



## Bureau of Justice Statistics

# Increasing the Utility of the Criminal History Record: Report of the National Task Force

*Findings*

*Recommendations*

**Criminal Justice Information Policy**



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# **Increasing the Utility of the Criminal History Record: Report of the National Task Force**

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

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# Highlights

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A number of national-level developments in recent years have demonstrated the need for more uniform and readable State criminal history records. The content and format of such records are of increasing importance, given the growing use of rap sheets in firearms presale checks and a wide range of pre-employment decisions. All States having a common understanding of the standard rap sheet is important for criminal justice as well as for authorized noncriminal justice purposes. It is especially important for users to be able to look at a rap sheet and quickly determine whether particular types of information are contained in it.

To address this need, The National Task Force on Increasing the Utility of the Criminal History Record was convened to improve the quality, reliability and readability of criminal history records exchanged among the States and between the States and the Federal government. The Task Force met over a 2-year period to discuss the utility of existing criminal history records, examine the data elements that currently appear on rap sheets, prepare a set of findings, and develop a common rap sheet for use among the States.

Following the completion of the work of the Task Force, the Membership Group of SEARCH, the National Consortium for Justice Information and Statistics, endorsed the report. In addition, SEARCH went on record to advocate all States' compliance with the recommendations within 5 years. Endorsement by other national organizations directly affected by the recommendations is ongoing.

## Summary of Task Force findings

- All levels of government have demonstrated needs for reassessing the utility of the criminal history record.
- State and Federal legislation requires or authorizes greater utilization of the criminal history record by criminal justice users.

- To make informed decisions, the criminal justice system needs complete, accurate, timely, accessible, and easily understandable criminal history record information.

- The complexity of the criminal justice system and the large number of agencies that have roles in the processing of criminal cases and the custody and supervision of offenders add to the difficulty of establishing complete, accurate, and intelligible criminal history records.

- Increasing numbers of citizens are being affected by the quality and legibility of criminal history records because of the expanding uses of these records for noncriminal justice decisions, such as licensing and employment eligibility.

- The criminal history records now produced by the State repositories differ significantly in content and format.

- Implementation of the Interstate Identification Index (III) system has increased the need for uniform criminal history records.

- Information concerning record subjects that may be relevant for criminal justice purposes, as well as authorized noncriminal justice purposes, may exist in databases other than the criminal history record system.

- State criminal history records increasingly contain "flags"—symbols or notations, such as "F" for felony conviction. Many flags are based on particular requirements under State law, raising a concern that their inclusion on interstate rap sheets may cause confusion if the basis for the flags is not generally understood throughout the country or defined on each record.

## The Task Force recommendations

- Each State should have procedure for obtaining, and indicating on its criminal history records that it transmits interstate, arrest data (including fingerprints) and related disposition and corrections data for all arrests or indictments occurring in the State for all felony offenses and all misdemeanor offenses except those nonserious offenses for which the Federal Bureau of Investigation will not accept fingerprints and related information.

- A State transmitting a record to another State or to a Federal agency should ensure that the following data elements are provided: Introductory, identification, criminal justice summary, arrest, prosecutor, court, corrections and executive clemency data.

- A State transmitting a record to another State or to a Federal agency should structure the record in the format of the Model interstate criminal history record.

- Appropriate authorities should implement a nationwide transmission format for the interstate of criminal history records.

## The model rap sheet

The model rap sheet, presented in an easy-to-read, noncolumnar format, was designed to make the rap sheet easier for users to understand and interpret. The set of data elements for the rap sheet is intended to include all pertinent information without overburdening systems with the collection of extraneous information. Some features of the model rap sheet include:

- Clearly defined linkages between the arrest and other subsequent activities and dispositions on the rap sheet

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- Sufficient information to allow users to identify the agencies that contributed particular information
  - A notice of the existence of sealed information that some users may be authorized to obtain
  - Computer interfaces to enhance the quality and efficacy of the criminal history record.

In addition to the presentation format, the Task Force recommended a standard transmission format to ensure information from a State can be easily formatted into the model presentation format, even if the contributing State has not adopted the model format itself. This recommendation is modeled after the FBI's nationwide transmission format for the information content of the fingerprint card.

# I. Introduction

## The Task Force

This report sets out the findings and recommendations of the National Task Force on Increasing the Utility of the Criminal History Record (“Criminal History Record Task Force” or “Task Force”). The Task Force was convened under a cooperative agreement between the Bureau of Justice Statistics (BJS), U.S. Department of Justice, and SEARCH, The National Consortium for Justice Information and Statistics. The purpose of the Task Force was to develop recommendations concerning the content of criminal history records that are exchanged among the States and to recommend a standard format for such records.

The need for standards concerning the content and format of interstate criminal history records has been demonstrated by several developments in recent years. For example, in 1992 the National Task Force on Criminal History Record Disposition Reporting called for more easily readable criminal history records. That Task Force was established jointly by BJS, SEARCH, and the National Center for State Courts to review criminal case disposition reporting problems and to make recommendations for improving the reporting of dispositions to State criminal history repositories. That Task Force was chaired by the Hon. Robert C. Murphy, Chief Judge of the Maryland Court of Appeals, and was comprised of senior and nationally recognized State judges, State and trial court administrators, criminal history repository directors, a director of a pretrial services agency, a prosecutor, and law enforcement officials. It met three times over a 2-year period and issued a report that included 19 findings and 10

recommended strategies for improving disposition reporting.<sup>1</sup> The number one strategy was a recommendation for the establishment of a high-level, broadly representative task force in each State to identify needs and issues across the population of authorized users of the criminal history record. In its Commentary on this recommendation, the Task Force set out some of the problems that State task forces should address:

The state task force should strive to improve the quality and reliability of the criminal history record product; improve accessibility to the product to assure that the courts and other users have access to criminal history record information in a convenient and timely manner without payment of fees; *improve the readability of criminal history records*; and reform statutorily mandated record retention schedules that in many States burden courts and others with the maintenance of aged and redundant criminal history records.<sup>2</sup>

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<sup>1</sup> Bureau of Justice Statistics, *Report of the National Task Force on Criminal History Record Disposition Reporting*, U.S. Department of Justice, Criminal Justice Information Policy Series, by SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, June 1992). Hereafter, Disposition Task Force report.

<sup>2</sup>Ibid, p. 15 (emphasis added).

The need for more uniform and readable criminal history records was echoed by the Advisory Policy Board (APB) of the Federal Bureau of Investigation’s National Crime Information Center (FBI NCIC).<sup>3</sup> The State-based APB has provided ongoing evaluation of the phased testing and implementation of the Interstate Identification Index (III), a cooperative State/FBI undertaking to establish a decentralized, national criminal history record system for handling interstate and Federal/State record requests and exchanges.<sup>4</sup> In evaluating the first pilot project of

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<sup>3</sup>The APB has been reorganized and is now known as the Criminal Justice Information Services (CJIS) APB.

<sup>4</sup>Under the III system, which utilizes a national offender index maintained by the FBI, the State central repositories provide records in response to interstate and Federal agency needs that currently are serviced primarily from the FBI’s centralized files of Federal and State criminal offender records. Phased testing and implementation of the III system began in 1980 and continues. Currently, 30 State repositories (representing 76 percent of the national population) are participating by making their indexed records available for authorized *criminal justice* purposes. These States are Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, Washington and Wyoming. All of the other State repositories have plans and timetables for participation in III and full national participation is expected to be accomplished by the year 2000.

the National Fingerprint File (NFF),<sup>5</sup> the APB found that lack of uniformity among State criminal record formats and difficulty in understanding records with multistate segments has an adverse impact on the utility of criminal history records transmitted through III that significantly detracts from the effectiveness of the system.<sup>6</sup>

Pursuant to that finding, the APB's Identification Services Subcommittee addressed the issue of State criminal history record formats at its May 1992 meeting. Two model formats were discussed: a horizontal (noncolumnar) format and a vertical

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<sup>5</sup>Participation in the NFF is the final phase of participation in the III system by a State criminal record repository. At this level of participation, the repository undertakes a responsibility to respond to all authorized III requests for both criminal justice and noncriminal justice purposes. State repositories in States participating in the NFF will send only one fingerprint card per criminal offender per State to the FBI. They will not send fingerprint cards for second and subsequent arrests of these offenders, and they will not send any charge or disposition information for any arrests of such persons. The FBI will no longer maintain criminal history records about these State and local offenders. Rather, the FBI will maintain an automated name index of these offenders (the III Index) with "pointers" indicating the State or States maintaining criminal history record data about the individuals. The FBI will also maintain in the NFF a single set of fingerprints for each indexed offender from each State in which the offender has been arrested. The pilot project for this phase is currently being undertaken in Florida, North Carolina and Oregon.

<sup>6</sup> Federal Bureau of Investigation, National Crime Information Center Advisory Policy Board, National Fingerprint File Pilot Project Evaluation Group, "Final Report from the November 5-6 Meeting of the National Fingerprint File (NFF) Pilot Project Evaluation Group" (unpublished, December 31, 1991) p. 3.

(columnar) format.<sup>7</sup> The efforts of that subcommittee have been closely coordinated with the work of the present Criminal History Record Task Force by means of continuing contacts among the APB, the FBI, BJS and SEARCH, all of whom were represented on the Task Force. In addition, drafts and working documents have been exchanged between the two groups.

During the past 3 years, the FBI and the APB have also taken steps to improve the format of the FBI criminal fingerprint card. This effort was initiated in 1992 by an FBI staff recommendation to add a space on the card for the arrestee's place of citizenship to respond to the statutory requirement that the States provide notice to the Immigration and Naturalization Service of convictions of aliens in order to expedite their deportation in appropriate cases.<sup>8</sup>

The APB's Identification Services Subcommittee appointed an Ad Hoc Fingerprint Card Redesign Group to make the citizenship change and to recommend other necessary changes in the FBI card. The Group's recommendations for a new FBI criminal fingerprint card were approved by the APB in June 1994 and subsequently were

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<sup>7</sup>Federal Bureau of Investigation, National Crime Information Center Advisory Policy Board, Identification Services Subcommittee, "Chairman's Report on Identification Services Subcommittee" (unpublished, May 1992) p. 4.

<sup>8</sup>Federal Bureau of Investigation, Identification Division, "Staff Paper: Modifying the FBI Criminal Fingerprint Card" (unpublished, May 1992) p. 67.

adopted by the FBI. The FBI is implementing the new design and the new fingerprint cards are expected to be in use by the late summer of 1995.

Since fingerprint cards play an important role in the recording and reporting of identification information and arrest information that is included on criminal history records, the Task Force recognized that the format of the FBI fingerprint card, which is widely used and copied by the States, is of great relevance to the work of the Task Force. Efforts have been made to ensure that the Task Force's recommendations concerning the content and format of criminal history records are consistent with the redesigned FBI fingerprint card.

A final development demonstrating the need for improved criminal history record formats was the inclusion on the SEARCH National Agenda for 1991 of a recommendation for a study concerning the content and formats of criminal history records. The policy-setting Membership Group and Board of Directors of SEARCH are comprised of gubernatorial appointees from each of the States, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands, drawn primarily from State-level criminal record system administrators and also including law enforcement officials and representatives of other components of the criminal justice system. On a biennial basis, the Membership Group adopts the "SEARCH Agenda for Improving Criminal Justice Information Management." This Agenda

represents a major effort by the SEARCH Membership to identify and formulate solutions to the critical information management problems confronting State and local criminal justice agencies. It is intended to guide SEARCH activities and to serve as a vehicle to present the issues identified to Federal, State and local governments.

In July 1991, the Membership Group adopted the following directive in the area of information law and policy:

Conduct a study to determine the adequacy of the data stored on the criminal history record. The study should also explore the potential for adopting a common format for criminal history records among the States.<sup>9</sup>

Against the background of these developments, the Task Force was convened. It was comprised of individuals representing a wide range of interests and perspectives concerning the creation, management and use of criminal history records. Included were members representing law enforcement, prosecution, the courts, pretrial services agencies, correctional agencies, local, State and Federal record system managers, noncriminal justice agencies (including Federal

agencies) and other criminal history record users.<sup>10</sup> The Task Force met four times over a 2-year period from May 1993 through March 1995.

### **The Task Force report**

The Task Force discussed a wide range of issues and concerns related to the content and format of interstate criminal history records. Those issues and concerns are reflected in the Task Force's Findings, which are set out in Section II of this report, and in the Commentary to those Findings.

Based on the Findings, the Task Force approved four recommendations, which are set out (with Commentary) in Section III of this report. Recommendation 1 concerns the types of offenses that should be included on interstate criminal history records. Recommendation 2 concerns the data elements or data fields that should be included on interstate criminal history records. Recommendation 3 sets out a model *presentation* format for interstate criminal history records, that is, the format in which the records are made available to ultimate users. Recommendation 4 sets out a model *transmission* format for automated interstate criminal history records, that is, the format in which the records are transmitted from computer system to computer system on an interstate or Federal/State basis.

It is the hope of the Task Force that its recommendations will receive the careful consideration of the FBI, the funding agencies in the U.S. Department of Justice, the Criminal Justice Information Services Advisory Policy Board, the National Law Enforcement Telecommunications System, the SEARCH Membership Group, court organizations, and other appropriate organizations or groups. The Task Force hopes further that these groups will endorse the recommendations and will approve their implementation — on a mandatory basis at an appropriate time and on an appropriate schedule — with respect to all interstate and Federal/State exchanges of criminal history records.

The Task Force also strongly encourages State officials to consider the adoption of the recommendations with respect to records exchanged on an intrastate basis. Many of the State records currently in use are deficient in content and format, and these deficiencies detract from the usefulness of the records to in-state users as well as from the perspective of interstate requesters. Although there is no intent to require immediate changes in intrastate records, State officials are encouraged to look for guidance to the findings and recommendations set out in this report when making future system changes or when taking other actions that affect the content and format of intrastate records.

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<sup>9</sup>SEARCH Group, Inc., "SEARCH Agenda for Improving Criminal Justice Information Management" (unpublished, July 19, 1991). This directive was re-adopted by the SEARCH Law and Policy Program Advisory Committee in February 1994.

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<sup>10</sup>A complete list of Task Force members and staff, and their biographies, is set out at Appendix A.



## II. Task Force findings

Based on its discussions of issues and concerns relating to the content and format of interstate criminal history records, the Task Force adopted the following Findings:

**Finding 1:** A number of factors emanating from all levels of government have demonstrated the need for reassessing the utility of the criminal history record.

**Commentary:** The importance of the criminal history record in promoting the effective operation of the Nation's criminal justice system has been recognized as a current priority by our top national leaders. In his "Vision of Change in America," issued February 17, 1993, President Clinton called for a crime/justice initiative which includes "a Criminal Records Upgrade program to assist States in improving their criminal records infrastructure and link with the FBI's criminal information databases."<sup>11</sup>

In addressing the "National Conference on Criminal History Records: Brady and Beyond" in February 1994, Attorney General Janet Reno stated that, "There are scores of legitimate reasons for needing to know whether a certain individual has ever committed a crime, and if so, what crime ... [including] uses for criminal history background information [that] go well

beyond the needs of criminal justice and other agencies."<sup>12</sup>

In the past several years, the Federal government has launched several initiatives that are having a material effect on how criminal history records are compiled and handled at the local, State and Federal levels. Such initiatives include the Interstate Identification Index (III) system mentioned in Section I, which is an "index pointer" system for handling interstate record requests and transmissions. When the III system is fully implemented, the FBI will no longer maintain and disseminate criminal history records that include an offender's complete State criminal history record. Instead, the FBI-maintained III system will point inquirers to the State criminal history repositories in which a subject has a criminal history record and those repositories will provide the records in response to all authorized requests for both criminal justice and noncriminal justice purposes. This ongoing decentralization of State offender records has significantly increased the importance of State-maintained criminal history records and has, as mentioned earlier, heightened the adverse effects of the inadequacies of such records with respect to content, quality and format.

Another initiative which has received substantial attention and continues to be a focal point at all levels of

government is the development of a system which can provide instant criminal history information on potential purchasers of firearms. A Federal law enacted in 1968 prohibits convicted felons and individuals who fall into certain other categories from purchasing firearms.<sup>13</sup> The 1993

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<sup>13</sup>18 U.S.C. § 922(g), as amended, provides that:

- [I]t shall be unlawful for any person —
- (1) who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
  - (2) who is a fugitive from justice;
  - (3) [who] is an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
  - (4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
  - (5) who, being an alien, is illegally or unlawfully in the United States;
  - (6) who has been discharged from the Armed Forces under dishonorable conditions;
  - (7) who, having been a citizen of the United States, has renounced his citizenship; or
  - (8) who is subject to a court order that —

(A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;

(B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child;

(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or

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<sup>11</sup>Press release issued by Executive Office of the President, Office of Management and Budget, "A Vision of Change in America" (February 17, 1993).

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<sup>12</sup>Bureau of Justice Statistics, *National Conference on Criminal History Records: Brady and Beyond, Proceedings of a BJS/SEARCH Group Conference*, U.S. Department of Justice (Washington, D.C.: Government Printing Office, January 1995). Keynote address of the United States Attorney General, p. 73.

Brady Handgun Violence Prevention Act (Brady Act) provides for a waiting period of up to 5 days for the sale or transfer of a handgun during which a background check can be conducted to determine whether the individual has a felony conviction or a pending felony indictment or is otherwise legally ineligible to purchase a firearm.<sup>14</sup> By November 30, 1998, the background checks are to be performed on an instant basis for all firearm transfers through a National Instant Criminal Background Check System (NICS), which will be based on the III system. To facilitate the identification of persons with prior felony convictions or pending felony indictments by way of III, the FBI has implemented procedures to notate or “flag” individuals in the III system who have been charged with or convicted of felonies in State or Federal courts. Under these procedures, system users will employ a special inquiry code, and responses will include a code indicating that the individual has a felony conviction, has no felony conviction or pending felony arrest, or has a record of unknown nature and status. Six States, Illinois, Minnesota, Missouri,

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child that would reasonably be expected to cause bodily injury; to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

In addition, 18 U.S.C. § 922(d) prohibits the sale or disposition of any firearm or ammunition to any person “knowing or having reasonable cause to believe” that the person falls into one of the above categories, or is “under indictment for ... a crime punishable by imprisonment for a term exceeding one year.”

<sup>14</sup>Pub. L. No. 103-159 (codified as amended at 18 U.S.C. §922, §923(a)(3) and §925A) (November 30, 1993).

New Jersey, South Carolina and Virginia, are actively participating in this program, and Georgia and Michigan are participating on a test basis.

Another recent Federal law, the National Child Protection Act of 1993 (Child Protection Act), is designed to facilitate fingerprint-based national criminal history record background checks for providers of care for children, the elderly and disabled persons.<sup>15</sup> Among other things, this law focuses upon the reporting and automation of child abuse crime information contained in criminal history records in order to make background checks of child-care providers more effective.

To assist the States in upgrading their central criminal record repositories and improving the quality of the records they maintain in order to participate more effectively in the national initiatives mentioned above, the U.S. Department of Justice has in recent years established programs of Federal assistance to provide grants and technical assistance to the States and to fund research studies and evaluations. One such program is the Criminal History Records Improvement Program (CHRI), administered by the Bureau of Justice Statistics (BJS), which allocated \$27 million in fiscal years 1990, 1991 and 1992 for discretionary grants to assist the States in automating their criminal history record systems, improving arrest and disposition reporting to the State repositories and to the FBI, and identifying and “flagging” individuals in State record systems who have been convicted of felony offenses.<sup>16</sup>

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<sup>15</sup>Pub. L. No. 103-209 (December 20, 1993), as amended by Pub. L. No. 103-322 (September 13, 1994) (codified at 42 U.S.C. §§5119-5119c).

<sup>16</sup> Bureau of Justice Statistics and

In 1991, the Department of Justice also implemented the “5 percent set-aside” program for the improvement of criminal justice records. In response to a provision in the 1990 Crime Control Act, the Bureau of Justice Assistance (BJA) issued guidelines for a Criminal Justice Records Improvement Program (CJRI) requiring the States to allocate at least 5 percent of the funds received annually under the Edward Byrne Memorial formula block grant program specifically for criminal record improvement initiatives.<sup>17</sup> This amounts on a national basis to some \$21 million annually that must be used by the States for criminal record improvement projects set out in State comprehensive criminal record improvement plans approved by BJA. The 5 percent CJRI allocation must continue in each State until the State meets standards for record quality and automation levels set out in the program guidelines.

Finally, in November 1994, BJS announced the initiation of the National Criminal History Improvement Program (NCHIP) to provide additional assistance to the States in upgrading their criminal history record systems so that they can participate fully in the III system and the NICS in order to facilitate national background checks for purposes of the Brady Act, the Child

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Bureau of Justice Assistance, “Improvement of Criminal History Record Information and Identification of Convicted Felons: Notice of Program Announcement,” *Federal Register* 55 (May 23, 1990) pp. 21350-51.

<sup>17</sup> Bureau of Justice Assistance, *Guidance for the Improvement of Criminal Justice Records*, U.S. Department of Justice (Washington, D.C.: Government Printing Office, December 10, 1991) and *Addendum to the Guidance for the Improvement of Criminal Justice Records* (January 8, 1992).

Protection Act and other authorized purposes. The NCHIP program will begin in fiscal 1995, utilizing a \$100 million appropriation made under the Brady Act. Of this, \$88 million will be made available directly to the States. Since the purposes for which these grant funds can be spent should be consistent with those of the 5 percent set-aside program, BJA has issued a revision of parts of the 1991 CJRI Guidelines in order to provide guidance to State officials in coordinating the two programs.<sup>18</sup>

**Finding 2:** Over the last decade, State and Federal legislation has required or authorized greater utilization of the criminal history record by criminal justice users.

**Commentary:** In addition to the Federal laws cited in the Commentary to Finding 1, there are numerous other State and Federal laws which require or authorize decisionmakers within the criminal justice system to consider the criminal history record of the individuals who will be affected by the decisions. The Task Force took note of a 1991 report published by BJS which cited Federal and State laws in the following areas:<sup>19</sup>

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<sup>18</sup> Bureau of Justice Assistance, "Updated Guidance, Improvement of Criminal Justice Records," U.S. Department of Justice (unpublished, February 23, 1995).

