

SURVEY OF STATE REPOSITORIES REGARDING INDIVIDUAL CRIMINAL HISTORY RECORD ACCESS

Results tabulated as of Tuesday, January 17, 2006

1. Under what circumstances may individuals review or obtain copies of their own criminal history records? (See chart name "Circumstances")

<u>ANY PURPOSE</u>	<u>EMPLOYMENT</u>	<u>REVIEW FOR CHALLENGE</u>	<u>REVIEW FOR ACCURACY</u>	<u>IDENTITY THEFT</u>	<u>OTHER</u>	<u>TOTAL</u>
32 80.00%	0 0.00%	1 2.50%	7 17.50%	0 0.00%	0 0.00%	40 100.00%

2. What is the procedure for individuals to submit fingerprints to review or obtain their own records under existing practices? (See chart name "Procedure")

<u>FORM & PRINTS IN PERSON</u>	<u>PRINTS FROM LAW AGENCY</u>	<u>NAME ONLY W/ID OR NOTARY SEAL</u>	<u>NO PROCEDURE</u>	<u>TOTAL</u>
16 40.00%	17 42.50%	6 15.00%	1 2.50%	40 100.00%

3. Are there any restrictions for how a record can be used once it is obtained by the individual? (See chart name "Restrictions")

<u>STATED PURPOSE ONLY</u>	<u>NO RESTRICTIONS</u>	<u>PROVIDE FOR REVIEW ONLY</u>	<u>TOTAL</u>
6 15.00%	26 65.00%	8 20.00%	40 100.00%

4. What steps has your state taken to prevent individuals from using the record review/challenge process for employment applications or for other prohibited, restricted or fraudulent purposes? (See chart name "Preventing Misuse")

<u>NO POLICIES IN PLACE</u>	<u>RESULTS STAMPED "UNOFFICIAL"</u>	<u>EMPLOYMENT INQUIRIES FOLLOW-UP</u>	<u>STATUTE FOR RESTRICTED/NO DISSEMINATION</u>	<u>REVIEW ONLY- PROVIDE NO COPIES</u>	<u>OTHER</u>	<u>TOTAL</u>
16 40.00%	1 2.50%	1 2.50%	8 20.00%	2 5.00%	12 30.00%	40 100.00%

5a. Does your repository charge a fee to provide records to record subjects for review? (See chart name "Fees Charged")

<u>NO FEE NAME SEARCH</u>	<u>NO FEE FINGERPRINT SEARCH</u>	<u>FEES CHARGED (Average \$11.02 for name search / \$18.55 for fingerprint search)</u>	<u>TOTAL</u>
7 17.50%	10 25.00%	23 57.50%	40 100.00%

5b. Are record challenges by inmates conducted without charge? (See chart name "Inmate Challenges")

<u>YES</u>	<u>NO</u>	<u>(Average \$16.75)</u>	<u>TOTAL</u>
21 52.50%	19 47.50%		40 100.00%

6. How many record review requests were received during the first 6 months of 2005? (See chart name "Who Requests")

Notes: Not all states distinguish between inmate & non-inmate requests.

Not all states track the number of requests received.

