

NICS Improvement Amendments Act

National Center for State Courts



**A First Look at the Numbers:
What Did States Report?
December 15-16, 2009
San Antonio, Texas**

State Estimates of Available Records



- Provide estimates of total numbers of records available & where those records are held at state and local levels
- Update rolling 20-year estimates for certain records
- Compile current year estimates for certain records

Categories of NIAA Records Sought



- Category 1: Felony Conviction:
- Category 2: Active Indictments/Informations/Verified Complaints
- Category 3: Active Wants/Warrants
- Category 4: Unlawful Drug Use Records
- Category 5: Mental Health Adjudications or Commitments
- Category 6: Protection or Restraining Orders
- Category 7: Convictions for Potential Misdemeanor Crimes of
Domestic Violence



- Our charge:
 - Assess completeness and reliability of estimates of records relevant to NIAA
 - Identify reasons for unavailable/incomplete records
 - Identify additional data that might improve estimates
 - Develop estimating model for non-reporting states
 - Compile the data
 - In brief:
 - Assist BJS to improve the estimates
 - Increase the number of records available to NICS

Who Reported?



- 40 States and 1 Territory reported
- The following 10 States and 5 other respondents did not submit estimates:
 - Alabama
 - Alaska
 - California
 - Indiana
 - Maine
 - Mississippi
 - New Hampshire
 - New Mexico
 - Vermont
 - Wyoming
 - District of Columbia
 - American Samoa
 - Northern Mariana Islands
 - Puerto Rico
 - Virgin Islands

What Data was Reported?



1. Felony Convictions

Repository Linked	Repository Not Linked	Courts
100%	78%	95%

2. Active Indictments/Information/Complaint

Repository	Courts
63%	61%

3. Active Warrants

Repository	Courts
90%	80%

What Data was Reported? *(continued)*



4. Unlawful Drug Use

Felonies	Repository	Courts
Arrest	80%	59%
Adjudication	73%	68%
All Other Drug		
Arrests	73%	59%
Adjudications	68%	56%
Convictions	83%	73%

What Data was Reported? *(continued)*



5. Mental Health Adjudication/Commitment

	Repository	Courts	Board	Other
Mental Defect	61%	51%	29%	15%
Incompetent for trial	46%	44%	15%	24%
Insanity (criminal)	63%	49%	17%	24%
Involuntary Commitment	49%	34%	24%	24%
TOTAL	78%	63%	32%	29%

What Data was Reported? *(continued)*



6. Protection or Restraining Orders

	Repository	Courts
Active Orders	88%	78%

7. Convictions for Misdemeanor DV

	Repository	Courts
Convictions	90%	78%

Varieties of Zero and Missing Data



- 0 = true zero
- -1 = not collected
- -2 = legally prohibited from NICS reporting
- -3 = records might be available at other agency
- -4 = pending, to be provided at later date
- -5 = included in category total but no data provided
- -6 = just beginning to collect data, no historical record
- -7 = not available electronically
- -8 = not applicable
- -9 = unknown; true missing

Reports of Zero and Missing Data



	Repository	Courts
▪ Category 1: Felony Conviction:	0	2
▪ Category 2: Active Indictments	15	16
▪ Category 3: Active Warrants	4	8
▪ Category 4: Unlawful Drug	4	6
▪ Category 5: Mental Health	9	15
▪ (Board = 28, Other =29)		
▪ Category 6: Protection Orders	5	5
▪ Category 7: Misdemeanor DV	4	9

Logic Check: Original Records



Repository Records \leq Court/Originating Agency Records

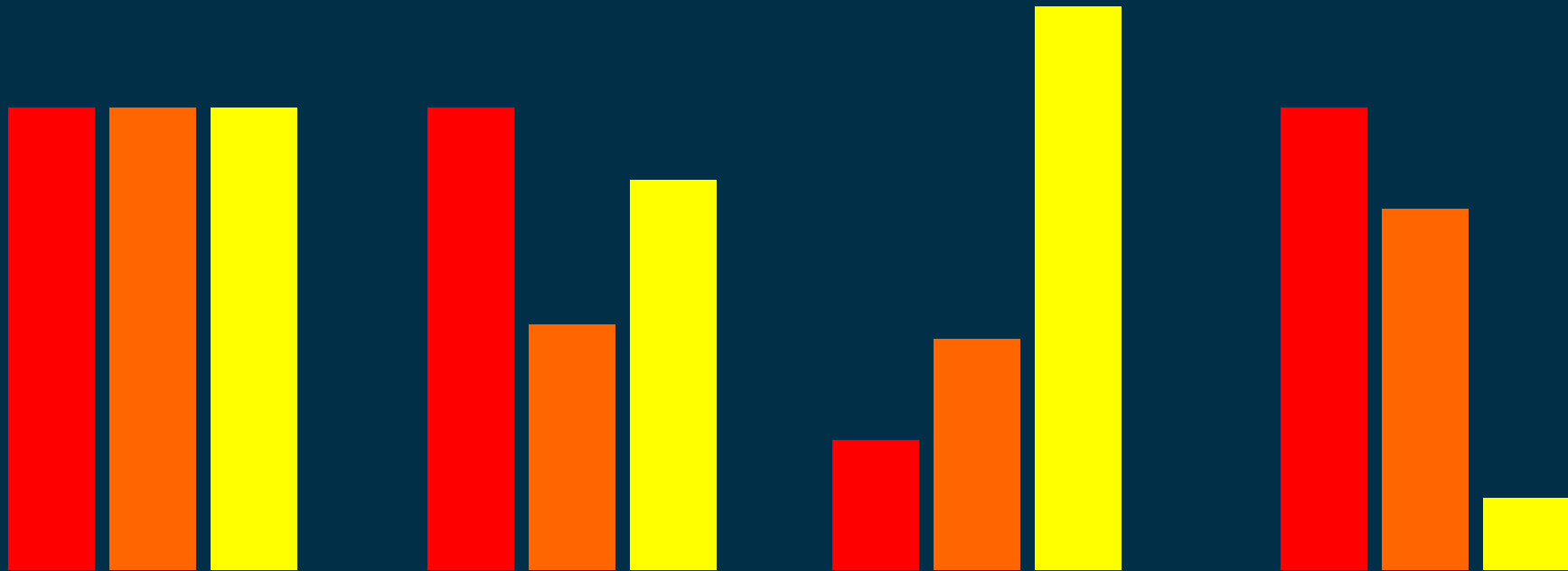
of States Where Not True

- Category 1: Felony Convictions 13
- Category 2: Active Indictments 14
- Category 3: Active Warrants 18
- Category 4: Unlawful Drug 14
- Category 5: Mental Health 11
- Category 6: Protection Orders 16
- Category 7: Misdemeanor DV 16

Logic Check: Unlawful Drug Use



Arrest \geq Adjudications \geq Convictions ???



Where Do We Go From Here?



	NCSC	SEARCH
▪ Assess State Repository Data		X
▪ Assess Executive Branch Agencies/Bd Data		X
▪ Assess State Court Data	X	
▪ Identify Additional Data	X	X
▪ Develop Estimating Model & Estimates	X	
▪ Compile Data	X	
▪ Final Report to BJS September 2010	X	X

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Thank You!