<sup>19</sup> Bureau of Justice Statistics, *Statutes Requiring the Use of Criminal History Record Information*, U.S. Department of Justice, Criminal Justice Information Policy series, by Paul L. Woodard, SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, June 1991). (Hereafter, *Statutes Report*.) Since State legislators have been active in recent years in enacting or amending laws dealing with

**Pretrial release decisions:** All but three of 54 jurisdictions,<sup>20</sup> including the Federal government, have statutes, constitutional provisions or court rules which explicitly require or permit the consideration of an arrested person's prior criminal record in deciding whether, and under what conditions, to release the person on bail or recognizance pending trial or appeal.<sup>21</sup>

**Upgrading of charges:** Thirty-eight jurisdictions have laws authorizing the upgrading of charges to a higher degree of seriousness (for example, from a misdemeanor to a felony or to a higher degree of felony) for second and subsequent offenses of the same or similar or certain specified type.<sup>22</sup>

**Sentencing:** All 54 jurisdictions have one or more statutes or other legal provisions, such as court rules, that mandate or permit consideration of a convicted person's previous criminal record in deciding on an appropriate sentence, including imposition of enhanced sentences for persons with previous convictions, imposition of enhanced terms as habitual criminals or career criminals, suspension of a sentence, and preparation of presentence reports which include the convicted person's prior criminal record.<sup>23</sup> Eligibility for

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the maintenance and use of criminal history records by criminal justice officials, the numbers of provisions of various types described in the report may well have increased.

<sup>20</sup>The 54 jurisdictions included the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands and the U.S. government.

<sup>21</sup>*Statutes Report*, p. 5.

<sup>22</sup>*Ibid*, p. 17.

<sup>23</sup>*Ibid*, p. 11.

diversion programs and community sentences are also determined in part by the offender's criminal history record.

**Correctional classifications:** Thirty-one jurisdictions have requirements or authorization to consider an inmate's prior criminal history in making classification decisions for security and program assignment purposes.<sup>24</sup>

**Probation eligibility:** Thirty-nine States, Puerto Rico and the Federal government require or authorize consideration of an offender's prior criminal history in decisions concerning probation.<sup>25</sup>

**Parole eligibility:** Forty-six jurisdictions require or permit consideration of an inmate's prior criminal history record in determining whether to release the inmate on parole.<sup>26</sup>

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<sup>24</sup>*Ibid*, p. 51.

<sup>25</sup>*Ibid*, pp. 42-46.

<sup>26</sup>*Ibid*, p. 55.

**Possession of a firearm by a convicted felon:** In addition to the Federal law prohibiting a convicted felon from possessing a firearm, 43 States, the District of Columbia and the Virgin Islands have laws prohibiting the possession of firearms by individuals who have been convicted of a crime, usually a felony.<sup>27</sup> In some instances, eligibility to purchase or possess a firearm has been restored to convicted felons who have met designated requirements; this information may also be reflected on the criminal history record.

The Task Force noted that even in the absence of explicit statutory requirements or authorizations, criminal history records are, by practice, used in most States in making most of the decisions referred to above.

The Task Force also noted that the “three strikes” legislation recently enacted by some States and the U.S. Congress will depend upon the availability of complete and accurate records of prior offenses. This legislation mandates extremely long prison sentences, including life sentences with no possibility of parole, for persons convicted for the third time of enumerated serious felony offenses, such as offenses involving death, injury or the use of weapons.

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<sup>27</sup>Ibid, p. 63.

**Finding 3:** The criminal justice system needs complete, accurate, timely, accessible and easily understandable criminal history record information to make informed decisions.

**Commentary:** The Task Force identified 28 events or decisions in the criminal justice process concerning which officials rely upon the use of criminal history record information as a major basis for informed decisions. For each of the actions, the criminal history record may be a critical piece of information, and, as noted in the Commentary to Finding 2, consideration of the record may be a statutory requirement. Without complete and accurate information about an individual’s past criminal activity, the appropriateness of the action or decision is jeopardized. In some instances, liability may attach when a decision is made in reliance upon an incomplete or inaccurate criminal history record.<sup>28</sup> The criminal justice decisions and events identified by the Task Force were as follows:<sup>29</sup>

1. Law enforcement investigation
2. Law enforcement patrol activities
3. Arrest

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<sup>28</sup>Robert R. Belair and Paul L. Woodard, SEARCH Group, Inc., *Liability for Mishandling Criminal Records* (Sacramento, California: SEARCH Group, Inc., April 1984); and Bureau of Justice Statistics, *Criminal Justice “Hot” Files*, U.S. Department of Justice, Criminal Justice Information Policy series, by Paul L. Woodard, SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, November 1986) pp. 59-68.

<sup>29</sup>Not all of these events or decisions necessarily occur in all cases, and two or more events may be combined in one appearance in some jurisdictions.

4. Booking (and setting of bail, where applicable)
5. Prosecutor’s charging/review decision
6. Initial appearance, including setting bail
7. Grand jury action
8. Pretrial release decision, including alternatives to detention and conditions of release
9. Arraignment
10. Diversions
11. Trial court disposition
12. Court bind-over decisions
13. Plea negotiations
14. Sentencing (including decisions on conditional sentences, community service and mental health commitments)
15. Probation
16. Probation revocation
17. Appeal
18. Other appellate decisions (for example, postconviction procedures or release pending appeal)
19. Custody and custodial supervision, including the screening of visitors to correctional facilities
20. Parole
21. Parole revocation
22. Modifications to sentences
23. Pardons and executive clemency
24. Firearms purchase and/or possession eligibility
25. Dignitary protection
26. Threat analysis
27. Hiring for criminal justice positions
28. Certification of juvenile tried as adult.

The Task Force noted that decisions involving juveniles may also take place at several steps in the criminal justice process. At various points, the juvenile may be “waived” to adult court to stand trial as an adult or, conversely, in States where the filing of charges may begin in the adult system, the juvenile may be returned to juvenile court for adjudication. The decisions to take either of these actions is dependent upon a number of factors, which frequently are statutorily mandated, and which virtually always include a review of the subject’s prior criminal and/or juvenile record.

**Finding 4:** The complexity of the criminal justice system and the large number of agencies that have roles in the processing of criminal cases and the custody and supervision of offenders add to the difficulty of establishing complete, accurate and intelligible criminal history records.

**Commentary:** The Task Force noted that many agencies are involved in the processing of criminal cases and all of them may have roles in reporting information to the criminal record repositories for inclusion on criminal history records. Law enforcement agencies obtain and contribute arrest fingerprint impressions which provide the basis for positive identification of record subjects,<sup>30</sup> a crucial element of the integrity of criminal record systems. These agencies also report textual subject identification information, arrest event information and arrest

charge information, and may also report final case disposition information when arrested and fingerprinted persons are subsequently released without being formally charged. Some law enforcement agencies also report information concerning the pretrial and post-trial confinement of offenders. Courts and other agencies, including pretrial services agencies, report information concerning the release of individuals on bail pending trial. Prosecutors report information concerning the filing of charges, including modifications in the charges referred by the police or decisions to conclude cases without prosecution. Courts report pretrial release/confinement information, information concerning the issuance of bench warrants for failure to appear or for other violations of orders, bind-overs, trial court and appellate court disposition information, and sentencing information. Correctional agencies, including probation agencies, incarceration facilities and parole agencies, report information concerning the custody or supervision and final release of convicted and sentenced offenders.

With so many agencies involved, it is extremely difficult to ensure that all necessary information is reported to the repository, identified with the appropriate offender record, linked to the correct cases and charges, and presented in a clear and understandable manner on criminal history records. This is true even when cases are relatively noncomplex and follow the route that most cases routinely take through the criminal justice process.

The difficulty of compiling complete and coherent records of criminal cases can be increased significantly when cases are more complex than usual or are not initiated by arrest. Such cases include those that are initiated by citation rather than by arrest or that originate by direct grand jury indictment followed by the issuance of a summons rather than an arrest warrant. Other troublesome cases from a recordkeeping perspective include those involving multiple defendants with multiple charges applicable to some but not all defendants, including cases that may be joined after separate initiation or separated after being filed jointly. Some States have provisions for reducing the seriousness of a conviction many years after the conclusion of the sentence. Disposition of a particular case may be dependent on the outcome of another case, such as multiple-case plea bargains. These cases may even span jurisdictional boundaries.

As final examples, pretrial release/confinement decisions may be reviewed and changed, possibly several times, as cases progress; defendants released on bail may commit crimes while on release or may fail to appear for trial, necessitating the issuance of arrest warrants; or persons released on probation or parole may commit new offenses or otherwise violate the conditions of their release, necessitating their arrest, reconfinement or even prosecution on new charges. The Task Force recognized the difficulty of ensuring that the content and format of the criminal history record are complete enough and flexible enough to be able to present a record of these complex cases in a clear and coherent manner.

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<sup>30</sup>A “record subject” is a person on whom a criminal history record is compiled.

**Finding 5:** Increasing numbers of citizens are being affected by the quality and legibility of criminal history records because of the expanding uses of these records for noncriminal justice decisions, such as licensing and employment eligibility, requiring the agencies that make these decisions to be increasingly dependent upon complete, accurate, timely and accessible criminal history record information.

**Commentary:** Over the past decade, State legislatures have enacted laws authorizing an ever-expanding list of authorized users of the criminal history record outside of the criminal justice system.<sup>31</sup> These laws have consistently recognized that placing individuals in positions that pose a risk to the life or safety of others is a decision that should reflect knowledge of a person's previous criminal activity. The volume of these types of uses has increased dramatically in recent years. Figures from the FBI's Criminal Justice Information Services Division showed that during fiscal 1993, a total of 3.4 million civil fingerprint cards were processed.<sup>32</sup> By

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<sup>31</sup>See, for example, Bureau of Justice Statistics, *Criminal History Record Information: Compendium of State Privacy and Security Legislation, 1994 Overview*, U.S. Department of Justice, by SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, January 1995) p. 7.

<sup>32</sup>U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, "Civil Fingerprints Processed by Fiscal Year" (unpublished, 1993). Civil fingerprint cards are submitted for background employment and licensing purposes.

the year 2000, the figure is projected at 7.6 million.<sup>33</sup>

The noncriminal justice decisions and actions identified by the Task Force included the following:

1. Appointments and employment by State and Federal agencies
2. Occupational licensing
3. Nongovernmental employment, including the employment of child-care providers
4. Foster/adoptive parent applications
5. Entitlement programs
6. Military recruitment
7. Volunteer programs
8. Firearms purchase and/or possession eligibility, when the decision is made by a noncriminal justice agency
9. Security clearances
10. Research
11. Reviews by record subjects
12. Notices to appropriate agencies if persons are arrested subsequent to record checks, such as when an applicant child-care provider is arrested after being cleared for employment.

Task Force members noted that some of the decisions and/or uses of the criminal history record actually fall somewhere in between the designations of criminal justice and noncriminal justice. Examples identified were some types of security clearance checks, some firearms eligibility checks, and individual reviews by record subjects. Whether a particular use is characterized as criminal justice or noncriminal justice may affect the amount of information the user receives, since most State laws place limits on the release of certain kinds of

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<sup>33</sup>Ibid. Projection based on MITRE document IAFIS-RS-0010(V3), dated December 1, 1992.

nonconviction information for noncriminal justice use.

Members also pointed out that, under some State laws, decisions concerning employment or occupational licensing eligibility may be made by the State criminal history record repository, rather than by the employer or the requester of the information, thereby possibly increasing the repository's exposure to liability suits.

In regard to the increasing use of criminal history records for noncriminal justice purposes, such as those mentioned above, that significantly affect the lives of many citizens, the Task Force recognized the importance of procedures now in place in every State to provide opportunities for persons who have criminal records to review those records and to challenge their accuracy and completeness. These procedures generally provide an opportunity for record subjects to request local criminal justice agencies to obtain a copy of the State repository's criminal history records relating to them and to make the records available for review followed by the initiation of procedures to correct or complete the records if appropriate. With proper precautions to guard against unauthorized access to records, these review challenge procedures help to ensure that criminal history record information is kept accurate and current and help maintain public confidence in criminal record systems.

**Finding 6:** The criminal history records now produced by the State repositories differ significantly in content and format.

**Commentary:** Although model criminal history formats have been proposed in the past, adoption of a standard format has never been made mandatory, nor have any mandatory guidelines been promulgated concerning the content of criminal history records. The State and Federal repositories have been left to adopt their own record formats and their own approaches concerning the types of offenses that should be included and the information about those offenses that should be presented. The result has been great diversity in the criminal history records in use in the country today, with virtually every State's record differing in at least some respects from those of other States.

These differences in format, content and terminology have made it difficult in many cases for out-of-state users and particularly noncriminal justice users to decipher many of the records they receive. Indeed, because few States have conducted assessments of record user needs or otherwise involved their users in the development of the criminal history format, criminal justice practitioners sometimes have difficulty interpreting records supplied by their own State repository.<sup>34</sup>

Task Force members expressed considerable concern that the varying content and format of rap sheets among the States hinders both criminal justice and noncriminal justice decisionmakers who must rely upon the record. A number of members identified problems in being able to determine what information was on the rap sheet, where it could be found, and what it meant once found. What is considered a "retainable offense" or a "serious offense" for the purpose of including it on the criminal history record is not consistent across the States. Arrests and charges without dispositions, or without dispositions linked to particular charges, were consistently cited as time-consuming problems for the person attempting to use the information for a decision.

In addition, members pointed out that varying terminology used among the States is a source of confusion; for example, the term "felony" has different meanings in different jurisdictions. Similarly, the conclusion of "no record" has no uniform meaning among the States. Deciphering the content of the record is sometimes left to the deftness of the interpreter or to the guesswork of the provider of the information, neither of which is a satisfactory basis for a decision.

**Finding 7:** Implementation of the Interstate Identification Index system has increased the need for uniform criminal history records.

**Commentary:** The difficulty of deciphering out-of-state records that have differing formats and contents has become more serious in recent years as a result of the implementation of the Interstate Identification Index (III), a cooperative Federal/State system for servicing interstate and Federal/State record searches and record exchanges. In the past, most national searches, for both criminal justice and noncriminal justice purposes, have been directed to the FBI and have been serviced from its centralized files of Federal and State offenders. In processing these requests and formulating responses, the FBI incorporates the State offender and Federal offender information in its files into a combined standard record format which is familiar to most of the criminal justice personnel in the country.

The III system, by contrast, is an "index-pointer" system which enables criminal justice personnel throughout the country to obtain criminal history records directly from the 30 State repositories that are participating as record providers. As a result, practitioners who have in the past received out-of-state record information in the uniform and familiar FBI format are now receiving some such information in numerous and diverse State formats. Periodic evaluations of the phased

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<sup>34</sup>See Bureau of Justice Statistics, *Use and Management of Criminal History Record Information: A Comprehensive Report*, U.S. Department of Justice, by Robert R. Belair and Paul L. Woodard, SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, November 1993) pp. 32-34.

implementation of the III system have indicated that personnel who receive records with multistate segments often find the records difficult to interpret and, further, that this has had an adverse impact on the utility of the records made available through the III system.

At present, the III system provides records on an interstate basis primarily for criminal justice purposes, with the exception of a three-state project to evaluate the use of the system for handling record requests for all legally authorized noncriminal justice purposes, such as employment screening and licensing. When, as planned, routine use of the system is broadened to permit record requests for authorized noncriminal justice purposes and additional State repositories begin providing their records via III for such purposes, the problem of difficult-to-understand records will be even more acute because the records will be obtained for use by noncriminal justice personnel who may not be familiar with criminal justice case processing and criminal record terminology and may, therefore, find the records extremely difficult to interpret and use.

**Finding 8:** Information concerning record subjects that may be relevant for criminal justice purposes, as well as authorized noncriminal justice purposes, may exist in databases other than the criminal history record system.

**Commentary:** Task Force members recognized that the criminal history record does not serve all purposes for all users and that the criminal history record does not exist in a vacuum, but rather in a data-rich environment that includes numerous other related databases that ought to be utilized as appropriate. Task Force members identified some of these other databases that are accessed in a variety of ways, including automatic queries that are triggered when the criminal history file is queried and “pointers” to other databases that may be set in criminal history files. These databases include:

**Warrant files:** These databases include local, State, Federal and international warrant systems which are available to law enforcement personnel and which contain information about persons for whom arrest warrants have been issued. The local and statewide systems often are linked (by automatically triggered inquiries) to the national system which contains data concerning warrants for which the entering jurisdiction will seek extradition of warrant subjects who are apprehended in other States.

**Driver and vehicle registries:** The State driver registry is another source of information that may be useful to criminal history system users. It is a statewide driver license system that is available to law enforcement users, providing on-line access to driver license information, motor vehicle registration and traffic citation data. The National Law Enforcement Telecommunications System (NLETS) enables authorized users to make inquiries on out-of-state drivers and vehicles.

Another driver registry system is the National Commercial Driver Registry. It was established pursuant to the Commercial Motor Vehicle Safety Act of 1986 and serves as a clearinghouse and depository of information pertaining to the licensing and identification of operators of commercial motor vehicles. Information includes identification information, name and address of the operator, physical description of the operator, and the Social Security number of the operator or other identifying number.

**Local and State law enforcement systems:** Local and State law enforcement agencies commonly maintain information systems that contain identification and arrest data concerning all persons arrested within their jurisdictions. Many of these entries do not qualify for maintenance at the State criminal history repository. For arrests listed in these systems, it may be possible to obtain associated incident reports, investigative reports or other reports which may contain subject/witness/victim data as well as details of the offenses and information concerning the availability of mugshots, blood samples or other information that may be useful for investigative or other purposes.

**Prosecutor case management systems:** Many local, State and Federal prosecutors maintain information systems about persons referred for prosecution. These systems commonly contain such information as identification information, exact charges filed, exact case status, next scheduled event(s), and names of witnesses, prosecutors, judges and attorneys. These systems may also contain information on persons who have been considered and rejected for prosecution or who are still under consideration for prosecution. Screened access to criminal justice agencies is permitted



by prosecutor case number. These systems usually cover persons previously prosecuted and may contain identification information, filed charges, disposed charges, and sentences including conditions, and names of prosecutors, judges and defense attorneys involved.

**Court systems:** Some local, State and Federal court information systems may contain information that is relevant for criminal history purposes. This includes information about persons currently within the court system, such as exact case status, next anticipated event(s), and the identities of prosecutors, judges and attorneys. These systems may also include information about persons previously prosecuted, such as charges filed, disposed charges, sentences (including sentence conditions), and the names of prosecutors, judges and defense attorneys involved.

**Corrections systems:** Local, State and Federal corrections agencies may maintain information systems that include subject-in-process data, such as identification information, medical information, screening and diagnostic information (for example, mental stability for purposes of classification), reason for custody/supervision, conditions of custody/supervision, record of all in and out movements, next scheduled in or out movement, and expected release date. For persons who have been released from custody/supervision, these systems may contain only the first in and last out movement and the actual release date and conditions (if any) of that release.

**Pretrial services systems:** Finally, information systems maintained by pretrial services agencies may contain information about persons who have had contact with the courts. The systems usually contain such information as identification data, crimes for which the person has been arrested, convictions, sentences, release dates and release conditions, failures to appear, employment history, contacts with the community and pertinent telephone numbers.

While generally it is not desirable to include information from these databases on interstate criminal history records, some of the information may be useful to criminal justice practitioners, and thus the databases may be linked to criminal history systems in various ways. For example, in appropriate cases, an inquiry of the criminal history file may automatically trigger an inquiry of another related database. Or the existence of other possibly useful data sources may be referenced on criminal history records by pointers such as case numbers, agency identification numbers or driver license numbers that can be utilized to track down and obtain the needed information. In this regard, plans are being developed at the Federal level and in some States to link the criminal history record system, including the III system, with databases holding records that may be the basis for finding persons ineligible to possess or purchase a firearm on grounds other than a felony conviction, for example, mental institution commitments, military discharge records and drug treatment records.

The Task Force recognized, however, that some of these related databases are not based on fingerprint identification, and a majority of Task Force members concluded that interstate criminal history records should include a cautionary notice that information of this kind to which access is gained through pointers on the criminal history record should be used with caution. A substantial minority of the members, however, affirmatively wanted to include nonfingerprint-supported information or specific references to such information on criminal history records available to criminal justice agencies. These members concluded that the importance of such information to investigators, prosecutors and courts outweighs the risk of harm that might result from mistaken identifications. In addition, they found that there was a time-saving benefit, as well as the benefit of having some information that otherwise would be unavailable. They noted, however, that some of these databases, such as driver license registries, are becoming fingerprint-supported and felt that this development should be encouraged.

**Finding 9:** The growing use of multiple flags on State criminal history records, many of them based on particular requirements under State law, raises a concern that the inclusion of flags on interstate rap sheets may cause confusion if the basis for the flags is not generally known throughout the country or defined on the record.

**Commentary:** The Task Force observed that the use of flags on State criminal history records has grown dramatically in recent years.<sup>35</sup> Many of these flags are based on requirements of particular State laws and may be misinterpreted in other States if the basis for the flags is not made clear. Examples of such flags noted by Task Force members include flags relating to child molesters under particular State definitions of child offenses and victim age, flags relating to various categories of youthful offenders or violent offenders, and felony flags based on varying State definitions of felony offenses. While these flags are useful and understood in the States where they are established, they may be a source of confusion if they are included on records transmitted to other States where users may not understand the basis for or meaning of the flags. This raises the concern that users, particularly noncriminal justice users, may place undue reliance on flags, which they may misinterpret, rather than on the substance of the record, possibly resulting in incorrect and unfair decisions relating to employment, licensing or other such actions.

On the other hand, the Task Force acknowledged the utility of flags that are based on definitions that are universally understood. An example is the felony flag established under the FBI's Felon Identification in Firearms Sales (FIFS) Program, which is based on the Federal definition of "felony" included in the 1968 Gun Control Act. The Task Force determined that only flags of this type should be included on

interstate rap sheets and that the issue of the inclusion of flags based on individual State requirements that are not clearly defined should be considered with extreme caution.

