

WASHINGTON STATE CRIMINAL HISTORY RECORDS AUDIT FOR ADULT FELONIES: INTRODUCING THE STUDY SERIES

In 2006, the Office of Financial Management (OFM) contracted with the Washington State Institute for Public Policy (Institute) to conduct an audit of the Washington State criminal history records systems for adult felonies.¹ Databases included in the audit are from the Administrative Office of the Courts (AOC), the Department of Corrections (DOC), the Sentencing Guidelines Commission (SGC), and the Washington State Patrol (WSP).

This report is the first of a series and describes the research design and databases to be included in the study. The final report of the series will be completed by April 2007.

Background

The Bureau of Justice Statistics (BJS) began the National Criminal History Improvement Program (NCHIP) in 1995. The objective of NCHIP is to “improve the quality, timeliness, and accessibility of criminal history records.”² Comprehensive criminal history records allow criminal justice professionals to identify people quickly and accurately, resulting in improved decision-making at all levels of the criminal justice system.

OFM obtained funding from NCHIP for the current study and contracted with the Institute for this audit. The Institute has extensive experience utilizing criminal records data. For example, we developed a recidivism database using AOC and DOC data. The database has been used for dozens of juvenile and adult recidivism studies.

SUMMARY

In 2006, the Office of Financial Management contracted with the Washington State Institute for Public Policy to conduct an audit of the Washington State criminal history records systems for adult felonies. Databases to be included in the audit are from the Administrative Office of the Courts, the Department of Corrections, the Sentencing Guidelines Commission, and the Washington State Patrol.

This report describes the research design and the databases included in the study.

Criminal records will be matched between these databases. Objectives of the study are to:

- Determine completeness and accuracy among the databases over time.
- Develop an overview of the strengths and weaknesses of these systems' ability to describe a cohesive view of criminal history records.

Because this project is extensive, a series of reports will be published. The final report will be completed in April 2007.

¹ This project was approved by the Institute's Board of Director's on May 12, 2005.

² Information retrieved on May 24, 2006, from <http://www.ojp.usdoj.gov/bjs/nchip.htm>.

Study Objectives

Criminal records will be matched between Washington State's four criminal history databases. Objectives of the study are to:

- Compare Washington State's criminal history databases for adult felons to determine completeness and accuracy among the databases.
- Analyze patterns of inclusion and exclusion of these data to determine how connected the databases are with one another.
- Learn how comprehensive criminal history is captured by each database.
- Develop an overview of the strengths and weaknesses of these systems' ability to describe a cohesive view of the state's criminal history.

Criminal Records Oversight Committee

An oversight committee was assembled for this study to provide technical guidance on data and business practices. In addition, the committee will ensure analyses accurately reflect the status of the criminal history databases and records.

The committee is composed of members from the following organizations:

- Administrative Office of the Courts
- Department of Corrections
- Washington State Patrol
- Sentencing Guidelines Commission
- Office of Financial Management
- Department of Information Services
- Washington Association of County Clerks
- Washington Association of Sheriffs and Police Chiefs
- Washington Association of Prosecuting Attorneys

About the Databases

The study will include adult felony criminal records from 1992 through 2005. Following is a description of the databases included in the audit and each organization's data entry process:

Washington State Patrol WSP coordinates statewide criminal history information submitted by local criminal justice agencies.³ It maintains the Washington State Identification System (WASIS) database, which is a fingerprint-driven system including arrest, conviction, disposition, and sentence information. WSP also maintains the Automated Fingerprint Identification System (AFIS), which stores fingerprint images for all arrests contained in WASIS. AFIS houses about 1.3 million unique fingerprint records. The two data systems are interfaced; thus, data entered into WASIS must be accompanied by a fingerprint so that an offender's criminal history can be tracked.

Local criminal justice agencies are required by law to fingerprint persons arrested for felonies and gross misdemeanors.⁴ Fingerprints are acquired either by a "live-scan" or ink and paper. Live-scan devices electronically capture fingerprint images. Some live-scan devices have the capability of connecting to AFIS, where fingerprints are sent electronically to the WSP. Ink and paper fingerprints are mailed to the WSP and converted to an electronic image.

Once the electronic fingerprint is obtained, a positive identification must be made in AFIS to determine if the arrestee has a State Identification (SID) number. After the WSP receives the electronic fingerprint, via the live-scan device or a converted image, AFIS is searched for fingerprint matches. Searching for a fingerprint in AFIS can take minutes or hours. To expedite the process, the search in AFIS is first limited by looking for potential matches in the WASIS database using the arrestee's name and date of birth. Then, WSP searches to determine if any of the potential matches are a positive identification. If a positive identification is made, then the existing SID is used for the arrestee. If not, then all the records in AFIS are searched. A new SID is assigned if a positive identification is still not made.

³ RCW. 43.43.500

⁴ RCW 43.43.735

Administrative Office of the Courts The superior courts in Washington State are the courts of general jurisdiction. Among other types of cases, superior courts oversee felony criminal cases.

The county prosecutor investigates the evidence about the arrest. If there is sufficient evidence that the defendant committed a felony offense, the prosecutor files the case in superior court with the county clerk's office. Misdemeanor cases are filed in district court.

The database for superior court criminal filings is called the Superior Court Case Management System (SCOMIS). SCOMIS is used by county clerks and includes all superior court criminal and juvenile offender case filings. The database was implemented in phases starting in the 1970s. Nearly all counties were entering data by 1992.

