.8 | Domestic violence protection order records that have not been entered into NCIC |  |  |
| 14.2.9 | If yes to 14.2.8, are domestic violence protection orders removed from NICS when they are no longer active? |  |  |
| 14.2.10 | Indictment records that have not been entered into III |  |  |
| 14.2.11 | If yes to 14.2.10, are indictments removed from NICS when they are no longer active? |  |  |
| 14.3 | Does your state have an ATF-certified relief from disabilities program? |  |  |
| **15** | **PERSONNEL AND TRAINING PRACTICES:** The growing technical sophistication of criminal justice information-capturing and record-keeping equipment, increased demand for noncriminal justice access to criminal record information, privacy concerns, and other issues today make personnel and training practices particularly vital to the effective operation of the criminal history record repository. The questions below will allow your repository to ascertain whether its personnel and training practices are meeting today’s demands. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 15.1 | Do you train repository staff on how to read an Identity History Summary?    S  A  O  T |  |  |
| 15.2 | Do you train repository staff on how to ensure data quality?    S  A  O  T |  |  |
| 15.3 | Do you train repository staff on fingerprint quality?    S  A  O  T |  |  |
| 15.4 | Do you train repository staff on state statutes/charges?    S  A  O  T |  |  |
| 15.5 | Do you train repository staff on the responsible release of criminal justice information (different information allowed for different requestors)?    S  A  O  T |  |  |
| 15.6 | Does your repository provide training to outside agencies on how to read Identity History Summaries?    S  A  O  T |  |  |
| 15.6.1 | Is this training provided to law enforcement/criminal justice? |  |  |
| 15.6.2 | Is this training provided to noncriminal justice agencies? |  |  |
| 15.7 | Does your repository provide training to outside agencies on the proper use and dissemination of criminal history record information?    S  A  O  T |  |  |
| 15.7.1 | Is this training provided to law enforcement/criminal justice? |  |  |
| 15.7.2 | Is this training provided to noncriminal justice agencies? |  |  |
| 15.8 | Does your repository provide training in reporting procedures to local arresting agencies?    S  A  O  T |  |  |
| 15.9 | Does your repository provide training in reporting procedures to prosecutors and court personnel?    S  A  O  T |  |  |
| 15.10 | Does your repository accept inked fingerprints cards?    S  A  O  T |  |  |
| 15.10.1 | If yes, does your repository train local booking agencies on the proper techniques of taking legible inked fingerprints? |  |  |
| 15.10.2 | If yes, is training also provided on the proper techniques of taking and transmitting legible livescan fingerprint images to the repository? |  |  |
| 15.11 | Does your repository require proficiency tests for tenprint fingerprint examiners?    S  A  O  T |  |  |
| 15.11.1 | If yes, how frequently are the proficiency tests administered? |  |  |
| 15.12 | Are proficiency tests required for latent examiners?    S  A  O  T |  |  |
| 15.12.1 | If yes, how frequently are the proficiency tests administered? |  |  |
| 15.13 | Does your repository require any certification for latent examiners?    S  A  O  T |  |  |
| 15.14 | Does your repository require any certification for fingerprint examiners?    S  A  O  T |  |  |
| 15.15 | Does your repository require in-house certification of criminal history record clerks?    S  A  O  T |  |  |
| 15.16 | Is any staff required to attend the 40-hour FBI course on fingerprint identification?    S  A  O  T |  |  |
| 15.17 | Is there ABIS brand-specific certification, either in-house or by the vendor, for tenprint examiners?    S  A  O  T |  |  |
| 15.18 | Is there ABIS brand-specific certification, either in-house or by the vendor, for latent examiners?    S  A  O  T |  |  |
| 15.19 | Is there a training program for tenprint and latent court testimony preparations?    S  A  O  T |  |  |
| 15.20 | Does your state certify and test the proficiency of latent print examiners from other agencies who conduct latent searching on the state ABIS?    S  A  O  T |  |  |