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<sup>35</sup>A "flag" is a symbol or notation (such as "F" for felony conviction/ indictment) included on criminal history records to alert users to the fact that the record includes particular types of information that may be pertinent for particular purposes.

### III. Task Force recommendations

Based on the Findings set out in Section II, the Task Force approved the following recommendations:

**Recommendation 1:** Each State should have procedures for obtaining, and including on its criminal history records that it transmits interstate, arrest data (including fingerprints) and related disposition and corrections data for all arrests or indictments occurring in the State for all felony offenses and all misdemeanor offenses except those nonserious offenses not accepted by the Federal Bureau of Investigation.

**Commentary:** The Task Force noted that there is considerable disparity concerning the types of offenses for which criminal history record information is obtained by the various State repositories and included on their criminal history records. In a few States, arresting agencies are required to submit fingerprints and related case data only for felony offenses. In most other States, the fingerprinting and reporting requirements apply to felonies and specified misdemeanor offenses, usually the two or three most serious classes of misdemeanors defined in the State’s penal code. This often falls short of meeting the needs of some criminal history record users, notably the courts.

The 1992 report of the National Task Force on Criminal History Record Disposition Reporting noted that, for sentencing purposes, courts need

information about misdemeanor arrests and dispositions in order to distinguish chronic offenders from first or infrequent offenders.<sup>36</sup> In many States, second or subsequent misdemeanor offenses of certain types are upgraded by law to more serious offenses, sometimes to felonies. In other States, sentencing formulas take prior misdemeanor offenses into consideration in setting sentences or sentence ranges for subsequent offenses. Even in the absence of specific statutory provisions, most courts routinely consider a defendant’s entire prior criminal record, including misdemeanor offenses, in setting sentences and making decisions concerning eligibility for bail, probation or parole.

The Task Force recognized, however, that some misdemeanor offenses are of limited importance from the standpoint of most interstate criminal history record users. It noted that the FBI compiles a list of nonserious offenses for which it will not accept fingerprints and related information.<sup>37</sup>

In order to promote uniformity among the States, the Task Force concluded that the FBI’s list of nonserious misdemeanor offenses should set the standard and that all States should establish procedures for obtaining fingerprints and related criminal history record information for all felonies and all misdemeanor offenses except those on the FBI’s list of nonserious offenses.

This recommendation is based upon the principle that all “criminal justice cycles”<sup>38</sup> included on interstate

criminal history records must be fingerprint-supported, a requirement approved by a majority of the members of the Task Force. These members determined that fingerprinting is necessary to ensure the reliability of criminal history records and to guard against mistaken identifications. They noted that the fingerprinting requirement is emphasized in the “FBI/BJIS Voluntary Reporting Standards for Improving the Quality of Criminal History Record Information”<sup>39</sup> and is reflected in the guidelines for the various Federal grant programs for improving criminal record data quality. In addition, all criminal justice cycles on records exchanged by means of the Interstate Identification Index system must be fingerprint-supported.

As mentioned earlier, however, a substantial minority of Task Force members declined to approve this requirement. They believed that the usefulness of information about nonfingerprint-supported case cycles,

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contains information concerning *criminal justice cycles*. A cycle begins with arrest, indictment, citation or similar initiation event, and contains information concerning the initiating event, charges, dispositions of those charges, and corrections actions taken in response to those dispositions. Events within a cycle are linked to the cycle initiation by a unique tracking number or numbers. Each cycle is linked to other cycles for the same person by fingerprint-based positive identification. In this way, all of the information on the record relating to these criminal justice cycles is considered to be fingerprint-supported.

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<sup>36</sup> Disposition Task Force report, p. 3.

<sup>37</sup> The FBI’s list of nonserious offenses is included at Appendix B.

<sup>38</sup>The criminal history record

<sup>39</sup> Federal Bureau of Investigation and Bureau of Justice Statistics, “Recommended Voluntary Standards for Improving the Quality of Criminal History Record Information,” *Federal Register* (13 February 1991) vol. 56, no. 30.

primarily misdemeanor offenses, outweighed the risks associated with the use of such information, particularly if it is obtained for use by criminal justice practitioners, or authorized noncriminal justice practitioners, such as the Defense Investigative Service, who understand its limitations and can take appropriate steps to authenticate the information as necessary. These members requested that the report make clear that the fingerprint-support recommendation applies to *interstate* records only, not to records made available on an *intrastate* basis.

**Recommendation 2:** A State transmitting a record to another State or to a Federal agency should ensure that the following data elements are provided:

— **Introductory data**

Name of State

Date of transmission

Notices and cautions:

- Response is based on criminal history information on file on (date of transmission).
- Criminal history information is based on fingerprint identification.
- Local agencies can provide explanation of charges or dispositions, if needed, and may be able to provide additional information, including sealed information that may be available for specified criminal justice purposes.
- This record may provide pointers to other databases that may not be fingerprint-supported and which should be used with caution.
- Use controlled by State and Federal regulations.

- Misuse subject to civil and criminal penalties.
  - Limited to use for which requested.
  - Make new request if needed for later use.
  - Felony/misdemeanor indicates felony or misdemeanor under the laws of the sending State.
- Interstate Identification Index (III)  
flag (single-state/multistate record)

**Commentary:** The recommended notices and cautions are familiar and, for the most part, require no comment. The following points need to be stressed, however:

First, the Task Force noted that, in some States, sealed information may be omitted from criminal history records, even though some sealed information may be obtainable in some cases for specified criminal justice purposes, such as sentencing. For this reason, the Task Force concluded that the criminal history record should include a notice that sealed information not shown on the record may exist, for the benefit of particular users who may be able to obtain the information upon request to the appropriate agency.

Second, the Task Force noted that information on criminal history records might serve as “pointers” to other databases that might include information that is useful to record users. Examples include driver license numbers that might refer users to relevant information in the files of motor vehicle departments and other identification numbers that might point to military databases or to the files of government agencies such as the Immigration and Naturalization Service. The Task Force concluded that a notice of the possible existence of such information should be included on criminal history records for the benefit of users. It was

concerned, however, that some of the information that might be referenced by such pointers on the criminal history record is not fingerprint-based and that some users might not be aware of the possible limitations of the usefulness of such information. It concluded, therefore, that users should be advised of this possible shortcoming and cautioned to use information obtained from nonfingerprint-supported databases with due care.

Finally, the Task Force noted that felony offenses and misdemeanor offenses are defined and classified differently among the States, with the result that an offense classified as a felony in one State might not be a felony in another State. For this reason, the Task Force concluded that the interstate criminal history record should state whether the classification of offenses as felonies or misdemeanors is based upon State law, Federal law or some other basis. This approach is in keeping with the Task Force’s Finding 9, which raises a concern that indicators or “flags” should not be included on interstate criminal history records unless the basis for the flag is generally known or is set out on the record.

— **Identification data**<sup>40</sup>

Name(s) (last, first, middle, suffix) (including aliases)\*

State identification number

FBI number

Fingerprint classification (Henry, NCIC or AFIS)\*

Sex

Race

Date of birth\*

Place of birth\*

Country of citizenship\*

Height (current only)

Weight (current only)

Eye color (current only)

Hair color (current only)

Scars/marks/tattoos; amputations\*

Social Security number\*

INS registration number

Driver license number\*

Miscellaneous number(s)\*

Photo available at (location) and (date)\*

Palm print available at (location) \_\_\_\_\_\*

DNA sample or test data available at \_\_\_\_\_ (location) \_\_\_\_\_\*

Occupation (date)\*

Employer and address (date)\*

Residence (date)\*

Miscellaneous comments\*

(\* May be multiple entries.)

**Commentary:** The identification data elements set out above are, for the most part, in common use and need no comment. The following comments are required, however:

First, the Task Force has included a new data element, “Country of citizenship,” to encourage the collection and reporting of data needed

by the Immigration and Naturalization Service (INS) to identify aliens who may be eligible for deportation because of their convictions for criminal offenses. Inclusion of this data element is consistent with the FBI’s redesigned fingerprint card. For the same reasons, “INS registration number” is set out as a separate data element, rather than being included as a miscellaneous number.

Second, because of the growing use of DNA evidence in criminal cases and the emergence of databases of DNA samples and test data, the Task Force has included a data element indicating the existence and location of DNA samples or test data. For this data element, as well as for entries under “Photo available” and “Palm print available,” location would be indicated by the name and ORI of the agency holding the information.

Third, after much discussion, the Task Force decided against including the age of the suspect’s victim as a recommended identification data element. Its decision was based on at least two factors. It was noted that, although recent Federal legislation has singled out classes of victims for particular attention based on age (children and the elderly, for example), none of this legislation expressly requires that information about victim age be obtained and recorded in criminal history record systems. Indeed, the National Child Protection Act was amended shortly after its enactment to ensure that it would not be interpreted to require new data collection efforts by State criminal history record systems.

The Task Force also noted that criminal history records traditionally have been offender-based, rather than victim-based, and concluded that they should remain so. If information about victims or other classes of persons is needed for particular

purposes, such as background screening of child-care providers, access to this information should be provided by interfaces with other data systems, such as the National Incident-Based Reporting System (NIBRS),<sup>41</sup> which collect and record that information, rather than by modifying the historic offender-based nature of criminal history record systems. The Task Force recognized the importance of effective criminal history searches for child-care applicants and persons who have care or custody of elderly or disabled persons. It determined, however, as the Congress apparently did, that such searches can be effectively facilitated by reference to existing data systems, rather than by requiring fundamental changes to criminal history record systems and necessitating costly new data collection efforts by criminal justice agencies and criminal record repositories.

Finally, the Task Force included a recommended data field for miscellaneous identification data that might be relevant but might not fit under any of the existing data fields. This would provide a space on criminal history records to set out

<sup>41</sup>The NIBRS system is designed to capture detailed, incident-based crime and arrest data from law enforcement agencies throughout the Nation. The system may eventually replace the existing Uniform Crime Reporting (UCR) aggregate reporting program operated by the FBI. For additional information, see Federal Bureau of Investigation, *National Incident-Based Reporting System: Volume 1: Data Collection Guidelines* (Washington, D.C.: FBI, July 1, 1988); *National Incident-Based Reporting System: Volume 2: Data Submission Specifications* (Washington, D.C.: FBI, May 1992); and *National Incident-Based Reporting System: Volume 3: Approaches to Implementing an Incident-Based Reporting (IBR) System* (Washington, D.C.: FBI, July 1, 1992).

<sup>40</sup>Updated as appropriate.

such potentially useful information as the fact that the offender stutters or limps noticeably. It should be noted at this point that the Task Force also recommended that a space for miscellaneous comments be included at the end of all of the recommended classes of data: arrest data, court data, corrections data, and so on.

### — Criminal justice summary data

Felony flag

Total number of arrests/indictments (F/M)

Total number of convictions (F/M)

Date of last arrest

Last reported event (date)

Failure(s) to appear (number)

Violation(s) of release conditions (number)

Bail violations/revocation(s) (number)

Probation violations/revocation(s) (number)

Parole violations/revocation(s) (number)

Restoration(s) of rights (date(s))

Caution(s), with reasons

Notice(s) of deportation adjudication (date(s))

**Commentary:** The Task Force concluded that criminal history record users would benefit from a section included at the beginning of each record setting out summary information about the record. This would provide immediate notice of such important summary data as total number of arrests and convictions, whether the record subject has a felony conviction or a pending felony arrest or indictment, and the present legal status of the offender (based upon the date of the last arrest and the date and nature of the last reported event). Also summarized would be the offender's history of noncompliance with legal orders

pertaining to criminal activity, including failures to appear and failures to comply with conditions of bail, probation or parole.

Such summary data may help some users to find the record information they need for their particular purposes, such as bail-setting or determining eligibility to purchase a firearm, without having to read the entire record with care. In addition, putting users on notice of the existence and extent of certain important information may help to ensure that the information is not overlooked. Thus, users may be put on notice that the offender has a history of violent offenses or offenses involving the use of firearms and thus should be considered dangerous.

In the recommended list of summary data categories, "Felony flag" refers to an indication of whether the record subject has a prior felony conviction or a pending felony indictment or information. "Total number of arrests/indictments" includes all criminal case cycle initiations, whether begun by arrest, citation or direct indictment followed by the issuance of a summons. "F/M" refers to an indication of whether the case initiations and convictions were for felonies or misdemeanors, with the classification determined by the most serious arrest or conviction offense. That is, if the offender was arrested for, indicted for, or convicted of both felony and misdemeanor offenses, the classification would be "F" for felony.

### — Arrest data

Arresting agency name

Arresting agency ORI<sup>42</sup>

Arresting agency case reference number (OCA)<sup>43</sup>

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<sup>42</sup>Originating agency identification number.

Unique case tracking number (see description in Commentary)

Arresting agency offender identification number (local)

Date of arrest

Date of offense

Arrest name (Last, first, middle, suffix)

Type of arrest:

Adult/juvenile/juvenile as adult

Arrest charge(s)

*For each charge or count:*

Charge sequence number

Statute citation

Offense literal description

NCIC offense code

Felony/misdemeanor indicator

Arresting agency final disposition<sup>44</sup>

Disposition date

Miscellaneous comments

**Commentary:** In addition to arrest data elements now obtained and recorded by virtually all criminal record repositories, the Task Force has recommended the inclusion of the following data elements:

The *unique case tracking number* is a number assigned to a criminal justice cycle to facilitate the linking of all reported criminal history record information about that cycle. The number commonly is assigned by law enforcement agencies at the arrest stage in cases that are initiated by arrest or by the courts in cases that originate by indictment and summons or by the issuance of citations in lieu of arrest. The tracking number should be linked to positive identification of

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<sup>43</sup> The number the local agency uses to retrieve information about this arrest.

<sup>44</sup> Fill in only if the disposition is final, that is, "released without formal charges filed."

the offender by fingerprints. To accomplish this, the tracking number can be preprinted on fingerprint cards or can be preprinted on disposition reporting forms and copied onto the fingerprint card by the booking officer. Some jurisdictions have used bar coding or peel-off adhesive strips to affix tracking numbers to fingerprint cards and disposition reporting forms.

Procedures to accomplish the assignment of case tracking numbers and the linking of those numbers to fingerprint cards are not difficult to establish in case cycles that begin by arrest and booking. Such procedures, however, have proved more difficult to implement for case cycles that do not begin by arrest. Task Force members noted that in some jurisdictions, 40 percent or more of the criminal cases filed in the courts, including many felony cases, are begun by direct indictment and summons or by the issuance of a citation. It is vitally important that procedures be established for the assignment of tracking numbers upon the initiation of such cases and for obtaining the fingerprints of the offenders at some point, ideally at the offender's first court appearance.

Experience has proved that case tracking numbers provide a highly effective means to link arrest data, court data, corrections data and other types of criminal history data. A substantial majority of the States now employ case tracking numbers, although not all of them have established procedures for the assignment of tracking numbers in nonarrest cases.<sup>45</sup> In addition, the importance of the case tracking number is supported by the *Report of the National Task Force on Criminal History Record Disposition Reporting* and by the "FBI/BJIS Recommended Voluntary Reporting Standards" referred to earlier.<sup>46</sup>

The *type of arrest* refers to whether the offender is arrested as an adult, as a juvenile or as a juvenile to be processed as an adult. Not all States presently obtain and record this information. However, the Task Force concluded that as juvenile records become increasingly incorporated into adult criminal history record systems, the designation of the type of arrest will become more relevant. The inclusion of a field for this type of information is consistent with the FBI's redesigned fingerprint card.

The recommended data elements contemplate that multiple arrest charges and counts will be accounted for individually; that is, that each charge or count will be assigned a *charge sequence number* as it originates so that subsequent disposition information can be

assigned to particular charges. The Task Force recognizes that many States do not currently have procedures for this kind of "charge tracking," and that implementation of such procedures will in some cases require the development of new reporting forms as well as new record storage and retrieval procedures. Nevertheless, the Task Force concluded that the importance of charge tracking for overall record clarity justifies the costs of implementing such procedures.

Where charges are not tracked separately from initiation to disposition, criminal history records may be ambiguous as to whether all charges in a case have been disposed of and what the final outcome of the case was. Since charges may be added, modified or dropped at various points in the criminal justice process, criminal history records may often show court dispositions for charges that do not appear in the arrest or charge segments of the records and may not show dispositions for some of the charges that do appear there. The user is left to wonder whether the record is complete and accurate (and the discrepancies can be attributed to plea bargains or other procedures), or whether important disposition information may be missing, erroneous or misplaced.

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<sup>45</sup> Bureau of Justice Statistics, *Survey of Criminal History Information Systems, 1993*, U.S. Department of Justice, Criminal Justice Information Policy series, by Sheila J. Barton, SEARCH Group, Inc. (Washington, D.C.: Government Printing Office, January 1995) pp. 10-11.

<sup>46</sup>See documents cited at footnotes 1 and 39.

The charge numbering and tracking approach recommended by the Task Force would solve this problem by showing a disposition for each charge shown on the record, whether the charge was initiated at arrest or resulted from prosecutor action, grand jury action or court action based on a bind-over or a plea bargain, or conviction on a lesser included offense. If a record user knows that this approach is in use, a major source of record ambiguity will be eliminated. If charges and dispositions do not match or if dispositions are missing for some charges, and the reasons are not clear from the face of the record, the user will know that something is wrong and can take necessary steps to obtain the missing data or seek clarification, as appropriate.

Finally, the recommended data fields include a space for indicating the case disposition if it is disposed of at the law enforcement agency level, that is, if the subject is released by the arresting agency without formal charges being filed. When subjects are released after arrest (and fingerprinting) without being referred for prosecution, and the fingerprints and arrest data have been forwarded to the repository, notice of the disposition must also be sent to the repository and included on the subject's criminal record, to avoid the creation of an arrest event that does not reflect the fact that the case was disposed of without formal charges being made.

#### — Prosecutor data<sup>47</sup>

Prosecuting agency name and ORI

Prosecuting agency case number

*For each charge referred to prosecutor, declined or modified by the prosecutor, or initiated by prosecutor:*

Charge sequence number

Statute citation

Offense literal description

NCIC offense code

Felony/misdemeanor indicator

Prosecutor action

Date of action

Miscellaneous comments

**Commentary:** As noted above, a common source of record ambiguity is the fact that many of the criminal history formats in current use show arrest charges and final court dispositions, but do not show charge dispositions, modifications or additions that occur between those two stages of the criminal justice process. As a result, a record may show arrest charges that have no dispositions and may show court dispositions that do not match any of the arrest charges. To deal with this problem, the Task Force recommended a charge numbering and tracking approach that would enable the criminal history record to show where each charge was initiated, was modified (if that occurred), and was disposed of — no matter at what stage of the process these actions occurred.

A point in the process where all of these actions can occur (charge initiation, charge modification or charge disposition) is the prosecutor's charging/review phase of the case. After review of a case and

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<sup>47</sup>If any charge is declined or modified by the prosecutor or if any new charge is added.

consideration of the charges in light of available evidence and other factors, a prosecutor may decide to file (or obtain indictments for) some of the charges and drop or modify others; to add new charges; or to decline to prosecute the case. To ensure record clarity, the Task Force recommends that all of these prosecution actions be reported to the repository, by the prosecutor or the court, and shown on the criminal history record. In this way, every charge can be identified at its initiation and tracked through to final disposition, wherever these actions occur.

Aside from record clarity, an additional reason for reporting and recording prosecutor actions that add new charges or that modify or decline police-referred charges is the effect such actions may have on "felony flagging." If the police agency reports a felony charge to the repository, this may have the effect of "raising" a flag indicating that the record subject has a pending felony indictment and should be considered ineligible to purchase a firearm.

If the prosecutor declines to prosecute the case or reduces the charge to a misdemeanor, the flag should be "knocked down" at that point, since there is no longer a possibility that the case can result in a felony conviction. If the prosecutor action is not reported and reflected on the record, the felony flag may stay up for as long as a year or more until the court disposition is reported, if it is reported. This might have the effect of unjustly depriving the record subject of the right to purchase a firearm during that period. Conversely, if the prosecutor adds a felony charge to misdemeanor-only police charges, this should have the effect of raising a flag which would bar the individual from purchasing a firearm, pending the outcome of the case. The new felony charge should



be reported by the prosecutor, or by the court if an indictment is issued.

The recommended data fields for prosecutor data incorporate the charge numbering and tracking approach described above. Data fields are provided for showing prosecutor action if any charges are modified, if any new charges are added, or if any or all charges are declined.

The Task Force stopped short of recommending that prosecutors' charging decisions be shown on the criminal history record if all charges referred by the police are filed unchanged, either by information or the issuance of an indictment. However, there are good reasons why such prosecutor decisions should be reported routinely to the repository and stored for appropriate use, even if not shown on the criminal history record. First, the repository would be provided with the date of filing, the prosecutor case number, the identity of the court and the court case number. This information could facilitate later efforts to obtain the court disposition if it is not received within a reasonable time frame. Second, the notice of prosecutor filing would indicate that the case is under active prosecution for purposes of State laws that prohibit the dissemination of arrest-only information after a specified time unless it can be shown that the case is still under prosecution.

#### — Court data

Court name

Court ORI

Court case number

*For each charge filed in court:*

Charge sequence number

Statute citation

Offense literal description

NCIC offense code

Felony/misdemeanor indicator

Court action (including lower court action, trial court action and appellate court action)

Date of action

Sentence date

Sentence length

Term suspended

Probation type<sup>48</sup> and period

Amount of fine

Amount of restitution

Failure(s) to appear (date(s))\*

Violation(s) of release conditions (date(s))\*

Probation violation(s)/ revocation(s) (date(s))\*

Miscellaneous comments

(\* May be multiple entries)

**Commentary:** The recommended data fields for court data reflect the charge numbering and tracking approach described earlier. Thus, it is recommended that a final court disposition be shown for each charge filed in court, utilizing the charge sequence number assigned when the charge was initiated. If a charge is reduced by the court — as a result of conviction on a lesser included offense or by acceptance of a plea bargain, for example — this action would also be shown. In combination

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<sup>48</sup> Indicates whether probation is informal (unsupervised) or involves formal supervision by probation officials.

with the case tracking number, charge sequence numbers can ensure that court dispositions are linked to the proper case cycle and to the specific charges to which they relate, thus ensuring record clarity as to the exact outcome of the case.