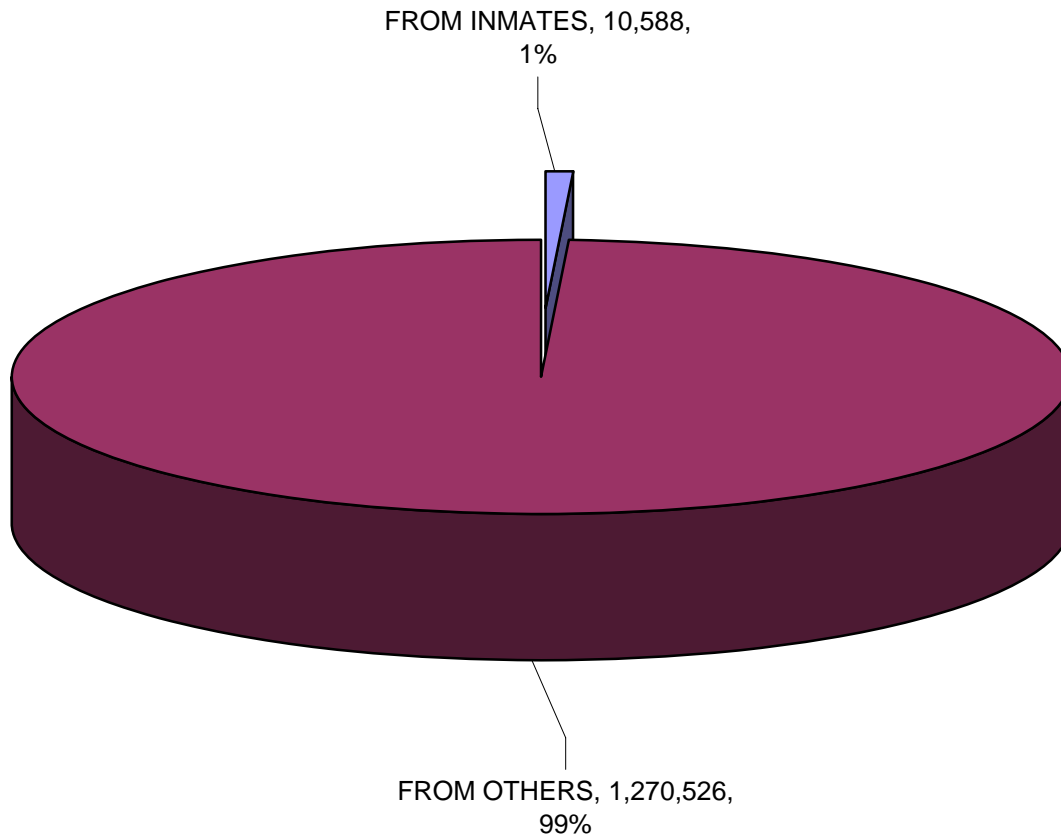
Not all states differentiate between individuals requesting their own information and employment or other types of requests received.

<u>FROM INMATES</u>	<u>FROM OTHERS</u>	<u>TOTAL</u>
10,588 0.83%	1,270,526 99.17%	1,281,114

REQUESTS COME FROM

FROM INMATES

FROM OTHERS

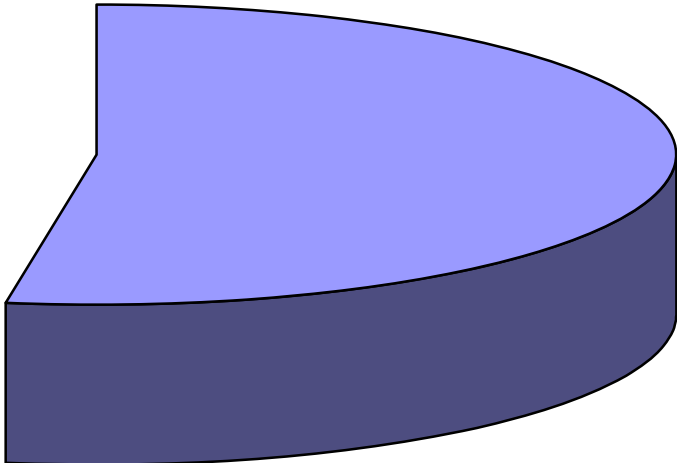
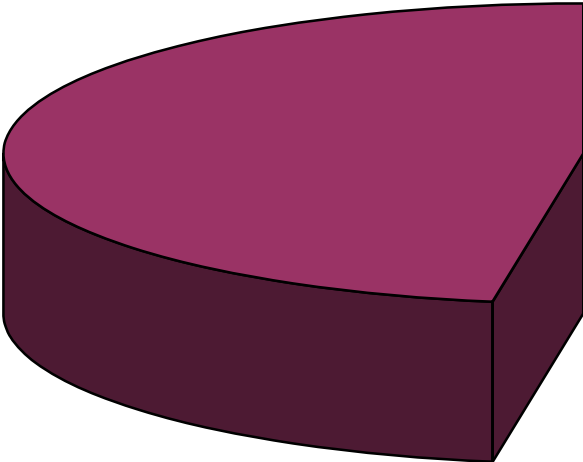


INMATE RECORD CHALLENGES WITHOUT CHARGE?

