#6: Rap Back Services, 2016: Building Subscription/Notification Capabilities into Background Check Systems

By Becki Goggins

This is the sixth in a series of blogs that explore the results of the Survey of State Criminal History Information Systems, 2016, a biennial national survey that represents the most current and detailed snapshot of the data, trends, policies, practices, and operations of criminal history records repositories nationwide. SEARCH, with support of the Bureau of Justice Statistics (BJS), U.S. Department of Justice, has conducted these surveys since 1989. BJS published the most recent edition of the survey in February 2018; it provides a snapshot of these systems as of December 31, 2016.

As noted in earlier installments in this blog series, an expanding number of noncriminal justice and non-governmental users are requiring background checks for licensing, employment screening, firearms purchases, and other civil purposes. Indeed, the number of civil background checks now outstrips the number of criminal justice requests and has since 2014. Typical background checks review the criminal history of a person on a specific date but the records, by their very nature, are not prospective or forward-looking.

In-State Rap Back Services

Criminal history records repositories are increasingly building subscription/notification capabilities into their suite of services that enable users to subscribe to notifications if an employee, licensee, or other qualified person who has previously undergone a fingerprint-based background check is subsequently arrested. These subscription/notification programs are often referred to as “Rap Back” programs.

State criminal history records repositories retain the fingerprints of persons enrolled in Rap Back programs so they can be compared to arrest fingerprints that are subsequently submitted to the repository. If an arrest is recorded with an enrolled applicant’s fingerprints, the arrest is flagged and, if a trigger is set, a notification is sent to the entity that agreed to be notified.
fingerprints, and if that arrest is for a potentially disqualifying offense, the licensing authority can be immediately notified and act (if appropriate), pending disposition of the charges.

— *Rap Back for Noncriminal Justice Uses*

Rap Back services are useful for monitoring arrests and criminal history records to ensure that persons in positions of public trust or working with vulnerable populations remain suitably qualified for their positions. Most commonly, noncriminal justice Rap Back services are used to continuously monitor the following occupational groups:

- persons working with children
- healthcare providers
- persons working with the elderly
- police, fire, and public safety personnel
- security guards.

By year-end 2016, a total of 29 states offered one or more noncriminal justice Rap Back subscription services. The following graph illustrates the number of states offering these specific services. For a full description of how noncriminal justice rap services are being used, see Table 21 in the *State Survey of Criminal History Information Systems, 2016*.

![Noncriminal Justice Rap Back Services](chart)
— Rap Back for Criminal Justice Uses

Many states also offer criminal justice Rap Back subscriptions. These services allow criminal justice agencies to be notified of a subsequent inquiry and/or record posting in the state criminal history repository. These services can be used to notify criminal justice officials of updates or corrections to previously accessed records, and for more tactical purposes such as developing investigative leads. Rap Back services are also used to:

- Notify community supervision personnel when a probationer or parolee is arrested.
- Revoke concealed weapons permits.
- Inform law enforcement when a registered sex offender is the subject of an arrest or criminal history inquiry.

In total, 16 states report supporting criminal justice Rap Back services. The following graph illustrates the number of states offering specific services. Table 22 of the 2016 survey provides a full list of how criminal justice Rap Back services are used.

The following map illustrates states that have implemented in-state Rap Back services—those that offer Rap Back services for criminal justice purposes only (2), noncriminal justice purposes only (15), or both (14).
FBI Rap Back Services

In 2014, the FBI introduced Rap Back capabilities as a part of their Next Generation Identification (NGI) system.¹ Like in-state Rap Back programs, the FBI Rap Back Service notifies authorized subscribers of arrests or other consequential activity by individuals who hold positions of trust, or who are under criminal justice supervision or investigation, which eliminates the need for repeated background checks on a person from the same agency.

Prior to the deployment of Rap Back, the national criminal history background check system provided only a one-time snapshot of an individual's criminal history status. With Rap Back, authorized agencies can receive ongoing status notifications of any criminal history information reported to the FBI after the initial processing and retention of criminal or civil transactions.

By using fingerprint identification to identify persons arrested and prosecuted for crimes, Rap Back provides a nationwide notice to both criminal justice and noncriminal justice authorities regarding subsequent actions.² As of March 2018, Utah and Texas were the only states that have implemented FBI NGI Rap Back Services.

² [https://www.fbi.gov/services/cjis/fingerprints-and-other-biometrics/sgi](https://www.fbi.gov/services/cjis/fingerprints-and-other-biometrics/sgi)
SEARCH staff continue to analyze the results of the 2016 Survey with the intention of making the data more accessible by creating dashboards and interactive displays. If you have suggestions for topics you would like to see highlighted, or if you have specific questions about survey findings, please contact Becki Goggins (becki@search.org) or Dennis DeBacco (dennis@search.org).

About the Author
Ms. Becki Goggins is Director of Law and Policy at SEARCH. She oversees our work in the areas of criminal history records, development of laws and policies concerning the use of justice information and protection of privacy, implementation of evidence-based practices, and the use of technology to improve justice information sharing. As an organization, SEARCH was originally founded to facilitate the exchange of criminal history record information (CHRI) between the states. Learn more about SEARCH’s work with criminal history records and the surveys we conduct on CHRI issues.