The Task Force recommends that in addition to a disposition for each charge, the record should show a sentence for each conviction charge and should indicate whether sentences to incarceration are to run concurrently with, or consecutively to, incarceration sentences for other charges or for other cases. If some or all of a sentence to incarceration is suspended, this should be shown clearly, and if a sentence includes both incarceration and probation, this should be indicated. In addition, if the court delays the entry of judgment and/or the imposition of sentence and places the offender on probation or some other form of conditional release, the record should reflect this action *and* should show whether the offender successfully completed the probationary period or whether judgment and sentence were subsequently entered as a result of the offender's failure to comply with conditions set by the court.

Numerous members of the Task Force commented on the usefulness of information concerning the failure of offenders to appear as ordered or to comply with conditions of release on bail or probation. Such information is of great value to courts, for example, in connection with subsequent decisions concerning bail and sentencing. For this reason, the Task Force recommends that failures to appear and failures to comply with bail conditions or probation conditions be shown on criminal history records. In addition, if bail or probation is revoked as a result of such violations, this should of course be shown.

Although information concerning the failure of offenders to pay fines and restitution is useful to courts and to other criminal justice personnel, such as bail agencies, the Task Force did not recommend specific data fields for such information. However, such information may be reported as the reason for probation or parole revocation or may be cited by the court as the basis for issuance of a bench warrant. Where the information is reported to the repository, it could be shown in the data field for “miscellaneous comments.”

The Task Force recommends the inclusion on the criminal history record of appropriate information concerning the actions of all courts involved in processing a case, including lower courts, felony trial courts and appellate courts. Many cases involve both felony and misdemeanor charges. In some jurisdictions, all such charges may be considered first by a lower court, such as a municipal court or a district court empowered to try only misdemeanor charges. This court may “bind over” all of the charges to the felony trial court. During this process, some of the charges may be dropped or modified. This lower court may also try the misdemeanor charges and bind over the felony charges to the higher court.

In other jurisdictions, all cases, including cases involving only felony charges, are considered first by a lower court. This court may simply bind over all of the charges to the felony trial court. In some jurisdictions however, this court may modify or dismiss some or all of the charges.

The Task Force recommends that all such lower court actions that have the effect of modifying or disposing of charges be reported to the repository and shown on the criminal history record by charge sequence number.

Where the lower court simply binds over all charges without modification, there appears to be no need to show this action on the record. The information should be reported to the repository, however, for the same reasons noted earlier for reporting prosecutor filings. Such reporting provides the repository with information that may be useful later for obtaining missing dispositions and indicates that the case is still under active prosecution for purposes of applying so-called “one-year” dissemination laws applicable to release of information about arrests with no recorded dispositions.

If a case is appealed, this should be shown and, of course, the decision of the appellate court should also be shown. Where the case is appealed, and considered by the appellate court, on grounds unrelated to specific charges, the appellate court decision can be shown on the criminal history record without the inclusion of charge-specific references. Where the appellate decision relates specifically to one or more charges, however, this should be clearly indicated on the record. Any additional comments necessary to clarify the effect of the appellate court action can be set out under “miscellaneous comments.”

The Task Force recognized that in some States there are no procedures for appellate courts to report information to the repositories. In lieu of the establishment of such procedures, appellate court data may be reported by the trial courts. Where inmates are released from incarceration through writs of habeas corpus or where sentences are modified through postconviction proceedings, such information may be reported by corrections agencies.

## — Corrections data

*For each custody or supervision segment (probation, jail, parole, work release, recommitment, etc.):*

Corrections agency name

Corrections agency ORI

Corrections agency offender identification number<sup>49</sup>

Reception date

Term of custody/supervision

Release date and type of release:

Transferred, paroled, conditionally released, unconditionally released, escaped, absconded, deceased or executed

Name of probation/parole agency to be notified if subject is detained or arrested

Miscellaneous comments

**Note:** If the court segment is missing from a case, include the following additional information as part of the *initial* custody/supervision reception:

Committing court name and ORI

Committing court case number

Conviction offense(s)

Commitment term

**Commentary:** The recommended data elements for corrections data provide for showing the identity of the corrections agency, the identification number assigned by the agency to the offender, and the date of reception, term, date of release and type of release for all types of custody or supervision. This includes jail, imprisonment (including initial commitment to a reception and diagnostic center and later transfer to other facilities), supervised probation, parole, conditional release, recommitment after parole or release revocation, unconditional release, escape, absconding, recommitment

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<sup>49</sup> The number the agency uses to identify the individual for its recordkeeping purposes.

following escape or absconding and recapture, death and execution.

In addition, in cases in which information concerning a corrections reception is received by the repository but no court conviction and sentence information has been received, the Task Force recommended including information in the corrections segment of the record showing the identity of the committing court, the committing court case number, the conviction offense or offenses, and the commitment term. This information typically is reported to the repository on the correctional fingerprint card submitted after prison reception or by other reporting methods. Including the information in the corrections segment of the record, if there is no trial court segment, will provide users with the most important missing court information and with the means to contact the committing court to obtain any other needed information.

#### — Executive clemency data

- Name of agency or official
- Action (pardon, commutation of sentence, restoration of rights, etc.)
- Date of action
- Miscellaneous comments

**Commentary:** Persons convicted of criminal offenses are sometimes pardoned or their sentences are commuted. In addition, rights lost as a result of conviction, such as the right to vote or to purchase or possess a firearm, may be restored under certain circumstances. The Task Force's recommendations provide for showing actions of this type on the criminal history record.

#### **Recommendation 2 summary**

**commentary:** The data elements approved by the Task Force for inclusion on a model interstate rap sheet reflect the needs of criminal justice practitioners, as well as those of noncriminal justice agencies that obtain criminal history records for a variety of legally authorized purposes. They comprise the information to be included on an offender's criminal history record in order to ensure accurate identification of the offender and to indicate the current status of criminal cases involving the offender that are still active and the unambiguous outcome of prior cases that have been concluded.

The Task Force recognized that many State repositories are not now collecting and recording all of the items of information included on the list, particularly release violation information, prosecutor filings, appellate court data and executive clemency data. State repositories also may not be obtaining and recording dispositions for each charge in multiple-charge cases. The recommended data elements and the model formats shown in the next section of the report, Recommendation 3, are intended to show how the recommended case processing information should be presented by those repositories that are collecting all of it. Other repositories are encouraged to establish reporting procedures and make other changes necessary to obtain all of the information in order to be able to include it on their interstate rap sheets at some time in the future, such as when reporting procedures and forms are modified or when significant system upgrades are undertaken.

**Recommendation 3:** A State transmitting a record to another State or to a Federal agency should structure the record in the following format:

— **Model interstate criminal history record**

**STATE X CRIMINAL HISTORY RECORD**

**Date Transmitted: March 22, 1995**

This record is provided in response to your request. Use of the information contained in this record is governed by State and Federal laws and regulations. Misuse of any information, including release to unauthorized agencies or individuals, may be subject to civil or criminal penalties.

The response is based upon a search using the fingerprints and/or identification data you supplied. You are cautioned that searches based solely on name and non-unique identifiers are not fully reliable. If based on identification data only, additional information may be obtained by submission of the request subject's fingerprints.

The response is based upon fingerprint-supported criminal history record information in the files of the State X Criminal Identification Bureau on this date. Since the Bureau's files are revised as new information is received, please request an updated record for any subsequent needs. If explanation of any information is needed, please contact the agency identified as the contributor.

Additional information, including sealed information, may be available in the files of State or local criminal justice agencies identified in this record or in the files of other agencies such as departments of motor vehicles. Some of this information may not be fingerprint-supported and should be used with caution.

Classification of offenses as felonies or misdemeanors is based upon offense classifications set out in the State X penal code, Title 28 of the Revised Statutes ("RS").

**THIS IS A PORTION OF A MULTISTATE RECORD. ADDITIONAL CRIMINAL HISTORY RECORD INFORMATION IS INDEXED IN NCIC-III FOR OTHER STATE OR FEDERAL OFFENSES**

**IDENTIFICATION DATA**

**Name:**

John M. Schultz

**Aliases:**

John Martin Smith  
John Martin Schultz  
John M. Smith, Jr.

**Sex:** Male      **Race:** White      **Date of Birth:** June 8, 1966  
June 6, 1968      **Height:** 6 ft. 2 in.

**Weight:** 184 lbs.      **Hair:** Brown      **Eyes:** Blue      **Scars, Marks, Tattoos, Amputations:**  
Scar upper left arm. Tattoo right bicep:  
"Born to Lose"

**Place Born:** Central City, State X      **Citizenship:** US      **Fingerprint Class:** NCIC  
Toronto, Canada      Canadian      CO 12 10 PI 12  
17 CO 12 17 16

**State Ident. No.:** SA123456J      **FBI No.:** 1233543H      **Soc. Sec. No.:** 212 36 7245  
212 46 7245

**Driver Lic. No.:** SX-1234598AD6      **INS Reg. No.:** 86-3257PR      **Misc. No.:** Plumbers Union 327256  
SY-3212345AF7      USCG - 9876543R

**Palm Print Avail:** State X Dept. of Justice      **Photo Avail:** State X Dept. of Justice      **DNA Sample Avail:** State X Dept. of Justice  
Central City PD, State X      Central City PD      ORI SA13685432  
FBI CJIS, Clarksburg, WV

**Occupation:** Plumber (Feb. 14, 1992)      **Employer:** City Heating, 123 Main St., Central City, State X  
Electrician (Mar. 3, 1993)      (Feb. 14, 1992)  
Star Electrical Co., No. 7 City Ctr., Farmville, State Y  
(Mar. 3, 1993)

**Residence:** 3021 W. Atlas St., Central City, State X (Feb. 14, 1992)  
925 Cayuga Ave., Farmville, State Y (Mar. 3, 1993)

**Miscellaneous Comments:** AFIS fingerprints available, State X Dept. of Justice. Subject stutters, limps.

**CRIMINAL JUSTICE SUMMARY DATA**

***Felony Convictions:*** 3

***Total No. Arrests/Indictments:*** 6 (6 Felony, 0 Misdemeanor)

***Total No. Convictions:*** 3 (3 Felony, 0 Misdemeanor)

***Date of Last Arrest:*** March 3, 1993

***Last Reported Event:*** Received June 14, 1993, State X State Prison, Central City,  
25 yrs. without parole

***Failure to Appear:*** 1

***Violation of Release Conditions:*** 1

***Bail Revocation:*** 1

***Probation Revocation:*** 1

***Parole Revocation:*** 1

***Caution:*** Convicted of violent offenses; Convicted of firearms-related offenses

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**CRIMINAL HISTORY DATA**

**CYCLE NO. 1**

**ARREST/CHARGE DATA**

Name Used: John M. Schultz

Date of Arrest: June 6, 1983

Arrest Type: Juvenile as Adult

Date of Offense: June 5, 1983

Case Tracking No.: 83-132674567

Arresting Agency: Central City PD ORI SA12343210

Arresting Agency Case No.: 83-12367J

Arresting Agency Offender Ident. No.: 367425C

**Arrest Charges:**

01	ARMED ROBBERY/FIREARM RS 28-12345(c)	NCIC 1204 Class A Felony
02	CARRYING CONCEALED WEAPON, HANDGUN RS 28-2367(b)	NCIC 5202 Class C Felony

**COURT DATA**

Court: Farm County Cir. Ct. ORI SA98764321

Court Case No.: 83CR3264

**Failure to Appear/Bail Revoked: July 12, 1983**

**Bench Warrant Issued: July 13, 1983**

Court: Farm County Cir. Ct. ORI SA98764321

Court Case No.: 83CR3264

**Charges Disposed of:**

01	ARMED ROBBERY/FIREARM RS 28-12345(C)	NCIC 1204 Class A Felony
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**Disposition: Convicted on Guilty Plea**

Disposition Date: Nov. 22, 1983

**Sentence: 4 yrs. State Prison (suspended); 6 mos. Farm County Jail;**

**3 1/2 yrs. Probation. Restitution to victim \$750.**

Sentence Date: Nov. 29, 1983

02 CARRYING CONCEALED WEAPON, HANDGUN  
RS 28-2367(B)  
**Disposition: Dismissed**  
Disposition Date: Nov. 22, 1983

NCIC 5202  
Class C Felony

**CORRECTIONS DATA**

Agency: Farm County Jail ORI SA32764328  
Inmate Name: John M. Schultz  
Inmate Ident. No.: FC 83-2246J  
**Received: Nov. 22, 1983**  
Term: 6 mos.  
**Released to Probation: May 21, 1984**

Agency: Farm County Cir. Ct. Probation Dept. ORI SA32764233  
Offender Name: John M. Schultz  
Offender Ident No.: FCP 327-84-J  
**Received: May 22, 1984**  
Term: 3 1/2 yrs.  
**Probation Revoked: Nov. 21, 1984. Failure to Pay Restitution;  
Violation of Probation Conditions**

Agency: State X State Prison, Central City ORI SA33684293  
Inmate Name: John M. Schultz  
Inmate Ident. No.: SPM332624  
**Received: Dec. 2, 1984**  
Term: Remainder of 4 yrs. from Nov. 29, 1983  
**Released on Parole: July 6, 1987**

Agency: State X Parole Bd., Central City ORI SA32678911  
Offender Name: John M. Schultz  
Agency Offender Ident. No.: PB 36294-87  
**Received: July 7, 1987**  
Term: Remainder of 4 yrs. from Nov. 29, 1983  
**Unconditionally Released: Nov. 29, 1987**

**CYCLE NO. 2**

**ARREST/CHARGE DATA**

Name Used: John Martin Smith  
Date of Arrest: Dec. 12, 1987  
Arrest Type: Adult  
Date of Offense: Dec. 12, 1987  
Case Tracking No: 87-235764832  
Arresting Agency: Central City PD ORI SA12343210  
Arresting Agency Case No.: 87-2374  
Arresting Agency Offender Ident. No.: 367425C

**Arrest Charges:**

01	AGGRAVATED ASSAULT, FIREARM RS 28-324(C)	NCIC 1304 Class C Felony
02	CARRYING CONCEALED WEAPON, FIREARM RS 28-2367(B)	NCIC 5202 Class C Felony

**PROSECUTION DATA**

Prosecuting Agency: Farm County Prosecutor ORI SA37674897

Prosecuting Agency Case No.: 87CR1367D

Date of Action: Jan. 13, 1988

**Charge 02 Changed to:**

Possession of Firearm By Felon  
RS 28-2368(C)

NCIC 5203  
Class B Felony

**COURT DATA**

Court: Farm County Cir. Ct. ORI SA98764321

Court Case No.: 87CR5782

**Charges Disposed of:**

01 AGGRAVATED ASSAULT, FIREARM  
RS 28-324(c)

NCIC 1304  
Class C Felony

Changed to: Simple Assault

NCIC 1313

RS 28 324(a)

Class D Felony

**Disposition: Convicted on Guilty Plea**

Disposition Date: May 13, 1988

**Sentence: 1 to 3 yrs.**

Sentence Date: May 22, 1988

02 POSSESSION OF FIREARM BY FELON

NCIC 5203

RS 28-2368(C)

Class B Felony

Changed to: Possession of Unlicensed Firearm

NCIC 5210

RS 28-325(b)

Class B Misdemeanor

**Disposition: Convicted on Guilty Plea**

Disposition Date: May 13, 1988

**Sentence: \$100 fine**

Sentence Date: May 22, 1988

**CORRECTIONS DATA**

Agency: State X Prison, Central City ORI SA33684293

Inmate Name: John Martin Smith

Inmate Ident. No.: SPM32624

**Received: May 14, 1988**

Term: 1-3 yrs.

**Released on Parole: Oct. 15, 1989**

Agency: State X Parole Board, Central City ORI SA32678911

Offender Name: John Martin Smith

Offender Ident. No.: PB36294-89

**Received: Oct. 21, 1989**

Term: Remainder of 1-3 yrs.

**Parole Revoked: Jan. 3, 1990**

Agency: State X State Prison, Central City ORI SA33684293

Inmate Name: John Martin Smith

Inmate Ident. No.: SPM32624

**Received: Jan. 8, 1990**

Term: Remainder of 1-3 yrs.

**Released at Sentence Expiration: May 21, 1991**



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**CYCLE NO. 3**

**ARREST/CHARGE DATA**

Name: John Martin Schultz  
**Indicted: Farm County Cir. Ct. Grand Jury ORI SA32467321**

Date of Indictment: July 31, 1991  
Date of Offense: July 1, 1991  
Case Tracking No.: 91-003265433

**Summons Issued: July 31, 1991**

**Charges:**

- |   |                             |
|---|-----------------------------|
| 01 RAPE, FIREARM<br>RS 28-723B                  | NCIC 1101<br>Class A Felony |
| 02 POSSESSION FIREARM BY FELON<br>RS 28-2368(C) | NCIC 5203<br>Class B Felony |

**COURT DATA**

Court: Farm County Cir. Ct. ORI SA98764321  
Court Case No.: 91 CR322

**Charges Disposed of:**

- |  |                             |
|--|-----------------------------|
| 01 RAPE, FIREARM<br>RS 28-723B<br><b>Disposition: Found Not Guilty by Jury</b><br>Disposition Date: Sept. 10, 1991                     | NCIC 1101<br>Class A Felony |
| 02 POSSESSION OF FIREARM BY FELON<br>RS 28-2368(C)<br><b>Disposition: Found Not Guilty by Jury</b><br>Disposition Date: Sept. 10, 1991 | NCIC 5203<br>Class B Felony |

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**CYCLE NO. 4**

**ARREST/CHARGE DATA**

Name Used: John M. Schultz  
Date of Arrest: Oct. 3, 1991  
Arrest Type: Adult  
Date of Offense: Oct. 2, 1991  
Case Tracking No.: 91-12467524  
Arresting Agency: Central City PD ORI SA12343210  
Arresting Agency Case No.: 91-2467  
Arresting Agency Offender Ident No.: 367425C

**Arrest Charges:**

- |  |                                  |
|--|----------------------------------|
| 01 BURGLARY/FORCED ENTRY RESIDENCE<br>RS 28-468(D) | NCIC 220<br>Class B Felony       |
| 02 POSSESSION STOLEN PROPERTY<br>RS 28-63(K)       | NCIC 2804<br>Class A Misdemeanor |

***PROSECUTOR DATA***

Prosecuting Agency: Farm County Pros. ORI SA37674897  
Prosecuting Agency Case No.: 91-CR-4267  
**Disposition: Declined to Prosecute all Charges**  
Disposition Date: Oct. 5, 1991

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**CYCLE NO. 5**

**ARREST/CHARGE DATA**

Name Used: John M. Smith, Jr.  
Date of Arrest: Feb. 14, 1992  
Arrest Type: Adult  
Date of Offense: Feb. 12, 1992  
Case Tracking No.: 91-12467325  
Arresting Agency: Central City PD ORI SA12343210  
Arresting Agency Case No.: 91-0032  
Arresting Agency Offender Ident. No.: 36774250

**Arrest Charges:**

01 POSSESSION STOLEN VEHICLE  
RS 28-2264

NCIC 2407  
Class D Felony

**Disposition: Released Without Prosecution**

Disposition Date: Feb. 15, 1992

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**CYCLE NO. 6**

**ARREST/CHARGE DATA**

Name Used: John M. Schultz  
Date of Arrest: Mar. 3, 1993  
Arrest Type: Adult  
Date of Offense: Mar. 3, 1993  
Case Tracking No.: 93-367428967  
Arresting Agency: Farmville PD ORI SA32642823  
Arresting Agency Case No.: C93421  
Arresting Agency Offender Ident. No.: C324274

**Arrest Charges:**

01 ARMED ROBBERY WITH FIREARM  
RS 28-12345(C)

NCIC 1204  
Class A Felony

02 POSSESSION FIREARM BY FELON  
RS 28-2768(C)

NCIC 5203  
Class B Felony

03 DAMAGE TO PRIVATE PROPERTY  
RS 28-313a

NCIC 2902  
Class B Misdemeanor

04 TRESPASSING  
RS 28-103

NCIC 5707  
Class D Misdemeanor

**COURT DATA**

Court: Farm County Dist. Ct. ORI SA98463224  
Court Case No.: 2367-CR-93

**Charges Disposed of:**

- |    |   |                                  |
|----|---|----------------------------------|
| 01 | ARMED ROBBERY WITH FIREARM<br>RS 28-1234(C)<br><b>Disposition: Bound Over to Cir. Ct.</b><br>Disposition Date: May 10, 1993     | NCIC 1204<br>Class A Felony      |
| 02 | POSSESSION OF FIREARM BY FELON<br>RS 28-2768(C)<br><b>Disposition: Bound Over to Cir. Ct.</b><br>Disposition Date: May 10, 1993 | NCIC 5203<br>Class B Felony      |
| 03 | DAMAGE TO PRIVATE PROPERTY<br>RS 28-313a<br><b>Disposition: Dismissed</b><br>Disposition: Mar. 10, 1993                         | NCIC 2902<br>Class B Misdemeanor |
| 04 | TRESPASSING<br>RS 28-103<br><b>Disposition: Dismissed</b><br>Disposition: Mar. 10, 1993   | NCIC 5707<br>Class D Misdemeanor |

**COURT DATA — CIRCUIT COURT DATA NOT REPORTED**

**CORRECTIONS DATA**

Agency: State X State Prison, Central City ORI SA33684291  
Inmate Name: John M. Schultz  
Inmate Ident. No.: SPM32624

**Received: June 14, 1993**

Committing Court: Farm County Cir. Ct. ORI SA98764321  
Committing Court Case No.: 93CR42732

Conviction Offenses: Armed robbery; possession of firearm by felon; repeat violent offender

**Commitment Term: 25 yrs. without parole**

**APPELLATE COURT DATA**

Court: State X Court of Appeals ORI SA 98665431  
Court Case No: 93CR221

**Decision: Judgment and Sentence as Repeat Violent Offender Confirmed**

Date of Decision: Oct. 22, 1993

**Commentary:** After considering numerous models in both columnar and noncolumnar format, the Task Force voted to recommend one noncolumnar model. Task Force members determined that a noncolumnar format is easier to read than a record arranged in columns and that such a format also avoids the extensive blank spaces, cramped spacing and awkward horizontal alignment that characterize many columnar layouts.