| 15.21 | Is there certification/proficiency training for tenprint examiners from other agencies who use the state ABIS?    S  A  O  T |  |  |
| 15.22 | Does your state require certification for livescan devices that are used to transmit fingerprint images to your repository?    S  A  O  T |  |  |
| 15.22.1 | Does your state require certification of individuals who take fingerprints that are sent to your repository?    S  A  O  T |  |  |
| **16** | **CRIMINAL JUSTICE RAP BACK SERVICE:** Many states offer in-state rap back services for criminal justice purposes. Additionally, with the development and deployment of Next Generation Identification (NGI) at FBI/CJIS, state repositories are using the new functionality of FBI-provided rap back services for criminal justice purposes. To that end, the questions below assess a state repository’s in-state rap back services and the use of FBI’s services. https://www.fbibiospecs.cjis.gov/ | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 16.1 | Does your repository provide state rap back services for law enforcement/criminal justice purposes?    S  A  O  T |  |  |
| 16.2 | Does a state law, administrative rule, or other requirement specify the purposes in which criminal justice agencies can be notified of a subsequent inquiry and/or record posting?    S  A  O  T |  |  |
| 16.3 | Does your repository participate in the FBI’s NGI rap back service for criminal justice purposes?    S  A  O  T |  |  |
| 16.4 | Does your repository allow law enforcement agencies to create law enforcement investigative subscriptions in NGI, as described in the *NGI Rap Back Criminal Justice Policy and Implementation Guide?*    S  A  O  T |  |  |
| 16.5 | Does your state offer a training program for criminal justice rap back subscribers?    S  A  O  T |  |  |
| 16.6 | Has your state added compliance audits of rap back subscribers to its FBI/CJIS audit program?    S  A  O  T |  |  |
| **17** | **NONCRIMINAL JUSTICE RAP BACK SERVICE**: Many states offer in-state rap back services for noncriminal justice purposes. Additionally, with the development and deployment of NGI at FBI/CJIS, state repositories are using the new functionality of FBI-provided rap back services for noncriminal justice purposes. To that end, the questions below assess a state repository’s in-state rap back services and the use of FBI’s services. <https://www.fbibiospecs.cjis.gov/> | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 17.1 | Does your repository provide state rap back services for noncriminal justice purposes (e.g., licensing, employment, regulatory)?    S  A  O  T |  |  |
| 17.2 | Does a state law, administrative rule, or other requirement specify the purposes in which noncriminal justice agencies can be notified of a subsequent inquiry and/or record posting?    S  A  O  T |  |  |
| 17.2.1 | If yes, does the state law, administrative rule, or other requirement specify the types of employment, licensing, or regulatory positions of trust in which noncriminal justice agencies can be notified of a subsequent record posting?    S  A  O  T |  |  |
| 17.3 | 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 Non-Criminal Justice Policy and Implementation Guide*?    S  A  O  T |  |  |
| 17.4 | Is a fee imposed for enrolling a subject’s fingerprints into the in-state noncriminal justice rap back service for a prescribed period?    S  A  O  T |  |  |
| 17.4.1 | If yes, is this fee set by state statute?    S  A  O  T |  |  |
| 17.5 | Does your in-state noncriminal justice rap back service impose a fee for noncriminal justice rap back notifications?    S  A  O  T |  |  |
| 17.5.1 | If yes, is this fee set by state statute?    S  A  O  T |  |  |
| 17.6 | Does your repository participate in the FBI’s Next Generation Identification (NGI) rap back service for noncriminal justice purposes?    S  A  O  T |  |  |
| 17.6.1 | NGI rap back service provides submitting entities a choice between two alternatives for how to manage the subscriptions they submit to NGI: Event Based Subscription Management and Category Based Subscription Management. Has your state elected Event Based Subscriptions?    S  A  O  T |  |  |