Before a case is filed, the clerk's office must first identify the defendant in SCOMIS. AOC policy states that a record must have "sameness" between at least three of the following characteristics: name, date of birth, physical description, address history, other identifiers such as SID, DOC number, social security number, driver's license number, and Federal Bureau of Investigation number. The clerk's office then records the information on the prosecutor's charging document (called the Information).

AOC began identifying offenders using a centralized person database and an AOC Person Number in 1992. Prior to 1992, all offenders were assigned a different AOC Person Number for each case that came to the superior court.

A felony judgment and sentence (FJS) is recorded for every sentence.⁵ Washington State Court Criminal Rules state that the FJS must be the "uniform" FJS as prescribed by the AOC.⁶ Many of the county prosecutors' offices use tailored versions of the uniform FJS.

The original FJS stays in the court file in the clerk's office. By statute, a copy of the FJS goes to the sentencing judge, the prosecuting attorney's office, and the SGC.⁷ Copies also go to the defendant, defense attorney, local jails and probation offices,

the Department of Licensing (DOL), and DOC.⁸ Up to eight copies of the FJS are made.

Sentencing Guidelines Commission The SGC was created after the Sentencing Reform Act of 1981 and is tasked with evaluating the state's sentencing policies.

Upon conviction, SGC receives the FJS from the county clerk's office electronically or by mail. The information is hand-entered into the SGC's database. SGC assigns each FJS an internal tracking number to ensure that FJS's are not erroneously entered into the database more than once.

SGC does not use a unique person identification number because SGC's database is sentence-based, not person-based. However, the SGC does enter the SID into their database. Not all the FJS's have an SID. Therefore, SGC gets a quarterly extract of SIDs from the WSP. SGC joins SID using a name and date of birth match.

Department of Corrections DOC has authority to confine and supervise offenders with a superior court conviction. DOC's current database began in 1984 and it called the Offender Based Tracking System (OBTS). This database stores offense information, among other data, for offenders under the jurisdiction of the DOC.

Offenders sentenced to prison arrive at the reception unit of the Washington Corrections Center. For offenders sentenced to community supervision, intake occurs at the field office in the county where the offender will be supervised. Upon intake, DOC staff search OBTS to determine if the offender has previously been assigned a DOC number. This search is done primarily using information on the FJS: name, date of birth, gender, and SID.

However, the SID does not always exist on the FJS. DOC creates a list of offenders with missing SID numbers each month. Records managers use this report to access WSP's criminal records database and they search for

⁵ RCW 9.94A.480

⁶http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=sup&set=CrR&ruleid=supCrR7.2

⁷ RCW 9.94A.480

⁸ The Department of Licensing (DOL) receives copies of the FJS if certain convictions prevent a person from obtaining a driver's license or a firearm. See RCW 9.41.040 for more information on persons who may not lawfully possess a firearm. Prior to January 2006, the Firearms Division at DOL also received a copy of the FJS, but AOC now produces a report that the courts send in lieu of the FJS.

an SID number.⁹ OBTS is updated if they find an SID. If an SID is not found, DOC schedules the offender for fingerprinting and sends the fingerprint card to the WSP.

Research Design

The four criminal records databases will be analyzed from several perspectives.

Official Person Identifier Analysis Three of the four agencies use their own official person identifiers. AOC uses an AOC person number, DOC uses a DOC person number, and WSP uses a state identification number or SID. SGC does not have its own person identifier but uses the SID.

The official person identifier analysis will measure the completeness and validity of the identifiers. For example, when linking AOC data to WSP data, we will determine how many AOC person numbers have an SID. Then, for those that have an SID, we will see if the SID exists in WSP's database. In addition, we will examine if the SID in AOC's database is assigned to multiple AOC person numbers.

Unofficial Person Identifier Analysis We will also conduct an unofficial person identifier analysis to determine the reliability of identifying a person using only demographic characteristics – name, DOB, and gender – as opposed to the official person identifier.

⁹ This is done using Washington Access to Criminal History (WATCH), an internet resource comprised of state criminal records available at <https://watch.wsp.wa.gov/>.

SCOMIS Case Number Analysis SCOMIS case numbers will be analyzed across each agency to see how many cases have a SCOMIS case number. Then we will determine if those case numbers are found in AOC's database. Of those cases that can be matched, we will ascertain whether the case is associated with the appropriate official person identifier.

Process Control Number Analysis (PCN)

Every time an event occurs that requires a fingerprinting, a PCN number is assigned by WSP. A PCN enables criminal justice staff to link a fingerprinting event to a disposition. The PCN was developed and fully implemented by 2001.

We will investigate how many arrests in the WSP database have a PCN. We will also look at DOC's and AOC's databases to see if a PCN exists.

Records Quality Index (RQI) Analysis The Records Quality Index (RQI) was developed for NCHIP by the Bureau of Justice Statistics. The RQI is a standardized measure used to gauge performance of criminal history records. Objectives of the RQI are to:

- Assess the condition of records quality at state and national levels.
- Identify areas of deficiency so improvements can be targeted.
- Target specific state and local problems and deficiencies.

The Institute will report the RQI as part of the analysis.

Next Steps

The Institute's next report will analyze the official person identifiers. The report is expected to be completed by December 31, 2006.

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