NO, 19, 48%

■ YES

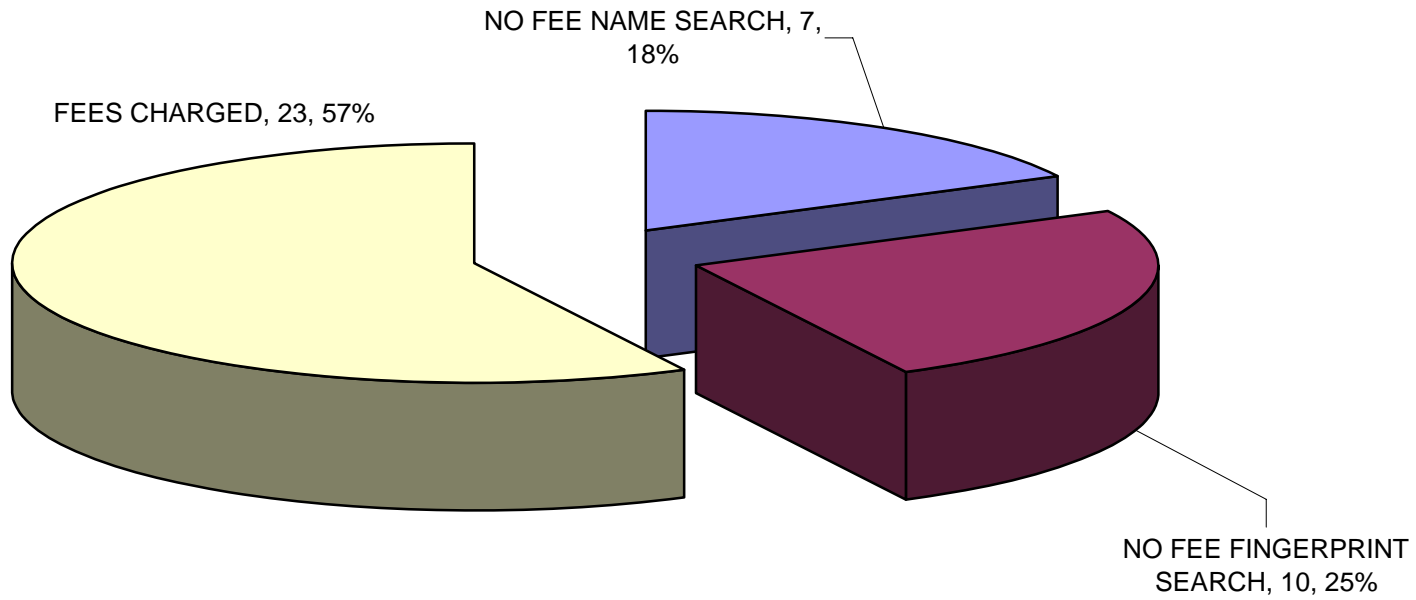
■ NO



YES, 21, 52%

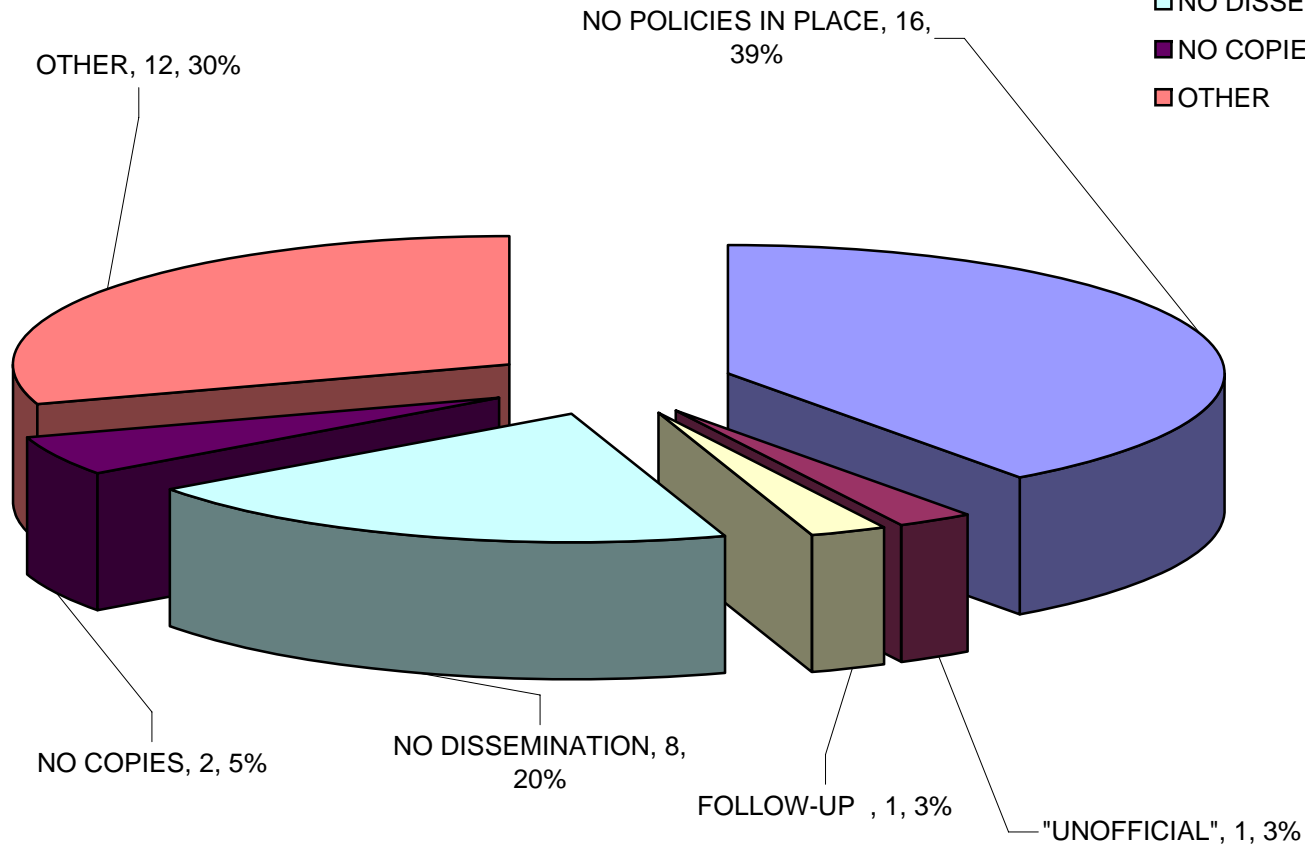
FEES

- NO FEE NAME SEARCH
- NO FEE FINGERPRINT SEARCH
- FEES CHARGED



