

## Facts About State Criminal Record Repositories... ...And Why County Criminal Record Searches are Needed

Many employers depend on state criminal record repositories as their primary or sole resource when performing a name-based criminal record background check. This can be a dangerous practice. Why? There are three key reasons—

1. Reporting of Dispositions, Including Linking Dispositions to Arrests
2. Data Quality Procedures
3. Backlog of Entering Arrest and Disposition Data into the State Repository

Consider these statistics produced by the U.S. Department of Justice<sup>1</sup>—

- 422,015 prosecutor dispositions received by 12 states could not be linked to the specific arrest record (2006). Question not surveyed in 2008.
- As of December, 31 2008, there was a backlog of 1.6 million unprocessed or partially processed court dispositions not entered into the states' criminal history databases.
- 7 states do not require felony trial courts to report final dispositions of felony cases to the State criminal record repository (2006). Question not surveyed in 2008.
- 21 states report that at least 10% of all dispositions received could NOT be linked to a specific arrest record (2008). 11 states report that at least 20% of all dispositions received could NOT be linked to a specific arrest record (2006 and 2008).
- After a review of incoming source documents from courts, only 22 state generate error lists that are returned to reporting agencies (2006). Question not surveyed in 2008.
- 11 states reported a significant backlog (from 7 to 85 days) for receiving and entering arrest data into the criminal history database (2006). Question not surveyed in 2008.

The bottom line is: **For proper due diligence when performing a criminal record search, a county search of criminal records should also be conducted.** To find a qualified criminal record researcher, visit [www.prrn.us](http://www.prrn.us).

Most of the data shown below is taken from the U.S. Department of Justice 2008 Survey. When the questions were not asked or not answered in 2008, the data indicates facts taken from the 2006 Survey.

State	% All Dispositions Received that Cannot be Linked to Specific Arrest Record	% of Arrests with Final Dispositions: Arrests within Last 5 Years	Average # of Days to Receive and Process Court Submitted Arrest Data (From 2006 Survey)	Average # of Days: From Final Felony Disposition to Entry in Criminal History DB
AL	n/a	10%	n/a	765
AK	14%	87%	n/a	n/a
AR	5%	18%	2	50
AZ	15%	73%	3	38.3
CA	42%	n/a	2	31
CO	7% (2006)	57% (2006)	<1	2 (2006)
CT	n/a	95%	n/a	1-3
DE	0%	87%	1	2
DC	n/a	16% (2006)	<1	3 (2006)
FL	34%	48%	11	31
GA	n/a	69%	1-2	72
HI	2%	83%	n/a	15

<sup>1</sup> The statistics shown in this document come directly from the U.S. Department of Justice, Bureau of Justice Statistic's *Survey of State Criminal History Information Systems, 2008* (released October 2009) and from the previous *2006 Survey*. Both surveys can be found at <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbse&sid=52>.

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IA	0%	100%	3	8
ID	40%	40%	n/a	2
IL	5%	68%	n/a	n/a
IN	29%	46%	48	n/a
KS	35%	47%	122	1364
KY	60%	13%	<1	210 (2006)
LA	n/a	5% (2006)	<1	n/a
MA	0%	99% (2006)	n/a	2 (2006)
MD	27%	80%	2	2-14
ME	0%	30%	n/a	28
MI	11%	82%	<1	2
MN	14%	54%	<1	3.5
MO	6%	80%	40	96
MS	20%	20% (2006)	n/a	5+
MT	13%	63%	33	66
NC	7%	90%	n/a	4
ND	n/a	81%	n/a	n/a
NE	0%	71%	n/a	2
NH	n/a	n/a	n/a	n/a
NJ	12% (2006)	65%	<1	<1
NM	10%	24%	n/a	n/a
NV	10%	26%	n/a	n/a
NY*	1%	93%	1	<1
OH	55%	47%	2-4	8-9 (2006)
OK	0%	35%	2+	37
OR	n/a	59%	85	60
PA	22%	62%	n/a	1
RI	4%	90%	<1	4 (2006)
SC	5% (2006)	n/a	<1	6
SD	3% (2006)	95%	2	16
TN	10%	65%	n/a	7+ (2006)
TX	0%	70%	n/a	31
UT	57%	45%	n/a	<2
VA	9%	82%	n/a	75-105
VT	0%	88%	<17	45
WA	2%	90%	n/a	297-339
WI	7%	74%	15	30
WV	15% (2006)	55%	10	360
WY	1%	78%	n/a	32-47

\* NY statistics refer to the record repository maintained by the Office of Court Administration