In addition to the use of familiar structural formatting methods such as indenting, single- and double-spacing and underlining, the recommended model uses upper- and lower-case letters, large and small capital letters, italics and bold type to emphasize data groupings and data field titles and to highlight important data entries. The Task Force believes that this kind of formatting makes a record easier to read and, in particular, makes it easier to scan a record and find certain kinds of data quickly. The Task Force recognizes, however, that most States cannot produce this style of record at present and, indeed, that some State systems are limited to the use of all capital letters. It encourages those States that can do so to use the varied fonts and type styles illustrated in the model. Those States that cannot fully emulate the model are encouraged to use whatever font and type style resources they have available and to strive to add additional capabilities of this kind to their systems as soon as they can.

The recommended format sets out all case information in chronological order with the oldest criminal justice cycle shown first and the most recent cycle — and the most recent entry within that cycle — shown last.

The model sets out hypothetical identification data, criminal justice summary data and criminal history data intended to illustrate how the data elements recommended by the Task Force would appear when structured in the recommended format.

Examples of all of the recommended notices and cautions are shown on the cover page and examples of all of the recommended identification data elements are set out. Multiple entries are shown as examples for all of the identification data elements for which multiple entries are permitted — aliases, dates of birth, places of birth, etc. The entry under “Name” is the name used in the first criminal justice cycle and other names used by the offender in subsequent case cycles are shown as aliases. All of these alias examples appear under “Name Used” in one or more of the six case cycles set out under “Criminal History Data.”

Every type of recommended criminal justice summary data is illustrated. These entries summarize, and provide a count of, the criminal history data entries that appear in the six hypothetical case cycles.

As noted above, the six case cycles are intended to illustrate how the recommended criminal history data elements would appear when set out in the recommended format. The case cycles also are structured to illustrate several common case processing variations, including simple and straightforward cases as well as more complex cases. These case cycles illustrate most of the special situations singled out for comment elsewhere in the report, but there are of course many other case processing variations that are not illustrated — that is, other ways that case cycles can progress through the criminal justice system from initiation to final disposition and release of the offenders from official supervision. It is hoped that by showing how the recommended data elements would appear in a variety of case cycle contexts, the model will provide sufficient guidance concerning how other case processing actions should be shown to conform to the general approach of the recommended format.

Case Cycle No. 1 begins with the arrest of the offender as a juvenile for a serious felony offense that is to be tried in the adult system. Thus, the arrest type is “Juvenile as Adult.”

In this case, the prosecutor sought and obtained indictments for the same charges as those reported at arrest, so no prosecutor data are shown. Note that there is a “failure to appear” entry under court data, and related entries indicate that bail was revoked and an arrest warrant was issued. Pursuant to a plea bargain, hypothetically, the offender pleaded guilty to the armed robbery charge and the weapon charge was dismissed. As

part of the agreement, his 4-year prison sentence was suspended and he was given a split jail/probation sentence. He was also ordered to pay restitution. However, after release on probation, he violated his release conditions and failed to pay restitution as ordered. His probation was revoked and the prison sentence was reinstated and he was sent to the State penitentiary. He was later released on parole and then unconditionally released upon expiration of the parole period.

In Case Cycle No. 2, the offender was arrested under an alias, which appears under “Name Used” and also under the list of aliases in the identification segment of the record. In this hypothetical, the prosecutor discovered the prior felony conviction and upgraded the weapons offense to possession of a firearm by a felon. This is shown under prosecutor data. In court, pursuant to another agreement, both charges were reduced and the offender pleaded guilty to both and was sentenced to a prison term and a fine. After release on parole, he violated his parole conditions and parole was revoked. He was reimprisoned and served out the term.

Case Cycle No. 3 illustrates a case that began by indictment and the issuance of a summons. Since the indictment is the charge initiation document, the information is shown under “arrest/charge data.” In the hypothetical setting, the jurisdiction has procedures for issuing tracking numbers and obtaining fingerprints in such cases, so the case data are fingerprint-supported and can be shown on the interstate criminal history record. The case ends in a not guilty verdict by the jury.

Case Cycle No. 4 illustrates a scenario in which the prosecutor declines to prosecute the case. This final disposition is shown under prosecutor data.

Case Cycle No. 5 illustrates a release by the arresting agency without referring the case to the prosecutor. This final disposition is shown under arrest/charge data.

Case Cycle No. 6 begins by an arrest that results in both felony and misdemeanor charges. All charges are filed unchanged by the prosecutor, so no prosecutor data are shown. The case goes first to a lower court, the district court, where the misdemeanor charges are dismissed and the felony charges are bound over to the circuit court, the felony trial court. The offender is convicted in the circuit court on both of the felony charges and sentenced as a repeat violent offender to 25 years without parole. However, in the hypothetical, the circuit court data are not reported to the repository. When the custody fingerprint card subsequently arrives from the prison, the repository enters the usual corrections reception data and, since the court segment is missing, enters the additional data elements recommended by the Task Force: committing court identity and ORI, committing court case number, conviction offenses and commitment term.

The offender appealed the conviction and sentence, challenging the State’s new “three strikes” law. Notice of the filing of the appeal should have been reported to the repository by the circuit court as part of the case disposition, but was not. The appellate court decision was reported and is shown.

#### **Recommendation 4:**

Appropriate authorities should implement a nationwide transmission format for the interstate transmission of criminal history records.

**Commentary:** The Task Force noted that some States already provide criminal history data to their intrastate users in several different *presentation formats* depending on the purpose for which the data was required. For example, a record formatted to look like a business letter may be appropriate in response to certain applicant inquiries while a record formatted to look more like a conventional rap sheet might be optimal in response to other types of inquiry. While concluding that the presentation format addressed in the previous recommendation is an excellent all-purpose presentation format, the Task Force did not want to preclude States from continuing to experiment in formats which may satisfy their intrastate users’ needs even more fully.

Furthermore, the Task Force recognized that different record *content* is appropriate in response to different types of intrastate inquiry. For example, some applicant inquiries may allow a full criminal history response, while other types may allow a response concerning only felony charges, or only felony convictions. In the same way, certain classes of users may be uninterested in and distracted by receiving information about available palm prints and DNA samples. Under present practices, the State which provides the interstate criminal history information is expected to provide all data available; the burden falls on the requesting/receiving State to edit the information as necessary to meet the user needs and intrastate information dissemination

restrictions. The Task Force wanted to assure that this content editing could be accomplished as easily as possible, including the possibility of computer-assisted editing.

With these purposes in mind, the Task Force recommends a standard data transmission format. The proposed format is an extension and adaptation of a transmission format already adopted for State-to-Federal and Federal-to-State transmission of fingerprint card images and data. This “electronic fingerprint card” format provides for a broad variety of data elements concerning personal identification, arrests, charges, dispositions and sentences.<sup>50</sup> Some additions would have to be made to meet the data content recommendations made by this Task Force. While the development of a criminal history transmission specification is by no means trivial, the similarity to the already completed specification suggests that it poses no substantial risk of failure.

The technical implementation of the specification involves two modules: a computer program to convert from file format to transmission format when transmitting a record for interstate use, and a second computer program to convert from transmission format to presentation format when receiving an interstate criminal history record.

Under this recommendation, each State would be required to prepare the first (transmission) module, with nationwide compliance by a specified date; whenever a State is prepared to use the transmission format, it would be free to do so for all interstate criminal history transmissions. Of course, some States may be unable to “understand” records received in this format for an extended period of time. This problem could be eliminated if the National Law Enforcement Telecommunications System (NLETS), which provides message-switching services for all interstate criminal history interchanges, would provide the service of translating from the transmission format to the presentation format described in Recommendation 3, for those States which request this service.

The method for developing and implementing the specification should follow that used for the development and implementation of the electronic fingerprint card specification. This method involves broad consultation among interested parties under the aegis of the FBI Criminal Justice Information Services Advisory Policy Board. Broad input and concurrence by the NLETS Board of Directors should also be sought.

Appendix C shows an example in transmission format of a criminal history record similar to the recommended presentation format described in Recommendation 3.

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<sup>50</sup>“Criminal Justice Information Services Electronic Fingerprinting Transmission Specification,” Federal Bureau of Investigation, May 1994.

# **Appendix A**

## **Task Force Participants**

# Task Force Participants

**Chairman**      **Jack Scheidegger**  
Chief, Bureau of Criminal Identification and Information, California Department of Justice

**Members**      **Kenneth E. Bischoff**  
Director, Administrative Services, Alaska Department of Public Safety

**Joseph P. Bonino**  
Chairman, Criminal Justice Information Services Advisory Policy Board; Commanding Officer, Records and Identification Division, Los Angeles, California Police Department

**Lt. Larry Copley \***  
Commanding Officer, Identification Section, Central Records Division, Michigan Department of State Police

**Patrick J. Doyle \*\***  
Immediate Past Chairman, National Crime Information Center Advisory Policy Board; Director, Division of Criminal Justice Information Systems, Florida Department of Law Enforcement

**Owen M. Greenspan**  
Deputy Commissioner, New York State Division of Criminal Justice Services

**Bruce M. Harvey**  
Milwaukee County, Wisconsin Justice System Coordinator

**Dr. Sally T. Hillsman \*\*\***  
Vice President, Research and Technical Services, National Center for State Courts (former)

**Robert R. Hole †**  
Deputy District Attorney, Contra Costa County, California

**Honorable Michael Hutchings**  
Utah Third Circuit Court

**Frank Johnstone**  
Section Chief, Technical Services Section, Information Systems and Technology Division, Virginia Department of Criminal Justice Services

**George Klier ††**  
Bureau Chief, Information Services, Norfolk County, Massachusetts Sheriff's Office

**David B. Lodge**  
Special Agent-in-Charge, Crystal City Investigative Field Office (Capital Region), Defense Investigative Service, U.S. Department of Defense

**Edward J. Loughran**  
Director, Juvenile Justice Project, Robert F. Kennedy Memorial

**Clifford H. Marshall**  
Sheriff, Norfolk County, Massachusetts

**Jerome E. McElroy**  
Director, New York City Criminal Justice Agency

**Judy Metz**  
Chief, Correctional Case Records Services, California Department of Corrections



**Matthew Myers †††**  
Undersheriff, Ingham County, Michigan

**Rosemarie Pifer**  
Director, Central Records Division, Michigan Department of State Police

**Emmet A. Rathbun**  
Unit Chief, Criminal Justice Information Services Division, Federal Bureau of Investigation

**Anthony L. Stolz Jr.**  
Director, Personnel Investigations Center, Defense Investigative Service,  
U.S. Department of Defense

**Capt. R. Lewis Vass**  
Records Management Officer, Records Management Division, Virginia State Police

**Lt. John G. Weakley ‡**  
Assistant Records Management Officer, Records Management Division,  
Virginia State Police

**Lawrence P. Webster**  
Director, Court Technology Programs, National Center for State Courts

**Gene Wriggelsworth**  
Sheriff, Ingham County, Michigan

**Gary T. Yancey**  
District Attorney, Contra Costa County, California

**Virgil L. Young Jr. ††**  
Section Chief, Programs Development Section, Criminal Justice Information Services Division,  
Federal Bureau of Investigation (former)

**BJS**

**Carol G. Kaplan**  
Project Monitor; Assistant Deputy Director, Bureau of Justice Statistics,  
U.S. Department of Justice

**SEARCH Staff**

**Sheila J. Barton**  
Deputy Director

**Gary R. Cooper**  
Executive Director

**Jodi M. Hrbek**  
Administrative Assistant/  
Law and Policy

**Robert L. Marx**  
Senior System Specialist

**Paul L. Woodard**  
Senior Counsel

- \* Lt. Copley served as an alternate for Rosemarie Pifer.
- \*\* In 1994, Mr. Doyle's term as Chair of the National Crime Information Center Advisory Policy Board (APB) concluded. The new Chair of the reorganized Criminal Justice Information Services APB, Mr. Joseph P. Bonino, replaced Mr. Doyle as the Task Force representative from the APB.
- \*\*\* During her tenure on the Task Force, Dr. Hillsman accepted an appointment to the National Institute of Justice. Mr. Lawrence P. Webster replaced her as the Task Force representative from the National Center for State Courts.
- † Mr. Hole served as an alternate for Mr. Gary T. Yancey.
- †† Mr. Klier served as an alternate for Sheriff Clifford H. Marshall.
- ††† Mr. Myers served as an alternate for Sheriff Gene Wriggelsworth.
- ‡ Lt. Weakley served as an alternate for Capt. R. Lewis Vass.
- ‡‡ Mr. Young transferred to the position of Special Agent-in-Charge of the FBI's Knoxville, Tennessee Office. Mr. Emmet A. Rathbun replaced Mr. Young as the Task Force representative from the FBI.

## Participants' biographies

### **Kenneth E. Bischoff**

Since 1987, Mr. Bischoff has served as Director of the Division of Administrative Services for the Alaska Department of Public Safety. Mr. Bischoff's responsibilities include management for the State's criminal records repository; data processing, including the Alaska Public Safety Information Network (motor vehicles and law enforcement); and general administration of the Department, including accounting, personnel and contracting.

Prior to his current position, Mr. Bischoff was the Director of Finance for the Alaska Department of Administration. He has also served as Audit Manager with the Division of Legislative Audit for the Alaska Legislature.

Mr. Bischoff is Alaska's representative to the Western Identification Network and is a past member of the National Crime Information Center Advisory Policy Board. He also serves on the SEARCH Board of Directors and is Chair of the SEARCH Systems and Technology Program Advisory Committee.

Mr. Bischoff received his B.S. in accounting and quantitative methods from the University of Oregon and is a certified public accountant.

### **Joseph P. Bonino**

Mr. Bonino has served in the Los Angeles Police Department for the past 27 years, and has been the Commanding Officer of its Records and Identification Division for the past 11 years. In this position, he manages a staff of over 300 persons and has major responsibilities in a number of areas of criminal justice and records management technologies, including records manager, Automated Fingerprint Identification System (AFIS) manager, and criminal records security officer. He is a recognized expert in the field of AFISs and police records management.

As a member of the National Crime Information Center (NCIC) Western Regional Working Group, Mr. Bonino has been elected to participate in the FBI policy advisory process since 1985, including the development of NCIC 2000 and the FBI's Integrated Automated Fingerprint Identification System (IAFIS). In 1989, he chaired the NCIC Advisory Policy Board's (APB) Identification Services Task Group and wrote the study titled "Identification Division Revitalization" for the Director of the FBI that led directly to the \$500 million IAFIS program now funded by Congress and in development by the FBI.

Mr. Bonino served on the former NCIC APB since 1988. When the APB reorganized in 1994, he was elected Chair of the FBI's new Criminal Justice Information Services APB.

Mr. Bonino is a member of the California Peace Officers Association; the Advisory Board to the Secretary of the Air Force, Office of Public Affairs, Western Region; and the Community Relations Advisory Board for Los Angeles Air Force Base. He has been a member of the California Identification System (Cal-ID) Advisory Committee since 1984 and is a member of the International Association for Identification. He is an alternate member of the Board of Directors of the Western Identification Network.

Mr. Bonino holds a bachelor's degree in economics from Loyola University (Los Angeles, California) and a Master's degree in economics from the University of California, Los Angeles (UCLA). He has completed the year-long Executive Program at the UCLA Anderson Graduate School of Management, as well as the Executive Development Course through the California Commission on Peace Officer Standards and Training.

### **Lt. Larry Copley**

Lt. Copley is Commanding Officer of the Identification Section, Central Records Division, Michigan State Police. He has served with the Michigan State Police in a variety of positions since 1972 and in his current position since 1985.

As Commanding Officer, Lt. Copley has the responsibility for the creation of the Michigan Criminal History Record and the corresponding Automated Fingerprint Identification System file. The Identification Section is also responsible for providing background checks by fingerprint and name to the general public and to other governmental agencies for licensing and other regulatory needs.

Prior to his joining the Michigan State Police, Lt. Copley served as a security line officer for Dow Chemical Company. He later attended Officer Candidate School and served as a Security Police Officer in the United States Air Force in the capacity of Commander of base policing and security. While in the military, he also served as a Combat Crew Commander in charge of a Minuteman III Intercontinental Ballistic Missile launch crew.

Lt. Copley received his Bachelor of Science degree in police administration from Michigan State University in 1964.

### **Patrick J. (P.J.) Doyle**

Mr. Doyle is Director, Division of Criminal Justice Information Systems, Florida Department of Law Enforcement (FDLE). As Director, Mr. Doyle is responsible for directing the activities of nearly 400 members who make up the Division. He oversees Florida's system of fingerprint analysis and identification; its Crime Information Center; its Uniform Crime Reporting system; and its Missing Children Information Center. He is currently instrumental in the design, development and implementation of an automated fingerprint

identification system in Florida, as well as overseeing the migration of the Florida Crime Information Center system from a medium to a large mainframe computer system.

Mr. Doyle previously served in the FDLE as Inspector General and as Chief Inspector. Mr. Doyle has also worked with the State's Attorney's Office of the Ninth Judicial Circuit as an investigator with the Organized Crime Strike Force and as a detective with the Palm Beach County Sheriff's Office.

Mr. Doyle served as Chairman of the FBI's Advisory Policy Board of the National Crime Information Center and is Florida's representative to the National Law Enforcement Telecommunications System. He is also a past member of the SEARCH Membership Group and the SEARCH Board of Directors, as well as serving in several other criminal justice positions.

Mr. Doyle holds a B.A. degree in criminal justice and psychology from Florida Technological University.

#### **Owen M. Greenspan**

Mr. Greenspan is a Deputy Commissioner at the New York State Division of Criminal Justice Services with oversight responsibilities for the Bureau for Municipal Police and the Bureau of Identification and Criminal History Operations. He is responsible for the State's central repository of criminal history records, coordination of the State Drug Abuse Resistance Education program, police training, New York's Missing and Exploited Children Clearinghouse, and a wide range of other services to the State's criminal justice community.

Before joining State government in 1987, Mr. Greenspan was a member of the New York City Police Department for more than 20 years. His career spanned patrol, investigative and administrative assignments.

Mr. Greenspan is New York's SEARCH appointee and currently serves as Vice Chair of the Membership Group and the Board of Directors. He was also a member of the National Task Force on Criminal

History Record Disposition Reporting and has served on several advisory groups dealing with the national criminal history and identification systems.

Mr. Greenspan received his B.A. from Fordham University and holds an M.P.S. in criminal justice from Long Island University.

#### **Bruce M. Harvey**

Mr. Harvey has been the Justice System Coordinator for Milwaukee County, Wisconsin since 1989. In this position, Mr. Harvey is the executive administrator for the Chief Judge of Milwaukee County for the criminal courts.

Prior to his present position, Mr. Harvey held other criminal justice positions, including Deputy Executive Director of the Wisconsin Council on Criminal Justice and a Criminal Justice Planner and Consultant for the Denver Regional Council of Governments. Mr. Harvey has also served as an Executive Legislative Assistant to the Wisconsin State Senate, Research Associate to the Wisconsin Supreme Court, and in strategic planning and corporate development for the Wisconsin Physicians Service.

Mr. Harvey received a B.S. from Austin Peay State University (Clarksville, Tennessee) and an M.P.A. in criminal justice administration from the University of Colorado.

#### **Dr. Sally T. Hillsman**

In October 1991, Dr. Hillsman became Vice President of the Research Division for the National Center for State Courts (NCSC). In that position, she oversees all NCSC Federal grant proposals and national scope projects. Among other issues, these national initiatives deal with caseload management for general civil, domestic relations, felony, misdemeanor, drug, traffic, small claims and appellate cases; differentiated case management; and trial delay and decisions. In addition, NCSC's national projects also focus on court applications of technology, including statewide and trial court

automation. Other projects involve such topics as trial court accountability and performance standards, human management, and racial and ethnic bias.

From 1979-1991, Dr. Hillsman was the Associate Director of the Vera Institute of Justice in New York City and its Director of Research. She conducted research using experimental and nonexperimental designs in a wide range of criminal justice areas including intermediate sanctions, case processing, prosecution and court delay, pretrial diversion and policing. Her past work included research on narcotics law enforcement in New York City, the provision of criminal defense services in the New York criminal courts and fining practices in criminal cases in the United States and Western Europe.

Dr. Hillsman holds a Ph.D. in sociology from Columbia University.

#### **Robert R. Hole**

Mr. Hole has been a Deputy District Attorney in Contra Costa County, California since 1971. Since 1982, Mr. Hole has been assigned as "Homicide Watch Attorney," a position which is a combination of lawyer and "investigative lawyer." His duties consist of responding to homicide scenes to assist police agencies with their investigations and to start the evaluation and preparation of cases for prosecution; providing legal and investigative assistance to police agencies on other types of serious and high-profile cases; writing probable cause warrants for complicated search and arrest procedures; advising police officers regarding search and arrest warrant issues and reviewing warrants and affidavits; investigating officer-involved fatal incidents at the request of the District Attorney; developing and writing procedures and providing training for prosecutor and police personnel on such topics as Miranda, inspection warrants, and search and arrest warrants; and investigating and/or assisting on other special cases.

Mr. Hole has also taught on a variety of college-level law enforcement subjects in California. In addition, he has served as a member of the Peace Officer Standards and Training committees which have set up statewide courses for both prosecutor and law officer training. Mr. Hole is the principal author of the Contra Costa County Police Chiefs Association's "Protocol for the Investigation of Officer-Involved Fatal Incidents."

Mr. Hole received his bachelor's degree from the University of California, Berkeley, and his J.D. from Golden Gate University Law School (San Francisco, California).

### **Honorable Michael L. Hutchings**

Judge Hutchings is Judge of the Third Circuit Court of Utah, which serves Salt Lake, Summit and Tooele Counties. Judge Hutchings was appointed in 1983 by Gov. Scott Matheson and has twice been re-elected. His duties include conducting circuit court trials (civil and misdemeanor), as well as ruling on all pretrial and post-trial motions. Judge Hutchings also issues search and arrest warrants, sets and denies bail, appoints counsel, and conducts first appearance and preliminary hearings in felony cases.