| 17.6.2 | If no, has your state elected Category Based Subscriptions?    S  A  O  T |  |  |
| 17.7 | Do you restrict the Privacy Risk Mitigation Strategies your NGI Subscribers can choose, as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide?*    S  A  O  T |  |  |
| 17.8 | Do you restrict the Triggering Events that your Subscribers may choose for future rap back Activity Notification, as described in the *NGI Rap Back Non-Criminal Justice Policy and Implementation Guide?*    S  A  O  T |  |  |
| 17.9 | Does your state offer a training program for noncriminal justice rap back subscribers?    S  A  O  T |  |  |
| 17.9.1 | Does your state conduct compliance audits of all noncriminal justice rap back subscribers?    S  A  O  T |  |  |
| 17.9.2 | Has your state added compliance audits of rap back subscribers to its FBI/CJIS audit program?    S  A  O  T |  |  |
| **18** | **OTHER CONSIDERATIONS:** While the topics addressed by the questions below did not fit into the categories listed above, they do provide some helpful suggestions that may assist your criminal history record repository to operate more efficiently and provide better services. | | |
|  | | **Narrative Comments and Answers to Questions** | **Action Items** |
| 18.1 | Does your repository use customer satisfaction surveys?    S  A  O  T |  |  |
| 18.2 | Does your repository seek input from advisory groups?    S  A  O  T |  |  |
| 18.3 | Does your repository measure backlog trends?    S  A  O  T |  |  |
| 18.4 | Does your repository accept palm prints?    S  A  O  T |  |  |
| 18.4.1 | Does your repository search palm prints?    S  A  O  T |  |  |
| 18.4.2 | Does your repository submit palm prints to the FBI?    S  A  O  T |  |  |
| 18.5 | Is the statistical analysis of backlogs a continuous activity?    S  A  O  T |  |  |
| 18.5.1 | Is the statistical analysis of response times a continuous activity?    S  A  O  T |  |  |
| 18.6 | Does your state have a state law, administrative rule, or other requirement for law enforcement to report crime statistics to the repository?    S  A  O  T |  |  |
| 18.6.1 | If yes, does it include reporting crime statistics to the FBI’s Uniform Crime Reporting (UCR) program? |  |  |
| 18.6.2 | What type of reporting does it specify?  Summary-based  Incident-based |  |  |
| 18.6.3 | Does it specify a timeline for crime statistics to be sent to the repository and/or FBI? |  |  |
| 18.6.4 | Are law enforcement agencies in your state in compliance with UCR reporting requirements? |  |  |
| 18.6.5 | Are the requirements enforceable if law enforcement agencies are not in compliance? |  |  |
| 18.7 | Does your repository provide rap back services for law enforcement/criminal justice purposes?    S  A  O  T |  |  |
| 18.7.1 | Does your repository provide rap back services for noncriminal justice purposes (e.g. licensing, employment, regulatory)?    S  A  O  T |  |  |
| 18.8 | Does your state ABIS capture fewer than 10 fingers for criminal justice purposes (e.g. disposition reporting, identity verification)?    S  A  O  T |  |  |
| 18.9 | Does your state accept electronic mug shots?    S  A  O  T |  |  |
| 18.9.1 | Does your state search electronic mug shots?    S  A  O  T |  |  |
| 18.9.2 | Does your state forward electronic mug shots to the FBI?    S  A  O  T |  |  |
| 18.9.3 | Are mug shots available when responding to a request for criminal history information? |  |  |
| 18.10 | Does your state provide any other types of biometric searches (facial recognition, iris scan, etc.?)    S  A  O  T |  |  |
| 18.11 | Are there any federally recognized Indian tribes in your state? |  |  |
| 18.11.1 | If so, are tribal arrests reported to the repository?    S  A  O  T |  |  |
| 18.11.2 | Are tribal arrests with state codes reported to the repository?    S  A  O  T |  |  |
| 18.11.3 | Are tribal arrests recorded on your state’s criminal history record?    S  A  O  T |  |  |
| 18.12 | Are tribal arrests with tribal codes forwarded to the FBI?    S  A  O  T |  |  |
| 18.12.1 | Are tribal arrests with state codes forwarded to the FBI?    S  A  O  T |  |  |
| 18.13 | If tribal arrests are stored in state repository files, how is access or dissemination determined? Please provide necessary narrative. |  |  |

