

SEARCH Resolution 02-32

Of the Membership Group of SEARCH, The National Consortium for Justice Information and Statistics

January 13, 2002

The Sharing of Criminal History Record Information Between the States and the Immigration and Naturalization Service

“WHEREAS, the events of September 11, 2001 make it imperative that state criminal justice information and identification resources be made available to the Immigration and Naturalization Service (INS) on a priority and enhanced basis and that these resources be used effectively by INS;

WHEREAS, the events of September 11, 2001 also make it imperative that INS and state criminal justice agencies take the steps necessary to improve INS’ access to state held criminal history record information on a real time, fingerprint-supported and cost efficient basis, in order to assist INS in making determinations about eligibility for participation in various INS programs or statuses;

WHEREAS, the events of September 11, 2001 make it imperative that systems be put into place and/or enhanced to facilitate the ability of state and local criminal justice agencies to obtain information from INS about individuals’ immigration status and, conversely, to inform the INS, when appropriate, that particular individuals have had contact with the criminal justice system; and

WHEREAS, these priorities and initiatives may require changes in law, establishment of or enhancements to systems and technologies and additional federal funding;

NOW, THEREFORE, BE IT RESOLVED by the Membership Group of SEARCH, The National Consortium for Justice Information and Statistics, that:

The Congress of the United States is urged to:

1. Examine existing immigration, criminal justice and privacy laws in order to amend these laws, where appropriate, to facilitate the sharing of criminal history record information between state and local criminal justice agencies and the INS;
2. The Congress, the Executive Branch and the states should establish and enhance systems, processes and technologies to facilitate the sharing of criminal history information between INS and the states; and
3. The Congress should provide requisite funding to support these initiatives.”