Prior to his judicial appointment, Judge Hutchings served as a prosecutor for the West Valley City Municipal Corporation, representing Utah's second largest city in all Federal and State litigation. He was also an associate in the litigation section of the firm of Senior and Senior in Salt Lake City.

Judge Hutchings has served on the Utah State Judicial Council, the Circuit Court Board of Judges and the Court Information Systems Committee. In addition, he is currently serving as Vice Chair of the Utah Tomorrow Justice Committee, which is a legislatively created task force to engage in strategic planning for Utah's court systems over the next decade and into the 21st century. Judge Hutchings also sits on the Utah State Bar Fee Arbitration Committee.

Members of this committee are divided into hearing panels to arbitrate fee disputes between attorneys and clients. A hearing panel consists of a judge, an attorney and a lay citizen.

Among a number of legal publications he has written, Judge Hutchings most recently wrote an article for the *Utah Bar Journal* titled "Twenty Tips for Successful Courtroom Advocacy." He has also received several professional honors, including Circuit Court Judge of the Year for 1988.

Judge Hutchings received his B.A. from Brigham Young University and his J.D. from the Reuben Clark Law School of Brigham Young University.

### **Frank W. Johnstone**

Mr. Johnstone has over 28 years of experience in law enforcement and criminal justice in State, local and campus agencies. He was Director of Police at the University of Virginia and also has served as Chief of Police of Albemarle County, Virginia.

Mr. Johnstone received B.A. and M.A. degrees from Brigham Young University. He has taught courses in American Government and Legislative Process at BYU and numerous law enforcement courses in the community college system in Virginia. He is past president of both the Virginia Association of Chiefs of Police and the Virginia Campus Police Association.

Mr. Johnstone was employed by the Virginia Department of Criminal Justice Services as a consultant and became Section Chief of the Technical Services Section of the Information Systems and Technology Division in 1989. His main areas of responsibility have been working with the Incident-Based Reporting system, Virginia's Criminal History Record Information Task Force, criminal intelligence systems compliance and other technical assistance projects.

### **George Klier**

Mr. Klier has served for 19 years with the Norfolk County, Massachusetts Sheriff's Office and is currently the Bureau Chief of Criminal Information Services. In his position, he supervises the automation of the Sheriff's Office, National Crime Information Center and Leaps operations. He has also been responsible for the automated inmate tracking system (1990), live-scan fingerprinting (1992), and digitized photo imaging (1993).

Mr. Klier is the designee from the Massachusetts Sheriffs' Association to the Massachusetts Criminal History Systems Board. He is also a member of the Criminal Records Improvement Task Force Working Group and the Norfolk County Domestic Violence Roundtable.

### **David B. Lodge**

Mr. Lodge is currently the Special Agent-in-Charge (SAC) of the Crystal City Investigative Field Office (Capital Region), Defense Investigative Service (DIS), U.S. Department of Defense, located in Arlington, Virginia. In his 14 years with DIS, he has held the positions of Case Controller and Chief of the Operations Management Office at the Personnel Investigations Center (Baltimore, Maryland); Special Agent (Baltimore, Maryland); Acting SAC (Baltimore and Hanover, Maryland); and Staff Officer, Investigations Directorate, DIS Headquarters (Alexandria, Virginia). Mr. Lodge also recently completed a detail to the staff of the Office of the Deputy Assistant Secretary of Defense (Counterintelligence and Security Countermeasures).

Mr. Lodge's experience in the area of criminal history record information includes evaluating and negotiating access to repositories with State and local representatives and serving as the central point of contact with the FBI's Criminal Justice Information Systems (CJIS) Division. He has been a member of the National Fingerprint File Pilot Project Evaluation Group and was involved in the formulation of the

recently approved Federal Regional Working Group under the CJIS Advisory Policy Board.

Mr. Lodge received his B.A. in psychology from Shippensburg State University (Pennsylvania).

### **Edward J. Loughran**

Mr. Loughran recently assumed the position of Director of the Juvenile Justice Project for the Robert F. Kennedy Memorial in Boston, Massachusetts. Prior to his appointment to this position, he served as Commissioner of the Massachusetts Department of Youth Services from 1985 to mid-1993, and had also earlier served as the department's Deputy Commissioner.

Before coming to Massachusetts in 1980, Mr. Loughran spent 10 years with the New York State Division for Youth, holding a variety of positions, including Director of Program Management Services, Director of Program Utilization, Director of the Long-Term Treatment Unit at the Bronx Children's Psychiatric Center, and Director of the J. Stanley Sheppard Youth Center.

A frequent lecturer and writer on topics of juvenile justice, Mr. Loughran has taught graduate-level courses at Westfield State College (Massachusetts). He has also served as a consultant to a variety of juvenile justice agencies throughout the country.

Mr. Loughran is a member of the American Correctional Association, the Correctional Association of Massachusetts, and a participant in the Juvenile Justice Key Decisionmakers Project sponsored by the Center for the Study of Youth Policy at the University of Michigan.

Mr. Loughran holds a bachelor's degree from Saint Joseph's College (Princeton, New Jersey) and graduate degrees from Mary Immaculate College (Northampton, Pennsylvania) and Fordham University (Bronx, New York).

### **Clifford H. Marshall**

Mr. Marshall is Sheriff of Norfolk County, Massachusetts, having first been elected to the position in 1974. As Sheriff, his jurisdiction extends over 27 towns, the City of Quincy, and over 600,000 Norfolk County residents.

Prior to his election to the post of Sheriff, he served in the Massachusetts House of Representatives where he was Assistant Majority Leader. He was also a member of the Joint Committee on Counties and Rules.

During his tenure, Sheriff Marshall has established a number of correctional programs, including the Braintree Alternative Center (BAC), a community-based detention center; the Inmate Community Service and Work Release Programs, based at the BAC and recognized as positive steps toward the successful reintegration of criminal offenders to the community; the Electronic Incarceration Program, or "house arrest" to relieve chronic overcrowding and to prevent the unnecessary release of incarcerated offenders; and sponsorship of the Child Fingerprinting and Identification Programs, the Drug Abuse Resistance Education Program, and his own Drug and Alcohol Awareness Program, which reaches over 10,000 Norfolk County students annually.

In February 1992, the new 428-bed Norfolk County Sheriff's Office and Correctional Center became fully operational, replacing the "Dedham Jail" built in 1817. The facility, employing state-of-the-art security features and a jail management concept that secures cost-effective operations, is located between the north- and south-bound lanes of Route 128. This unique site, the first ever in the median of an interstate highway, was chosen by the Sheriff after surveying some 32 different locations.

Sheriff Marshall is the recipient of a number of awards and also serves as State Director of the National Sheriff's Association. He is past President of the Massachusetts Sheriff's Association and a former

member of the Governor's Anti-Crime Council. He was appointed by the Governor to the Criminal History Systems Board and is a member of its Records Improvement Task Force.

### **Jerome E. McElroy**

Mr. McElroy is currently Executive Director of the New York City Criminal Justice Agency, a nonprofit agency which provides pretrial services to the City's Criminal Courts and research services to the Mayor's Office.

Prior to his current position, Mr. McElroy was Associate Director for Research at the Vera Institute of Justice for a number of years, during which time he directed research projects dealing with a wide variety of criminological and criminal justice matters. He has also served as Deputy Administrator of the New York State Division of Criminal Justice Services when that agency served as the State planning agency under the Law Enforcement Assistance Administration program.

Mr. McElroy has served on the faculties of the John Jay College of Criminal Justice at Fordham University (New York) and the Fordham University Graduate School of Social Work. He also is an Adjunct faculty member to the New York City Police Academy.

He is a member of the Board of Directors of the National Criminal Justice Association and has served on several advisory committees concerned with criminal justice practices in his home State of New Jersey.

### **Judy Metz**

Ms. Metz has 22 years of experience with the California Department of Corrections (DOC) in the area of inmate/parolee records. She currently serves as Chief of Case Records Services for DOC.

In 1981, Ms. Metz established the DOC Legal Processing Unit which has responsibility for reviewing legal documents with sentencing discrepancies and communicating with the courts and the Office of the Attorney General to resolve the discrepancies.

Ms. Metz has direct administration of the 24-hour Identification/Warrants Unit, the Central Legal Processing Unit, the Case Records Training Team and the DOC Archives Section. She also has overall functional supervision responsibility for 40 existing Case Records Offices located in institutions and parole regions statewide and for all future Case Records Offices. In addition, she is the principal advisor on the Department's forthcoming computerized Correctional Management Information System.

As Chief, Ms. Metz plans, develops and administers policies governing the Department's uniform case records system; assumes responsibility and accountability for the accurate interpretation and application of laws, administrative standards, and court decisions related to processing, maintenance and control of inmate and parolee records within the Department's record system; acts as administrative and technical advisor on matters related to the statewide records system; and acts as primary Department liaison with other governmental agencies, courts, legislators and other persons, on matters related to DOC's records functions.

### **Matthew Myers**

Mr. Myers has served as Undersheriff of the Ingham County, Michigan Sheriff's Department since 1992. Prior to his current position, he was the Chief Deputy for 3 years.

Mr. Myers has worked in law enforcement since 1976 including serving with the Michigan State University Department of Public Safety for 13 years. He also has been a part-time instructor at Lansing Community College and Mid-Michigan Police Academy.

He is active in a number of professional associations, including the Michigan Sheriffs' Association and Michigan Chiefs of Police. He has also served as a trustee of the Holt Public Schools Board of Education and the Fraternal Order of Police.

Mr. Myers received an M.A. in education and a B.S. in criminal justice from Michigan State University. He also has completed his coursework for a doctorate degree in education with an emphasis on labor and industrial relations at Michigan State University. He also is a graduate of the FBI National Academy.

### **Rosemarie (Marie) Pifer**

Ms. Pifer is Director of the Michigan State Police Central Records Division, which is the Michigan central repository for criminal history records, criminal and applicant fingerprints, handgun registrations and Uniform Crime Reporting. She served as the Assistant Director for 3 years prior to her current appointment.

Ms. Pifer has been employed with the Michigan State Police for 21 years, serving 16 years as a program analyst for Uniform Crime Reporting (UCR), Criminal History Reporting, Automated Fingerprint Identification System and the Auto Theft Prevention Authority.

In 1992, Gov. John Engler appointed Ms. Pifer to SEARCH, and she is currently serving on the SEARCH Board of Directors. She is also a member of the National Criminal Justice Association and various State criminal justice organizations in Michigan. She also serves on the FBI's UCR Advisory Policy Board.

Ms. Pifer holds a B.S. degree in management and supervision from Central Michigan University.

### **Emmet A. Rathbun**

Mr. Rathbun has served with the Federal Bureau of Investigation for 17 years, having begun his service in 1978 with the FBI's National Crime Information Center where he performed various duties in a supervisory capacity. Since 1989, he has been assigned to the FBI's Criminal Justice Information Services Division (formerly Identification Division), where he is currently the Unit Chief.

Mr. Rathbun began his career in law enforcement as a police officer in 1964. In 1965, he became a special agent for the Iowa Bureau of Criminal Investigation and later became Assistant Director for that agency before accepting a position with the FBI. Mr. Rathbun is a graduate of Upper Iowa University.

**Jack Scheidegger**

Mr. Scheidegger, Chief, Bureau of Criminal Identification and Information (BCII), California Department of Justice, has been in law enforcement for over 25 years. He is currently responsible for the administration of criminal identification and information services to local and national criminal justice systems, a complex organization consisting of approximately 1,000 positions with a \$47 million annual budget.

Previous to his appointment as Chief of BCII in 1991, Mr. Scheidegger held the following positions: Chief of the Bureau of Forensic Services; Director of the Bureau of Medi-Cal Fraud and Patient Abuse; Chief Investigator of the Bureau of Medi-Cal Fraud; Legislative Advocate with the Attorney General's Office; Program Manager of the Statistical Analysis Center, Bureau of Criminal Statistics; Manager of the Automated Latent Print System, Bureau of Forensic Services; Chief of the Special Services Bureau, Investigative Services Branch; Manager of the Special Operations Section of the Bureau of Identification; and Metropolitan Specialist, Liaison Bureau of the Law Enforcement Consolidate Data Center.

Mr. Scheidegger's experience in the law enforcement field has also included serving as Chair of the Attorney General's Advisory Committee on Criminal History Record Improvement, a member of the Los Angeles Police Department Hillside Strangler Task Force, and a legislative advocate for law enforcement. He is the California governor-appointee to SEARCH and currently serves on the SEARCH Board of Directors.

Mr. Scheidegger received a B.A. degree in public administration from California State University, Sacramento, and an M.P.A. from the University of Southern California, Los Angeles. He has also completed the Executive Management Program at the University of California, Davis.

**Anthony L. (Tony) Stolz, Jr.**

Mr. Stolz is the Director of the Personnel Investigations Center (PIC), Defense Investigative Service (DIS), U.S. Department of Defense. He has held positions as Special Agent (Green Bay, Wisconsin); Special Agent-in-Charge (Memphis, Tennessee, and Beltsville, Maryland); Case Controller at the PIC (Baltimore, Maryland); Team Chief (PIC); DIS Headquarters, Staff Officer (Washington, D.C.); both the Assistant Chief and Chief of Investigations Division (PIC); and Acting Deputy Director (PIC).

Mr. Stolz served in the U.S. Army as a Military Intelligence Officer. His assignments included the 197th Infantry Brigade, 111th Military Intelligence Group, the 10th Special Force Group Airborne and the DIS.

Mr. Stolz received his B.S. degree in history from the University of Wisconsin, Milwaukee.

**Capt. R. Lewis Vass**

Capt. Vass graduated from the Virginia State Police Academy in 1967. During his 28 years of service with the Virginia State Police, he has received specialized training in many areas of law enforcement, including the handling of explosive devices, terrorist activities and civil disorders. Capt. Vass is a graduate of Northwestern University Traffic Institute where he studied personnel management, and he is currently a student at Virginia State University.

Capt. Vass currently serves as the Records Management Officer, Records Management Division, Virginia Department of State Police. His responsibilities include the Virginia Automated Fingerprint Identification System (AFIS), the Virginia Central Criminal Records Exchange, Virginia Firearms Transaction Program (VFTP), Virginia Criminal Information Network, Virginia Missing Children Information Clearinghouse, and the Uniform Crime Reporting Section. He is a representative on the National Crime Information Center Southern Region Working Group, the National Law Enforcement

Telecommunications System, and is the Control Terminal Officer for the State of Virginia. He was recently appointed by Gov. George Allen as the Virginia representative to SEARCH.

Capt. Vass was instrumental in designing and developing the VFTP, the first instant-check, point-of-sale approval system in the Nation for firearms sales, and the design and implementation of the Multiple Handgun Application/Certificate program. He currently serves as a member of the Brady Act Task Group on Functional Requirements for the National Instant Criminal Background Check System for firearms purchases.

Capt. Vass served as a member of the Felon Identification in Firearms Sales Ad Hoc Task Force. He has served as a member of the steering committee to assist the Bureau of Justice Assistance in the design of a methodology to evaluate criminal history records programs. Capt. Vass is a member of the AFIS Internet, and also serves as a coordinator of legislative liaisons to the Virginia General Assembly for the Department of State Police.

**Lt. John G. Weakley**

Lt. Weakley graduated from the Virginia State Police Academy in 1969 and currently has 26 years service with the Virginia State Police. He has received training in police supervision and management through the University of North Florida, Virginia Commonwealth University, and Northwestern University Traffic Institute. Lt. Weakley is assigned as Assistant Records Management Officer with responsibility for the Automated Fingerprint Identification System (AFIS), the Central Criminal Records Exchange, and the scheduling and retention of all Department records.

Lt. Weakley is a charter member of the Virginia State Police Association. He is also a member of the Virginia Association of Government Archives and Records Administrators, and is a member of the AFIS Internet.

**Lawrence P. (Larry) Webster**

Mr. Webster is Executive Director of Court Technology Programs at the National Center for State Courts (NCSC). He is responsible for national scope technology research and information exchange, and is involved in technology education and consulting. He has delivered more than 30 seminars and courses related to technology in the justice system. He was the principal author of *Planning, Acquiring, and Implementing Court Automation* and has prepared or assisted with numerous other books, articles and papers.

Before joining NCSC, Mr. Webster was Director of Data Processing for the Utah courts, where he supervised the automation of the district and circuit courts and the court of appeals and was responsible for maintaining existing systems in the supreme and juvenile courts. He has also previously worked as Manager of Operations and Development for the Colorado District Attorneys Council and as systems manager for the United States Attorney in Denver, Colorado, and the District Attorney's Office in Golden, Colorado.

Mr. Webster holds a Master of Science in Judicial Administration from the University of Denver College of Law.

**Gene Wriggelsworth**

Elected Sheriff of Ingham County, Michigan in 1988, Mr. Wriggelsworth has over 27 years of experience in law enforcement. Fourteen of those years were spent as Supervisor of the Tri-County Metro Narcotics Squad, a task force of law enforcement agencies in three Michigan counties, including Ingham.

Sheriff Wriggelsworth began his law enforcement career with the Michigan State Police and served as a State Trooper and was, over the course of his service, promoted to Detective Lieutenant.

Also active in the field of education, Sheriff Wriggelsworth served on the Holt Schools Board of

Education, holding the offices of Vice President and Secretary. Sheriff Wriggelsworth has also served as instructor, guest lecturer and consultant to several colleges and police academies. He has also served as Special Educator to the State Board of Education. He is a graduate of the FBI National Academy.

Sheriff Wriggelsworth currently serves on the Drug Abuse Resistance Education State Advisory Board. In addition, he has been appointed by the Governor to serve on the Emergency Preparedness Advisory Council and the Fire Safety Task Force Planning Committee. He was also appointed to represent the Michigan Sheriff's Association on the Michigan Coalition for a Drug-Free Workplace, and is currently working with the Michigan State Police and the Governor's Office to establish a pilot program for a Drug-Free School Zone in cooperation with the public schools.

**Gary T. Yancey**

Mr. Yancey is the District Attorney-Public Administrator for Contra Costa County, California. Mr. Yancey began his career as a prosecutor for the Contra Costa County District Attorney's Office in 1969. In 1985, he was appointed to the position of District Attorney of Contra Costa County by the Board of Supervisors and has twice been elected to full 4-year terms, the second time without opposition.

Mr. Yancey is currently President of the California District Attorneys Association. He is also President of the Contra Costa County Police Chiefs Association. Mr. Yancey is a graduate of Hastings College of Law (California). He received a B.S. in chemical engineering from the University of California, Berkeley.

**Virgil L. Young, Jr.**

Mr. Young is currently the Special Agent-in-Charge of the Federal Bureau of Investigation's Knoxville, Tennessee Office. He previously was the Section Chief, Programs Development Section, Criminal Justice Information Services Division, Federal Bureau of Investigation. In 1991, he was also designated as an Inspector-in-Place.

Mr. Young began his FBI career as a Special Agent in 1970 and was assigned to the Detroit Field Office. He was later assigned to the San Francisco Field Office to attend the Defense Language Institute in Monterey, California. In 1972, he served as a "street agent" and later as a Squad Supervisor in the New York Office.

Mr. Young has held various other positions with the Bureau, including supervisory duties in the Criminal Investigative Division at FBI Headquarters; Unit Chief; Inspector's Aide; Assistant Section Chief; and Section Chief in the Identification Division. He also served in the Richmond, Virginia Field Office as Assistant Special Agent-in-Charge.

Mr. Young earned a B.A. degree in political science from the University of Kansas. Upon graduation, he was commissioned second lieutenant in the United States Marine Corps, where he spent 4 years as an infantry officer, including 1 year in Vietnam. He later earned a master's degree in professional studies from Long Island University.



## Staff biographies

### ■ Bureau of Justice Statistics, U.S. Department of Justice

#### Carol G. Kaplan

Ms. Kaplan is Assistant Deputy Director of the Bureau of Justice Statistics (BJS), U.S. Department of Justice, and is responsible for all BJS programs in the area of Federal criminal justice case processing. Additionally, she administers programs designed to identify and analyze criminal justice information issues and to ensure compliance with privacy, security and confidentiality regulations.

Ms. Kaplan has been involved with Federal privacy, security and information policy since 1975, and in the mid-1970s participated in the development of the original national regulations in this area. She also participated in the initial efforts relating to interstate data exchange and in the development of guidelines governing the operation of intelligence systems.

Ms. Kaplan previously served as an attorney with the Department of Health, Education and Welfare and the Federal Communications Commission. She is a graduate of Radcliffe College and the Columbia University School of Law.

### ■ SEARCH, The National Consortium for Justice Information and Statistics

#### Sheila J. Barton

As a Deputy Director of SEARCH, Ms. Barton is responsible for the development and implementation of a multifaceted program of public policy analysis, documentation of State and Federal information policy development, education and assistance to State and local policymakers, the conduct of national conferences and workshops on justice information policy issues, and the publication of timely studies on justice information policy. She is also In-house Counsel and staff to the SEARCH Law and Policy Program

Advisory Committee and Board of Directors.

Prior to joining SEARCH, Ms. Barton was a Municipal Judge in Cheyenne, Wyoming, and was also engaged in the private practice of law. She also has held the positions of Public Defender for Cheyenne and Staff Attorney to the Wyoming Supreme Court. She has also served in the New York State Department of Correctional Services, Office of the Special Legal Assistant to the Commissioner, and as Legal Specialist for the Department's Division of Health Services. Prior to her service in New York, she was Associate County Judge for Lincoln County, Nebraska.

She holds a B.A. from Augustana College (South Dakota) and a J.D. from the University of Nebraska College of Law, Lincoln.

#### Gary R. Cooper

Since 1983, Mr. Cooper has served as the Executive Director of SEARCH, The National Consortium for Justice Information and Statistics. In his role as Executive Director, Mr. Cooper is called upon to represent SEARCH before the various branches and levels of government, including the U.S. Congress and the U. S. Department of Justice, criminal justice associations, and the private sector. He has twice chaired the Evaluation Committee for tests of the Interstate Identification Index, a committee of the Advisory Policy Board to the FBI's National Crime Information Center, and currently chairs the FBI's Evaluation Group for the National Fingerprint File Pilot Project.