**Comments from the Checklist Assessment**

Please use this page to provide any additional comments you have regarding the checklist.

**III. A Methodology for Determining Costs Associated with Noncriminal Justice Purpose Background Checks**

**Introduction**

SEARCH, working with its state criminal history repository members, has developed an approach to determine costs for noncriminal justice purpose background checks. Repositories may use this approach to 1) better understand the monetary costs of providing background check services, and 2) provide a rationale for establishing a baseline for setting fees.

Noncriminal justice background check processing, as defined in the methodology, is comprised of:

* Compiling and maintaining criminal history information,
* Processing noncriminal justice purpose fingerprint-based background checks, and
* Disseminating criminal history information in response to noncriminal justice purpose fingerprint-based background checks

The methodology requires the collection of cost data (actual or estimated) within four broad categories:

* Personnel who support criminal history activities
* Personnel who support supplemental activities
* Information technology costs that support criminal history activities, and
* Overhead costs that support criminal history activities

**Instructions**

Your repository can use the data collection templates that follow to determine the cost of a single noncriminal justice purpose transaction as defined above, as well as the number of annual transactions your repository would need to handle to reach a fiscal break-even point based on current fees or projected fees. With the break-even point established, users can readily calculate the impact of changes in workload or changes in fees charged. Not all cost items will be germane to every repository. In going through this exercise, each repository should identify annual costs for those items that are relevant to its operations.

**Personnel Costs**

Personnel costs are comprised of the salary and fringe benefits of staff (including contractors, consultants, etc.) who perform tasks or responsibilities related to compiling criminal history information, processing fingerprint-based background checks, and disseminating criminal history information in response to noncriminal justice purpose fingerprint-based background checks. Record your costs on an annualized basis in the table below.

|  |  |
| --- | --- |
| **Personnel Costs** | **$ Cost of Personnel** |
| Repository Operational Staff (Fingerprint Techs, Data Entry, etc.) |  |
| IT Support – Internal Operational Staff (Developers, Network Support, etc.) |  |
| IT Support – Chargebacks by External/Outside Agency |  |
| Data Quality/Quality Control |  |
| Legal and Legislative Activities – Internal Staff |  |
| Legal and Legislative Activities – Chargeback by External/Outside Agency |  |
| Audit – Quality Assurance (Internal) |  |
| Audit – Quality Assurance (External) |  |
| Audit – Noncriminal Justice Agency Audits |  |
| Help Desk – Support to Other Agencies |  |
| Help Desk – Customer Support |  |
| Training – Internal Operations |  |
| Training – Livescan (External) |  |
| Training – Fingerprinting (Internal) |  |
| Training – Fingerprinting (External) |  |
| Records Challenges |  |
| Billing/Accounting |  |
| Consultants/Contract Personnel |  |
| Supervisory/Executive Management |  |
| Missing Dispositions |  |
| Research and Development/Standards Development |  |
| XML Implementation |  |
| Other |  |
| **Total** |  |

**Personnel Costs – Other**

We suggest that you address and record staff costs for the following activities in the “Personnel Costs – Other Responsibilities and Services” table below:

* Agency Website
* Rap Back/Hit Notices
* Want(s)/Warrant(s) Information
* Sex Offender Registry
* Firearms Licensees
* Customized Identity History Summaries (tailored to different customers)
* Domestic Violence Orders
* DNA Taken/Required Flags

|  |  |
| --- | --- |
| **Personnel Costs – Other Responsibilities and Services** | **$ Cost of Personnel** |
| Agency Website (which provides customers with services information) |  |
| Rap Back/Hit Notices |  |
| Want(s)/Warrant(s) Information |  |
| Sex Offender Registry |  |
| Applicant Information |  |
| Firearms Licensees |  |
| Customized Identity History Summaries s (for different customers) |  |
| Domestic Violence Orders |  |
| DNA Taken/Required Flags |  |
| Deported Alien Flag |  |
| Other |  |
| **Total** |  |

**Information Technology Costs to Support Criminal History Activities**

The following categories capture costs for information technology resources used to compile criminal history information, process noncriminal justice purpose fingerprint-based background checks, and disseminate criminal history information in response to noncriminal justice purpose fingerprint-based background checks. Report your repository’s IT costs on an annualized basis.

|  |  |
| --- | --- |
| **Information Technology Costs to Support Criminal History Activities** | **$ Funds Spent** |
| Livescan – Purchases |  |
| Livescan – Maintenance |  |
| Livescan – System/Software |  |
| Livescan – Outsourced Service |  |
| Secure Network Infrastructure (may include Nlets fees) |  |
| System Redundancy (offsite storage and backup) |  |
| Disaster Recovery |  |
| ABIS – Database/Services/Lease (e.g., WIN) |  |
| ABIS – Maintenance |  |
| ABIS – Expansion |  |
| Data Storage – ABIS/Fingerprint Archive |  |
| Data Storage – CCH |  |
| CCH – Software |  |
| CCH – Hardware |  |
| CCH – Maintenance |  |
| Message Switch – Software |  |
| Message Switch – Hardware |  |
| Message Switch – Maintenance |  |
| Other |  |
| **Total** |  |

**Overhead Costs**

The following categories capture annual overhead costs associated with compiling criminal history information, processing noncriminal justice purpose fingerprint-based background checks, and disseminating criminal history information in response to noncriminal justice purpose fingerprint-based background checks. This applies to all activities listed under the previous categories.

|  |  |
| --- | --- |
| **Overhead Costs** | **$ Funds Spent** |
| Real Estate Rental/Property/Lease/Interagency Chargeback – For Repository |  |
| Real Estate Rental/Property/Lease/Interagency Chargeback – For Warehousing |  |
| Utilities |  |
| Office Supplies |  |
| Furniture |  |
| Equipment – Non-IT |  |
| Equipment – Vehicles and Vehicle Maintenance |  |
| IT Office Equipment Purchase or Lease (desktops, printers, fax machines, etc.) |  |
| Service Contracts for IT Office Equipment |  |
| Postage |  |
| Travel Expenses – Audit Staff |  |
| Travel Expenses – Training Staff |  |
| Travel Expenses – Governance/Advisory Groups |  |
| Travel Expenses – Other |  |
| Printing/Publications (customized forms, training materials, newsletters, etc.) |  |
| Credit Card Fees (paid to credit card companies by the repository) |  |
| Imaging Records |  |
| Digitizing Records |  |
| Interagency Chargebacks (for personnel services provided by another agency) |  |
| Dues, Fees, Registration Costs |  |
| Other |  |
| **Total** |  |

**Calculating the Cost of a Single Transaction**

1. Add the total from the following categories:

* Personnel Costs
* Personnel Costs – Other Responsibilities and Services
* Information Technology Costs to Support Criminal History Activities
* Overhead Costs

1. Divide the sum by the total number of record transactions completed in 1 year.
2. The quotient is the cost of 1 transaction.

**Let the table do the math! Double-click on the table below and an Excel window will open. Enter your figures into Column B, and the costs will automatically be reflected in this table.**



1. The QAP Advisory Committee released the initial self-assessment checklist in January 2013. [↑](#footnote-ref-1)
2. 42 U.S.C. § 14616 [↑](#footnote-ref-2)