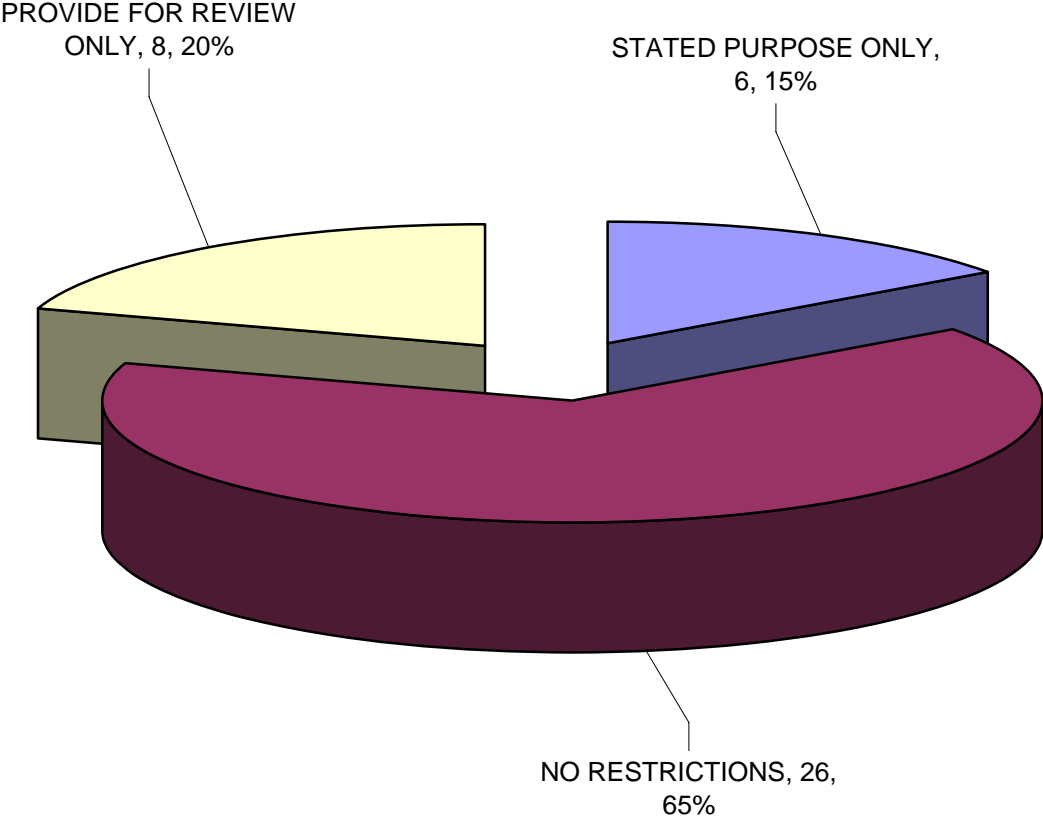
PREVENTING MISUSE

- NO POLICIES IN PLACE
- "UNOFFICIAL"
- FOLLOW-UP
- NO DISSEMINATION
- NO COPIES
- OTHER



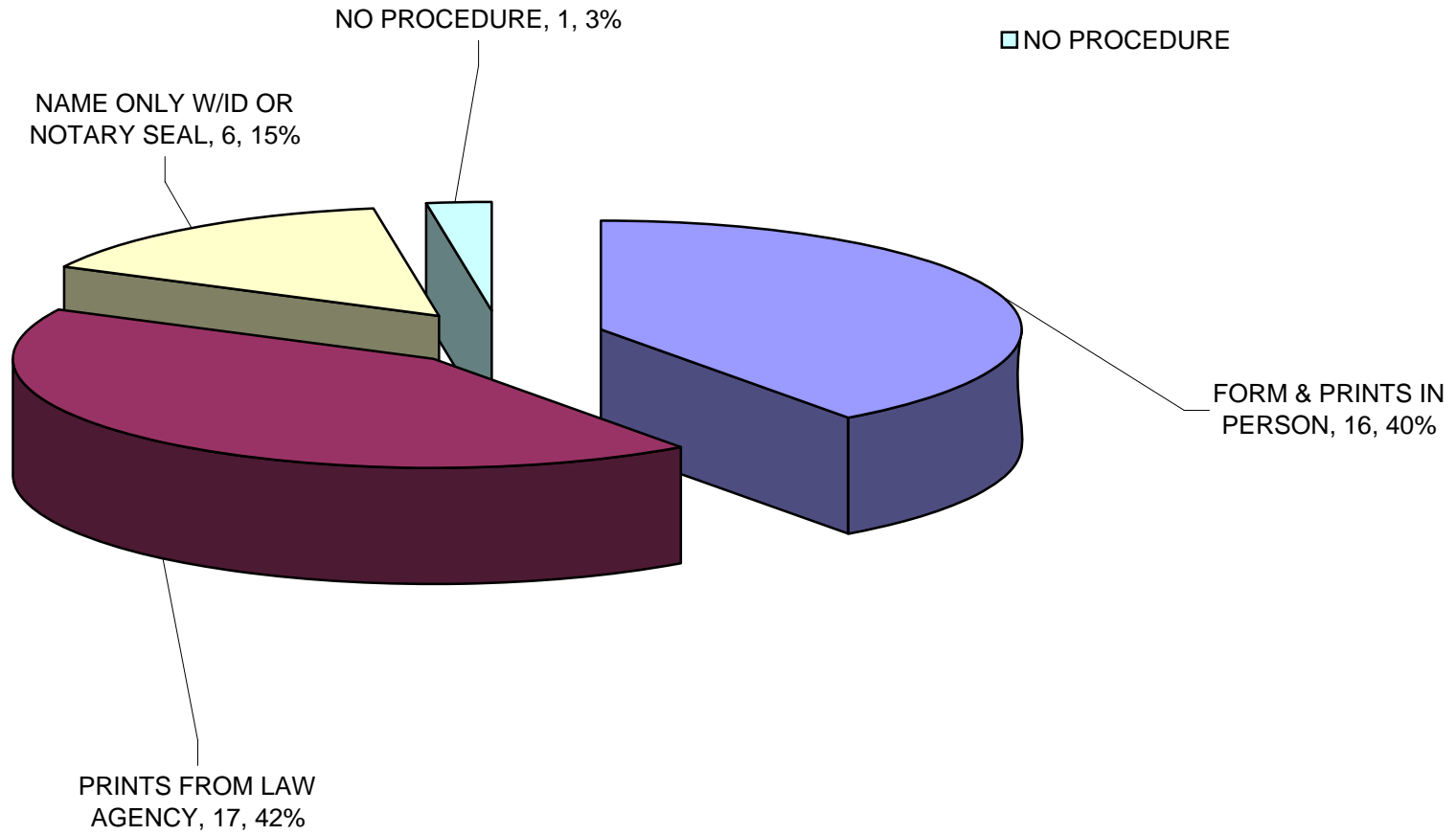
RESTRICTIONS

- STATED PURPOSE ONLY
- NO RESTRICTIONS
- PROVIDE FOR REVIEW ONLY



PROCEDURE

- FORM & PRINTS IN PERSON
- PRINTS FROM LAW AGENCY
- NAME ONLY W/ID OR NOTARY SEAL
- NO PROCEDURE



Circumstances