In 1981, Mr. Cooper was appointed by California's Governor to the California Commission on Personal Privacy. He currently serves on the Board of Directors for the National Foundation for Law and Technology. With SEARCH for 21 years, Mr. Cooper has also served as the Deputy Director and the Director of the Law and Policy Program.

Mr. Cooper's law enforcement career began as a patrolman for the City of Sacramento, and he has held

various research and planning positions with the California Council on Criminal Justice and the California Crime Technological Research Foundation. He has written extensively in all areas of information law and policy, with an emphasis on the privacy and security of criminal history records.

Mr. Cooper received his B.A. degree in political science from the University of California, Davis.

#### Jodi M. Hrbek

Ms. Hrbek joined the SEARCH staff in December 1994 as Administrative Assistant for the Law and Policy Program. Ms. Hrbek assists in the implementation of State and local technical assistance programs and the planning of national conferences and workshops on justice information policy issues. In addition, Ms. Hrbek contributes research and writing to studies on justice information policy development.

She holds a B.A. in the interdisciplinary program of American Culture from Northwestern University.

#### Robert L. Marx

Mr. Marx has been associated with Project SEARCH and SEARCH since its inception in 1969 and currently serves as Senior System Specialist, with particular emphasis on automated fingerprint identification systems (AFIS) and the design, analysis and evaluation of information systems in State identification bureaus. Mr. Marx has provided consulting services to numerous State and local governments, as well as to the U.S. Senate; the Congressional Office of Technology Assessment; the Office of Telecommunications Policy; the Law Enforcement Assistance Administration; and the Bureau of Justice Statistics, U.S. Department of Justice.

Mr. Marx was on the faculty of SEARCH's "National Conference on Automated Fingerprint Identification Systems: Preparing for AFIS Procurement and Implementation."

He also was the technical director of SEARCH's Technical Report No. 6: *An Experiment to Determine the Feasibility of Holographic Assistance to Fingerprint Identification*; Technical Report No. 8: *Design of a Model State Identification Bureau, Master Plan for Identification System Upgrade*; and *Guidelines for Evaluating Automated Fingerprinting Systems*.

Mr. Marx earned a B.S. in chemistry from Marquette University and completed graduate work in physics at the U.S. Naval Postgraduate School.

### **Paul L. Woodard**

Mr. Woodard is Senior Counsel in the Law and Policy Program at SEARCH and has been associated with SEARCH since 1974. As Senior Counsel, Mr. Woodard has been involved in providing technical assistance to State and local criminal justice agencies dealing with the development of policies and procedures and writing legislation for managing criminal history records. In addition, he has provided policy support to special studies focusing on the information practices of sealing and purging criminal history record information; media access to criminal justice information; and improving criminal history record disposition reporting. Mr. Woodard also was the project coordinator of a contract with the FBI and principal author of a report pursuant to that contract titled, "A Study of Non-Criminal Justice Access to and Use of the Interstate Identification Index."

Mr. Woodard has conducted projects to audit the security and privacy policies and procedures and data quality levels of major State repositories of criminal history records. In addition, he has designed data quality audit programs to be conducted by State audit officials at both the State repository and local agency levels.

Prior to his association with SEARCH, Mr. Woodard served as President of Studies in Justice; Associate Deputy Attorney General for Legislation and Congressional

Relations, U.S. Department of Justice; Assistant Administrator and General Counsel, Law Enforcement Assistance Administration; Chief Counsel and Staff Director, Subcommittee on Constitutional Rights, U.S. Senate; Chief Counsel and Staff Director, Subcommittee on Separation of Powers, U.S. Senate; Assistant Counsel, Subcommittee on Criminal Laws and Procedures, U.S. Senate; and an Associate with the law firm of Dechert, Price and Rhoads, Philadelphia, Pennsylvania.

Mr. Woodard is a graduate of the University of North Carolina, Chapel Hill, and the University of Virginia Law School.

## **Appendix B**

**Federal Bureau of Investigation  
List of Nonserious Offenses**

# Federal Bureau of Investigation

## List of Nonserious Offenses\*

Abusive Language  
 Alms Solicitation  
 Amnesia  
 Begging  
 Breach of Peace  
 Card Game Playing  
 Careless or Reckless Driving (as long as driver under influence of drugs or liquor, hit and run, vehicular manslaughter, involuntary manslaughter or manslaughter *not* involved)  
 Civil Commitment  
 Criminal Violation  
 Curfew Registration  
 Detention Only  
 Detoxification  
 Dice Game Playing  
 Disregarding Traffic Signals  
 Disturbance  
 Disturbing Public Worship  
 Disturbing the Peace  
 Dog Laws  
 Drag Racing  
 Driving while License Suspended or Revoked  
 Drunk (not traffic charges)  
 Drunk in or about Auto  
 Drunk in Public Restroom or Restaurant  
 Drunk on Highway  
 Ex-Con Registration  
 Failure to Give Good Account  
 Failure to Identify  
 Failure to Operate in Prudent Manner (auto)  
 Failure to Register in Hotel or Register in Hotel with Someone Other than Husband or Wife  
 Failure to Yield for Emergency Vehicle, Blue Light, or Siren  
 False Fire Alarm  
 Felony Registration  
 Fireworks  
 Fishing without a License  
 For Identification Purposes  
 General Principles  
 Going through Red Light  
 Hitchhiking  
 Illegal Consumption of Beer  
 Illegal Possession of Beer

Inadequate Brakes  
 Inquiry (unaccompanied by criterion charge)  
 Interview  
 Intoxication  
 Investigation (unaccompanied by criterion charge)  
 Investigation - Mental  
 Jaywalking  
 Juvenile Charge\*\*  
 Juvenile Commitment\*\*  
 Juvenile Offender\*\*  
 Late Hours  
 Loafer  
 Lodger  
 Loitering  
 Lottery Playing  
 Lunacy (unless print pertains to major charge)  
 Mandatory Appearance  
 Material Witness  
 Medical Treatment  
 Mental  
 Minor in Bar  
 Minor in Consumption  
 Minor in Gambling House  
 Minor in Possession - Alcohol  
 Misrepresenting Age (liquor)  
 Mooching  
 Narcotics Registration  
 Negligent Driving

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\*This list is not all-inclusive; other charges similar in nature may not appear in list.

\*\*Juvenile Arrests (charges) will be accepted as long as the offense for which the juvenile is charged or detained is clearly stated, for example, "JUVENILE ARREST - BURGLARY."

No Driver's License (**Note:** Operating Auto with Altered License considered as Serious Charge)  
No Inspection Sticker or Expired Sticker  
No Visible Means  
Obstructing Traffic  
Operating Auto without License  
Panhandling  
Parking Warrants  
Patient (**Note:** Unless print pertains to Major Charge; that is, murder, rape, etc.)  
Peace Bond  
Peace Warrant  
Possession of Lottery Tickets, Policy Slips, or Numbers  
Possession of Open Bottle or Container  
Probation or Parole Check  
Profane Language  
Public Intoxication  
Public Nuisance  
Purchasing Liquor as a Minor  
Rebooked on Suspicion  
Runaway  
Safekeeping, Skusm, Sak  
Sex Registration  
Sleeper

Sleeping in a Subway  
Speeding  
State Work Furlough  
Suspect  
Suspicion (unaccompanied by criterion charge)  
Suspicious Person  
Traffic Violations (minor traffic, vehicle and licensing charges)  
Train Riding (hobo)  
Tramp  
Transient  
Truancy  
Trusty Commitment  
Urinating in Public  
Uninsured Motor Vehicle  
Unlawful Blood Alcohol Content or Count (alone only; not with driving charges)  
Vagabond or Rogue  
Vagrancy  
Venereal Control Registration  
Visiting a Common Nuisance  
Voluntary Commitment  
Walking on Highway  
Wayward

## **Appendix C**

### **Sample Transmission Format for the Interstate Exchange of Criminal History Records**

(The transmission format that follows is a *sample* of the format adopted by the Task Force. The fully-developed format is not complete at this time. When completed, the transmission format will be synchronized with the presentation format to ensure that all data elements are included and consistent. The final operational version also will be coordinated with the Federal Bureau of Investigation and the National Law Enforcement Telecommunications System.)

# Sample Transmission Format for the Interstate Exchange of Criminal History Records

## Introduction

### Purpose

The following outlines a possible transmission format for the interstate exchange of criminal history records.

### The operational setting

An authorized user of criminal history information in one State queries the national database, the Interstate Identification Index (III), and determines the record subject for whom the criminal history record is required. The subject has a multistate record; all parts of the criminal history record are in various State repositories (not at the Federal Bureau of Investigation (FBI)). The inquiring State desires to assemble the fragments into an integrated record, edit it partially by computer and partially by visual scrutiny, and present it to the inquirer in a single State-standard presentation format.

### General structure of the format

#### — *Standardization*

A national standard transmission format for fingerprint-related information has been approved nationally, and the FBI has published specifications for its use in submitting fingerprint cards to the Integrated Automated Fingerprint Identification System (IAFIS).<sup>1</sup>

This document extends the concept from an arrest fingerprint card to a criminal history record. Within the conceptual framework of the standard, a criminal history record can be thought of as a “logical file.” This file is comprised of several “logical records.” Each of these records, in turn, is comprised of “fields” and each of the fields is, in turn, divided into “information items.”

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<sup>1</sup> IAFIS will govern the transmission of fingerprint card data between State identification bureaus and the National Fingerprint File (NFF). The specifications are published in the “Proposed ANSI/NIST-CSL 1-1993 American National Standard for Information Systems - Data Format for the Interchange of Fingerprint Information,” dated June 17, 1993; and the “Electronic Fingerprint Transmission Specification,” dated April 1993, Federal Bureau of Investigation, Criminal Justice Information Services Division.

#### — *Logical records of the rap sheet logical file*

The first logical record acts as an index to the remainder of the file, specifying the number of records and their “names.” In the parlance of the standard, this is called a “type-1 record.”

The second logical record contains data describing the person who is the record subject; it also memorializes the history of custody and supervision for that person. In the parlance of the standard, this is called a “type-2 record.”

An additional logical record is provided for each arrest cycle. This record describes the arrest, all charges emanating from that arrest, and the disposition of those charges. Each of these is also a type-2 record.

#### — *Standard separators*

<FS> (ASCII 1C hex) is the file separator, which separates logical records within a logical file. The single type-1 record and each type-2 record end with the file separator character.

<GS> (ASCII 1D hex) is the group separator, which separates fields within a logical record. Each field contains a field number, a colon, the field contents, and a separator (which is the group separator except for the final field of a logical record, which is terminated by the file separator).

<RS> (ASCII 1E hex) is the record separator, separating sub-fields within a field. For example, if two dates of birth are in the criminal history record, they would be transmitted in a single field with the two values separated by the <RS> separator.

<US> (ASCII 1F hex) is the unit separator, separating information items within a single field or sub-field. For example, in the logical record which describes an arrest, there is a field called “arrest agency and case number” which contains two sub-fields — the code for the arresting agency and the case number assigned to the arrest by that agency. These two sub-fields are separated by the unit separator.

## Components of the sample rap sheet transmission format

The following contains sample data in a sample rap sheet transmission format. States called “SA” and “SY” are used in the example data. The components of the sample transmission format are: records and fields contained in the rap sheet file; the transmission format; and the conversion to presentation format.

### Records and fields contained in the rap sheet file

#### — *Type-1 Logical record*

Each rap sheet file must contain a single type-1 record. The contents are already defined by the national standard.

#### **Field 1.01 Logical record length**

This mandatory field contains the total number of bytes in the type-1 record, including separators.

**Example:** 1.01:118<GS>

#### **Field 1.02 Version number**

This mandatory four-character field contains the version number of the standard format.

**Example:** 1.02:0100<GS>

#### **Field 1.03 File content**

This mandatory field lists each of the logical records in the logical file. For the type-1 record, it shows two items: the type number (1 in this example), and the number of other records in the file (4 in this example); for each type-2 record, it shows the record type and the image designation character (IDC) of the record (the IDC specifies the order in which the type-2 records are to be considered in the computer analysis).

**Example showing four type-2 records with IDCs of 0, 1, 2, and 3:**

1.03:1<US>4<RS>2<US>0<RS>2<US>1<RS>2<US>2<RS>2<US>3<GS>

#### **Field 1.04 Type of transaction**

This mandatory field contains an identifier of the transaction type which defines the later processing for this logical file.

**Example:** 1.04:RAP<GS>

#### **Field 1.05 Date**

This mandatory field contains the date on which the rap sheet was transmitted in form *yyyymmdd*.

**Example:** 1.05:19941225<GS>

#### **Field 1.07 Destination agency**

This mandatory field contains the identifier of the organization to receive the transmission, normally the State central repository, in the form of the 10-character ORI of the organization.

**Example:** 1.07:SY12345678<GS>

#### **Field 1.08 Originating agency identifier**

This mandatory field contains the identifier of the organization transmitting the rap sheet, normally the State central repository, in the form of a 10-character ORI.

**Example:** 1.08:SA23456789<GS>

#### **Field 1.10 Transaction control reference**

This mandatory field returns the transaction control number indicated in the rap sheet request. This must be the last item in the type-1 record and is terminated with a file separator rather than a group separator.

**Example:** 1.10:ABC876Z98<FS>

#### — *Type-2 Logical record: identification segment*

#### **Field 2.001 Logical record length**

This mandatory field contains the total length of the type-2 record, including separators.

**Example:** 2.001:561<GS>

#### **Field 2.002 Image designation character**

This mandatory field contains a positive integer which defines the relative order in which the type-2 records are to be considered. In the examples in this document, an image designation character (IDC) of 0 is assigned to the identification data, 1 to data about the first arrest, 2 for data concerning the second arrest, and so forth.

**Example:** 2.002:0<GS>

#### **Field 2.1001 Caveat statements**

This optional field contains the numbers corresponding to a national list of prewritten caveat statements pertaining to the use of the record. For example, the inquiry may have been based on fingerprints, or not. [**Note:** *This field is not defined in the electronic fingerprint card specification.*]

#### **Field 2.014 FBI number**

This field contains the FBI number of the record subject. No multiples.

**Example:** 2.014:123456H8<GS>



**Field 2.015 State identification number**

This field contains the State identification number of the subject. Either this field or 2.014 is mandatory. No multiples.

**Example:** 2.015:SA1234567J<GS>

**Field 2.016 Social Security number**

This field contains the Social Security number of the record subject. Multiples allowed.

**Example:** 2.016:390303962<GS>

**Field 2.017 Miscellaneous number**

First three characters coded, then up to 12 free. Multiples allowed.

**Example:** 2.017:CG-987654321<RS>PP-050477794<GS>

**Field 2.018 Name<sup>2</sup>**

Name in four sub-fields: last, first, middle, generation. No multiples. *[Note: This field is defined with different separators than the electronic fingerprint card to correspond with electronic data interchange (EDI) practice; hopefully, the FBI specification will be modified.]*

**Example:** 2.018:Schultz<US>John<US>M<GS>

**Field 2.019 Aliases<sup>3</sup>**

Names with each name in four sub-fields: last, first, middle, generation. Multiples allowed.

**Example:**  
2.019:Smith<US>John<US>Martin<RS>  
Schultz<US>John<US>Martin<US>Jr<GS>

**Field 2.020 Place born**

Place of birth code. Multiples allowed.

**Example:** 2.020:WI<GS>

**Field 2.021 Country of citizenship**

Country code. Multiples allowed

**Example:** 2.021:US<GS>

**Field 2.022 Date of birth**

Date born yyyyymmdd. Multiples allowed. *[Note: Consideration should be given to modifying this format to separate year from month from day with <US>.]*

**Example:** 2.022:19660608<GS>

**Field 2.024 Sex**

Sex code. No multiples. *[Note: The sex code in the FBI specification is unlikely to be accepted for broader EDI use.]*

**Example:** 2.024:M<GS>

**Field 2.025 Race**

Race code. No multiples.

**Example:** 2.025:W<GS>

**Field 2.026 Scars, marks, tattoos, amputations**

This field contains 10-character notations from a list of standard abbreviations. Multiples allowed. *[Note: FBI specification does not provide for description.]*

**Example:** 2026:[TBD] need code table: Miss L Arm<RS>Tat L Ankl<GS>

**Field 2.027 Height**

Height in feet and inches.

**Example:** 2.027:602<GS>

**Field 2.029 Weight**

Weight in pounds. No multiples.

**Example:** 2.029:185<GS>

**Field 2.031 Eyes**

Eye color code. No multiples.

**Example:** 2.031:BLU<GS>

**Field 2.032 Hair**

Hair color code. No multiples.

**Example:** 2.032:BRO<GS>

**Field 2.033 Fingerprint classification**

20-character NCIC code. No multiples.

**Example:** 2.033:PIPMPOCICM1415116114<GS>

**Field 2.035 Palm print available flag**

Y/N. No multiples. *[Note: The FBI specification does not allow for naming the agency holding the prints.]*

**Example:** 2.035:Y<GS>

**Field 2.036 Photo available flag**

Y/N. No multiples. *[Note: The FBI specification does not allow for naming the agency holding the photo.]*

**Example:** 2.036:Y<GS>

<sup>2</sup> The format is different from the FBI fingerprint specification (use of unit separators rather than comma and spaces), and suggests change of the FBI specification.

<sup>3</sup> The format is different (see Name format above).

**Field 2.039 Employer and address**

Two sub-fields: date reported in form yyyyymmdd, and free text up to 120 characters. Multiples allowed. *[Note: The FBI specification does not provide for date of information.]*

**Example:** 2.039:19920214<US>City Heating, 123 Main St., Central City, SA<RS>19930303<US>Star Electrical Co., No. 7 City Ctr., Farmville, SA<GS>

**Field 2.040 Occupation**

Two sub-fields: date reported in form yyyyymmdd, and free text up to 50 characters. Multiples allowed. *[Note: The FBI specification does not provide for date of information.]*

**Example:** 2.040:19920214<US>Plumber<RS>19930303<US>Electrician<GS>

**Field 2.041 Subject residence**

Two sub-fields: date residence reported in form yyyyymmdd, and free text up to 120 characters. Multiples allowed. *[Note: The FBI specification does not provide for date of information.]*

**Example:** 2.041:19920214<US>3021 W. Atlas St., Central City, SA<RS>19930303<US>925 Cayuga Ave., Farmville, SA<GS>

**Field 2.1002 Miscellaneous comments**

A free field of 120 characters. Multiples allowed. *[Note: FBI specification does not provide for this field.]*

**Example:** 2.1002:AFIS fingerprints available, SA Dept. of Justice.<RS>Subject stutters, limps.<GS>

**Field 2.051 Custody/supervision status**

Free-text status and status start date in form yyyyymmdd. Multiples allowed.

**Example:** 2.051:Parole<US>19910608<GS>

**Field 2.052 Custody/supervision history**

Three sub-fields: literal description of the custody or supervision, date of start, and date of end. Multiples allowed.

**Example:** 2.052:Prison<US>19850605<US>19910607<RS>Parole<US>19910608<US>NA<GS>

**Field 2.298 Felon flag**

Y/N. No multiples. If subject has been convicted of one or more felony charges, this flag is set to Y.

**Example:** 2.298:Y<GS>

**Field 2.999 Record type**

This mandatory field contains the record type for the identification segment.

**Example:** 2.999:IDENT<FS>

The identification segment constitutes one type-2 record and ends with the file separator <FS> replacing the final group separator.

**— Type-2 record: Arrest segment**

A separate type-2 record describes each arrest.

**Field 2.001 Logical record length**

This mandatory field contains the total length of the type-2 record, including separators.

**Example:** 2.001:254<GS>

**Field 2.002 Image designation character**

This mandatory field identifies the relative position of the record in the rap sheet. For example, the first arrest could have an IDC of 1, the second an IDC of 2.

**Example:** 2.002:1<GS>

**Field 2.015 State identification number**

This mandatory field contains the State identification number of the record subject. No multiples.

**Example:** 2.015:SA1234567J<GS>

**Field 2.210 Arrest name**

This field contains the name in four sub-fields: last, first, middle, generation. No multiples.

**Example:** 2.210:Schultz<US>John<US>M<GS>

**Field 2.212 Arrest date**

This mandatory field contains the date of arrest in form yyyyymmdd. No multiples.

**Example:** 2.212:19930704<GS>

**Field 2.214 Arrest agency and name**

This field contains two sub-fields: the 10-character ORI of the arresting agency, and the case number within that agency. No multiples.

**Example:**  
2.214:SA12345678<US>94610897<GS>

**Field 2.216 Prosecuting agency and case**

This field contains two sub-fields: the 10-character ORI of the prosecuting agency, and the case number within that agency. No multiples.

**Example:**  
2.216:SA87654321<US>94010157<GS>

**Field 2.218 Court and case**

This field contains two sub-fields: the 10-character ORI of the court, and the docket number within that court. No multiples.

**Example:** 2.218:SA98765432<US>4587A87<GS>

**Field 2.220 Charges**

This field contains, for each charge of the arrest, seven information items: the charge literal at initiation, the charge severity code at initiation, the disposition date, the charge literal at disposition, the charge severity code at disposition, the disposition literal, and the sentence literal.

**Example:** 2.220:Burglary<US>F<US>  
19930715<US>Possess Burglary  
Tools<US>M<US>  
Convicted<US>Fine200,Jail6mo<RS>  
Trespass<US>M<US>  
19930715<US>Trespass<US>M<US>  
Dismissed<US>Null<GS>

**Field 2.999 Record type**

This mandatory field identifies the record as an arrest segment.

**Example:** 2.999:ARR<FS>

## Transmission format

### — *Type-1 record defines the rap sheet file*

1.01:118<GS>  
1.02:0100<GS>  
1.03:1<US>4<RS>2<US>0<RS>2<US>1<RS>2<US>2<RS>  
2<US>3<GS>  
1.04:RAP<GS>  
1.05:19941225<GS>  
1.07:SY12345678<GS>  
1.08:SA23456789<GS>  
1.10:ABC876Z98<FS>

### — *Type-2 record transmits identification and custody/supervision data*

2.001:561<GS>  
2.002:0<GS>  
2.014:123456H8<GS>  
2.015:SA1234567J<GS>  
2.016:390303962<GS>  
2.017:CG-987654321<RS>PP-050477794<GS>  
2.018:Schultz<US>John<US>M<GS>  
2.019:Smith<US>John<US>Martin<RS>  
Schultz<US>John<US>Martin<US>Jr<GS>  
2.020:WI<GS>  
2.021:US<GS>  
2.022:19660608<GS>  
2.024:M<GS>  
2.025:W<GS>  
2.026:Miss L Arm<RS>Tat L Ankl<GS>  
2.027:602<GS>  
2.029:185<GS>  
2.031:BLU<GS>  
2.032:BRO<GS>  
2.033:PIPMPOCICM1415116114<GS>  
2.035:Y<GS>  
2.036:Y<GS>  
2.039:19920214<US>City Heating, 123 Main St., Central City, SA<RS>  
19930303<US>Star Electrical Co., No. 7 City Ctr., Farmville, SA<GS>  
2.040:19920214<US>Plumber<RS>19930303<US>Electrician<GS>  
2.041:19920214<US>3021 W. Atlas St., Central City, SA<RS>  
19930303<US>925 Cayuga Ave., Farmville, SA<GS>  
2.1002:AFIS fingerprints available, SA Dept. of Justice.<RS>Subject stutters, limps.<GS>  
2.051:Parole<US>19910608<GS>  
2.052:Prison<US>19850605<US>19910607<RS>  
Parole<US>19910608<US>NA<GS>  
2.298:Y<GS>  
2.999:IDENT<FS>

— **Type-2 record transmits one arrest, its charges and disposition data**

2.001:254<GS>  
2.002:1<GS>  
2.015:SA1234567J<GS>  
2.210:Schultz<US>John<US>M<GS>  
2.212:19930704<GS>  
2.214:SA12345678<US>94610897<GS>  
2.216:SA87654321<US>94010157<GS>  
2.218:SA98765432<US>4587A87<GS>  
2.220:Burglary<US>F<US>  
19930715<US>Possess Burglary Tools<US>M<US>  
Convicted<US>Fine200,Jail6mo<RS>  
Trespass<US>M<US>  
19930715<US>Trespass<US>M<US>  
Dismissed<US>Null<GS>  
2.999:ARR<FS>

— **Type-2 record transmits another arrest, its charges and dispositions**

2.001:145<GS>  
2.002:2<GS>  
2.210:Schultz<US>John<US>M<GS>  
2.015:SA1234567J<GS>  
2.212:19940201<GS>  
2.214:SAPD019283<US>94021876<GS>  
2.216:SAPR918273<US>12345-A6<GS>  
2.220:Rape<US>F<US>19940205<US>  
Rape<US>F<US>Declined prosecute<US>NA<GS>  
2.999:ARR<FS>

## Conversion to presentation format

Criminal History Record  
SA Department of Justice  
December 25, 1994

<i>Name(s)</i>	<i>Sex</i>	<i>Race</i>	<i>Date(s) of Birth</i>
John M Schultz John Martin Smith John Martin Schultz Jr.	Male	White	June 8, 1966

<i>Height</i>	<i>Weight</i>	<i>Hair</i>	<i>Eyes</i>	<i>Scars, Marks, Tattoos, Amputations</i>
6ft 2in	185 lbs	Brown	Blue	Missing Left Arm Tattoo Left Ankle

<i>Place Born</i>	<i>Citizenship</i>
WI	US

<i>Fingerprints</i>	<i>Palm Print</i>	<i>Photo Avail</i>
PIPMPOCICM 1415116114	Avail Yes	Yes

<i>State Ident Nr</i>	<i>FBI Nr</i>	<i>SocSecNr</i>	<i>Misc. Nr(s)</i>
SA1234567J	123456H8	390303962	CG-987654321 PP-050477794

*Employer(s)*  
February 14, 1992: City Heating, 123 Main St., Central City, SA  
March 3, 1993: Star Electrical Co., No. 7 City Ctr., Farmville, SA

*Occupation(s)*  
February 14, 1992: Plumber  
March 3, 1993: Electrician

*Residence(s)*  
February 14, 1992: 3021 W. Atlas St., Central City, SA  
March 3, 1993: 925 Cayuga Ave., Farmville, SA

*Miscellaneous Comments*  
AFIS fingerprints available, SA Dept. of Justice. Subject stutters, limps.

*Custody/Supervision Status*  
Parole from June 8, 1991

*Custody/Supervision History*  
Prison from June 5, 1985 to June 7, 1991  
Parole from June 8, 1991 to unknown date

*Convicted of Felony Charge(s)*  
Yes

*Arrest 1:* July 4, 1993

Arrest - Farmdale Police Dept (SA12345678), Case Nr 94610897

Prosecutor - Farm County Prosecutor (SA87654321), Case Nr 94010157

Court - Farm County Muni Court (SA98765432), Docket 4587A87

*Charge 1.1:*

Initial Felony charge of Burglary

Disposed Misdemeanor charge of Possess Burglary Tools

Convicted July 15, 1993

Fine 200, Jail 6 mo

*Charge 1.2*

Initial Misdemeanor charge Trespass

Final Misdemeanor charge Trespass

Dismissed July 15, 1993

*Arrest 2:* February 1, 1994

Arrest - Bigtown Police Dept (SAPD019283), Case Nr 940201876

Prosecutor - Bigcounty District Attorney (SAPR918273), Case 12345-A6

*Charge 2.1*

Initial Felony charge Rape

Declined prosecute

End of criminal history record

# **Supplement**

**Rap Sheet Presentation Format  
Draft Interim Specification**



# Rap Sheet Presentation Format Draft Interim Specification

## Introduction

The *Report of the National Task Force on Increasing the Utility of the Criminal History Record* contains a "Model Interstate Criminal History Record." The report contains recommendations for both a presentation format (how the record should look on a screen or page) and a transmission format (how it should "look" to the computers which send, switch and receive it). This document concerns the presentation format.

When both these formats are available in final form, States will probably adopt the transmission standard as a feature of participating in the national criminal history system. At that time, States will be free to set their own presentation standards simply by writing translation formulae from the standard transmission standard to their own presentation specification. In the meantime, adherence to the proposed presentation specification would provide a common look to rap sheets received from multiple States.

The remainder of this document is a first attempt to define such an interim specification. Readers are assumed to have before them the model interstate criminal history record recommended in the cited report as Recommendation 3. **Note:** This specification does not replicate every case cycle listed in Recommendation 3; it uses a *sample* of the cycles from the recommendation.

Field testing of this specification is essential before moving toward wide adoption. Of special concern is the degree to which the broad variety of data structures within criminal history systems can be accommodated, as well as the extent to which the format meets operational requirements of the user community.

## 1. General features of the specification

The specification is predicated on the assumption that the final user of the rap sheet will view a printed copy, 8.5-inch by 11-inch paper, portrait orientation, 10 characters per inch, non-proportional font.

The specification permits upper- and lower-case; the receiving computer can convert to upper-only if needed to provide compatibility with some or all printers in the receiving State. Other print characteristics (bold, italics, underscored, etc.) must not be transmitted.

During the time when the presentation format is also used as a transmission method, the specification provides limited font-selection capability at the receiving computer through a very modest sort of markup-language. When a State adheres to the transmission standard, this portion of the presentation specification becomes irrelevant.

- Section titles must end with two colons (::), and must be the only element on a line;
- The cycle number title must end with the equal sign (=), and must be the only element on a line;
- Field and subfield names must end in a colon (:);
- Within a cycle, the arrest, court, corrections and appeals subsection titles must end with two equal signs (= =).

Colons and equal signs are not allowed elsewhere in the specification. Therefore, they may be stripped from the received message, used to trigger special formats, or left in place. **Note:** *it would be easier technically if the font markings were used to bracket the text (before and after) instead of being placed only after the text.*

Lines are to be no more than 75 characters long, plus a line delimiter composed of the two ASCII characters CR, LF (carriage return plus line feed).

Column line-up is to be accomplished with the ASCII space character. Column lineup is to be based on a non-proportional character set.

Page layout is to be as shown in the example in Recommendation 3. If data are not available for a required field, the field will be shown with the value "Unknown". If data are not available for an optional field, the field is absent and the allocated space for that field remains blank.

An ASCII form-feed character is to be included wherever page breaks are desired in the presentation, and at least every 60 lines.

## 2. Introduction section

The section is required.

The section must contain the name of the State sending the rap sheet and the date it was sent.

It may contain a statement which describes the search criteria upon which the record was selected.

It may contain any number of cautionary statements.

## 3. Identification Data section

The section is required.

Section title is required: IDENTIFICATION DATA::

The section may not contain data other than the fields described herein.

### 3.1. Name field

This field is required.

Field title is required: Name:

It may have a single entry, or optionally may have unlimited multiple entries, each on a separate line, when the Aliases field is not used.

Maximum field length is 35 characters.

It is in form: First, Middle, Last, Generation, separated by spaces. A period following an initial is optional.

### 3.2. Aliases field

This field is optional.

Field title is required: Aliases:

Multiple entries are permitted.

It is identical in other respects to the Name field.

### 3.3. Sex field

This field is required.

Field title is required: Sex:

A single entry is required.

Permissible entries are spelled-out versions of the III (Interstate Identification Index) coding manual.

### 3.4. Race field

This field is required.

Field title is required: Race:

A single entry is required.

Permissible entries are spelled-out versions of the III coding manual.

### 3.5. Date of Birth field

This field is required.

Field title is required: Date of Birth:

A single entry is required, and multiple entries are permitted.

Format is January 31, 1966.

### 3.6. Height field

This field is optional.

Field title is required: Height:

A single entry is permitted.

Format is 5 ft. 11 in.

### 3.7. Weight field

This field is optional.

Field title is required: Weight:

A single entry is permitted.

Format is 203 lbs.

### 3.8. Hair field

This field is optional.

Field title is required: Hair:

A single entry is permitted.

Permissible entries are spelled-out versions of the III coding manual.

### 3.9. Eyes field

This field is optional.

Field title is required: Eyes:

A single entry is permitted.

Permissible entries are spelled-out versions of the III coding manual.

### 3.10. Scars, Marks, Tattoos, Amputations field

This field is optional.

Field title is required: Scars, Marks, Tattoos, Amputations:

Multiple entries are permitted.

Format is free-form, maximum length 40 characters.

### 3.11. Place Born field

This field is optional.

Field title is required: Place Born:

Multiple entries are permitted.

Format is free-form, maximum length 30 characters.

### 3.12. Citizenship field

This field is required.

Field title is required: Citizenship:

A single entry is required, and multiple entries are permitted.

Free-form, maximum length 20 characters.

### **3.13. Fingerprint Class field**

This field is optional.  
Field title is required: Fingerprint Class:  
Multiple lines are permitted.  
Format is free-form, maximum length 20 characters per line.

### **3.14. State Ident. No. field**

This field is required.  
Field title is required: State Ident. No.:  
A single entry is required.  
Format is free-form, maximum length 10 characters.

### **3.15. FBI No. field**

This field is optional.  
Field title is required: FBI No.:  
A single entry is permitted.  
Format is free-form, maximum length 10 characters.

### **3.16. Soc. Sec. No. field**

This field is optional.  
Field title is required: Soc. Sec. No.:  
Multiple entries are permitted.  
Format is free-form, maximum length 11 characters.

### **3.17. Driver Lic. No. field**

This field is optional.  
Field title is required: Driver Lic. No.:  
Multiple entries are permitted.  
Format is two-letter State identifier plus dash plus up to 17 free-form characters.

### **3.18. INS Reg. No. field**

This field is optional.  
Field title is mandatory: INS Reg. No.:  
Multiple entries are permitted.  
Format is free-form, maximum length 15 characters.

### **3.19. Misc. No. field**

This field is optional.  
Field title is mandatory: Misc. No.:  
Multiple entries are permitted.  
Format is free-form, maximum length 25 characters.

### **3.20. Palm Print Avail. field**

This field is optional.  
Field title is required: Palm Print Avail.:  
Multiple entries are permitted.  
Format is free-form, maximum length 25 characters.

### **3.21. Photo Avail. field**

This field is optional.  
Field title required: Photo Avail.:  
Multiple entries are permitted.  
Format is free-form, maximum length 25 characters.

### **3.22. DNA Sample Avail. field**

This field is optional.  
Field title required: DNA Sample Avail.:  
Multiple entries are permitted.  
Format is free-form, maximum length 25 characters.

### **3.23. Occupation field**

This field is optional.  
Field title required: Occupation:  
Multiple entries are permitted.  
Format is free-form, maximum length 30 characters (should include date).

### **3.24. Employer field**

This field is optional.  
Field title required: Employer:  
Multiple entries are permitted.  
Format is free-form, maximum length 60 characters per line, multiple lines permitted (should include date).

### **3.25. Residence field**

This field is optional.  
Field title is required: Residence:  
Multiple entries are permitted.  
Format is free-form, maximum length 65 characters.

### **3.26. Miscellaneous Comments field**

This field is optional.  
Multiple entries are permitted.  
Format is free-form, maximum length 80 characters.

## **4. Criminal Justice Summary Data section**

This section is optional.  
If present, the section title is required: CRIMINAL JUSTICE SUMMARY DATA::

### **4.1. Felony Convictions field**

This field is required.  
Field title is required: Felony Convictions:  
A single entry is required.  
Format is a number or unknown; number enumerates charges (each count is a charge).

### **4.2. Total No. Arrests/Indictments field**

This field is optional.  
Field title is required: Total No. Arrests/Indictments:  
A single entry is permitted.  
Format is free-form, maximum length 35 characters (number, possible breakdown by type).

### **4.3. Total No. Convictions field**

This field is optional.  
Field title is required: Total No. Convictions:  
A single entry is permitted.  
Format is free-form, maximum length 35 characters (number, possible breakdown by type).

### **4.4. Date of Last Arrest field**

This field is optional.  
Field title is required: Date of Last Arrest:  
A single entry is permitted.  
Format is January 31, 1994.

### **4.5. Last Reported Event field**

This field is optional.  
Field title is required: Last Reported Event:  
A single entry is permitted.  
Format is free-form, maximum length 60 characters per line, multiple lines permitted, must include date in form January 31, 1995.

### **4.6. Failure to Appear field**

This field is optional.  
Field title is required: Failure to Appear:  
A single entry is permitted.  
Format is numeric 0-999.

### **4.7. Violation of Release Conditions field**

This field is optional.  
Field title is required: Violation of Release Conditions:  
A single entry is permitted.  
Format is numeric 0-999.

### **4.8. Bail Revocation field**

This field is optional.  
Field title is required: Bail Revocation:  
A single entry is permitted.  
Format is numeric 0-999.

### **4.9. Probation Revocation field**

This field is optional.  
Field title is required: Probation Revocation:  
A single entry is permitted.  
Format is numeric 0-999.

### **4.10. Parole Revocation field**

This field is optional.  
Field title is required: Parole Revocation:  
A single entry is permitted.  
Format is numeric 0-999.

### **4.11. Caution field**

This field is optional.  
Field title is required: Caution:  
Multiple entries are permitted.  
Format is free-form, maximum length 70 characters.

## 5. Criminal History Data section

This section is required.

Section title is required: CRIMINAL HISTORY DATA::

### 5.1. Cycle No. designator

Cycle numbers are required: Cycle No. nn:

Format is Cycle No. = 0-999.

A cycle is made up of subsections for arrest, prosecution, court, corrections and appeal.

#### 5.1.1. Arrest/Charge Data subsection

Subsection is required.

Subsection title is required:

Arrest/Charge Data= =

Single subsection per cycle.

##### 5.1.1.1. Name Used field

This field is optional.

Field name is required: Name Used:

A single entry is permitted.

Format is same as for Name field in Identification Data section.

##### 5.1.1.2. Date of Arrest field

This field is required

Field name is required: Date of Arrest:

A single entry is required.

Format is January 31, 1991.

##### 5.1.1.3. Arrest Type field

This field is optional.

Field name is required: Arrest Type:

A single entry is permitted.

Format is free-form, maximum length 20 characters.

##### 5.1.1.4. Date of Offense field

This field is optional.

Field title is required: Date of Offense:

A single entry is permitted.

Format is January 31, 1991.

##### 5.1.1.5. Case Tracking No. field

This field is optional.

Field title is required: Case Tracking No.:

A single entry is permitted.

Format is free-form, maximum length 15 characters.

##### 5.1.1.6. Arresting Agency field

This field is required.

Field title is required: Arresting Agency:

A single entry is required.

Format: Free-form, including ORI, with total length of 50 characters.

##### 5.1.1.7. Arresting Agency Case No. field

This field is optional.

Field title is required: Arresting Agency Case No.:

A single entry is permitted.

Format is free-form, maximum length 15 characters.

##### 5.1.1.8. Arresting Agency Offender Ident. No. field

This field is optional.

Field title is required: Arresting Agency Offender Ident. No.:

A single entry is permitted.

Format is free-form, maximum length 15 characters.

##### 5.1.1.9. Arrest Charges field

This field is required.

Field title is required: Arrest Charges:

A single entry is required, and multiple entries are permitted.

Format is: first three characters are charge sequence number plus space, remainder free-form, maximum 50 characters per line, multiple lines permitted.

[**Comment:** This format does not provide for mandatory inclusion of severity, citation, offense category code; this should be considered before adoption.]

#### 5.1.2. Prosecution Data subsection

This subsection is optional.

Subsection title is required: Prosecution Data= =  
Single subsection per cycle.

##### 5.1.2.1. Prosecuting Agency field

This field is required.

Field title is required: Prosecuting Agency:

A single entry is required.

Format: Free-form, including ORI, with total length of 50 characters.

### **5.1.2.2. Prosecuting Agency Case No. field**

This field is optional.  
Field title is required: Prosecuting Agency Case No.:  
A single entry is permitted.  
Format is free-form, maximum length 15 characters.

### **5.1.2.3. Date of Action field**

This field is required.  
Field title required: Date of Action:  
A single entry is required.  
Format is January 31, 1995.

### **5.1.2.4. Description of Action field**

This field is required.  
Field title is required: [Description of Action]:  
[Note: Field title describes action taken by prosecutor, such as "Charge 02 Changed to:" or "Disposition: Declined to Prosecute all Charges."]  
A single entry is required.  
Format is free-form, maximum length 50 characters per line, multiple lines permitted.

## **5.1.3. Court Data subsection**

Subsection is optional.  
Subsection title is required: Court Data= =

### **5.1.3.1. Court field**

This field is required.  
Field title is required: Court:  
A single entry is required.  
Format: Free-form, including ORI, with total length of 50 characters.

### **5.1.3.2. Court Case No. field**

This field is required.  
Field title is required: Court Case No.:  
A single entry is required.  
Format is free-form, maximum length 15 characters.

## **5.1.3.3. Charges Disposed of field**

This field is required.  
Field title is required: Charges Disposed of:  
Multiple fields per cycle are permitted.  
Field is composed entirely of subfields.

### **5.1.3.3.1. Disposed Charge subfield**

Subfield is required.  
A single subfield per field is required.  
Format is: first three characters are charge sequence number plus space, remainder free-form, maximum 50 characters per line, multiple lines permitted.

### **5.1.3.3.2. Disposition subfield**

Subfield is required.  
Subfield title is required: Disposition:  
A single subfield per field is required.  
Format is free-form, maximum length 30 characters.

### **5.1.3.3.3. Disposition Date subfield**

Subfield is required.  
Subfield title is required: Disposition Date:  
A single subfield per field is required.  
Format is January 31, 1995.

### **5.1.3.3.4. Sentence subfield**

Subfield is optional.  
Subfield title is required: Sentence:  
A single subfield per field is permitted.  
Format is free-form, maximum 60 characters per line, multiple lines permitted.

### **5.1.3.3.5. Sentence Date subfield**

Subfield is optional.  
Subfield title is required: Sentence Date:  
A single subfield per field is permitted.  
Format is January 31, 1995.

#### 5.1.4. Corrections Data subsection

This subsection is optional. *Note: Some State databases are not organized to allow linking of corrections data directly to a specific arrest cycle. These States may present the same data shown here, in a separate section, section title CORRECTIONS DATA:, immediately before the Criminal History Data section.*

Subsection title is required: Corrections Data= =  
Multiple sets of the following fields are permitted, separated by a blank line.

##### 5.1.4.1. Agency field

This field is required.  
Field title is required: Agency:  
A single entry is required.  
Format: Free-form, including ORI, with total length of 50 characters.

##### 5.1.4.2. Inmate Name field

This field is optional.  
Field title is required: Inmate Name:  
A single entry is permitted.  
Format is same as Name field in the Identification Data section.

##### 5.1.4.3. Inmate Ident. No. field

This field is required.  
Field title is required: Inmate Ident. No.:  
A single entry is required.  
Format is free-form, maximum length 15 characters.

##### 5.1.4.4. Received field

This field is required.  
Field title is required: Received:  
A single entry is required.  
Format is January 31, 1995.

##### 5.1.4.5. Term field

This field is optional.  
Field title is required: Term:  
Multiple entries are permitted.  
Format is free-form, with maximum length 50 characters.

#### 5.1.4.6 Description of Action/Date field

This field is optional.  
Field title is required: [Description of Action]:  
{Note: Field title describes action taken by corrections, such as "Released on Parole," "Parole Revoked," "Released at Sentence Expiration."}  
A single entry is permitted.  
Format is free-form with maximum length 60 characters per line, multiple lines permitted.  
Date is required in format January 31, 1996.

#### 5.1.5. Appellate Court Data subsection

This subsection is optional.  
Subsection title is required: Appellate Data= =

##### 5.1.5.1. Court field

This field is required.  
Field title is required: Court:  
A single entry is required.  
Format: Free-form, including ORI, with total length of 50 characters.

##### 5.1.5.2. Court Case No. field

This field is required.  
Field title is required: Court Case No.:  
A single entry is required.  
Format is free-form, maximum length 15 characters.

##### 5.1.5.3. Decision field

This field is required.  
Field title is required: Decision:  
A single entry is required, and multiple entries are permitted.  
Format is free-form, maximum 60 characters per line, multiple lines permitted.

##### 5.1.5.4. Date of Decision field

This field is required.  
Field title is required: Date of Decision:  
A single entry is required.  
Format is January 31, 1995.