

SEARCH Resolution 98-19

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

February 5, 1998

Fingerprinting Juveniles and Reporting Juvenile Record Information to State Central Repositories

WHEREAS, the severity, frequency and persistence of juvenile crime has led state legislatures, the Congress, and federal and state Executive Branch agencies to consider reforms for juvenile records which would improve capabilities to identify, acquire, retain and disseminate juvenile record information;

WHEREAS, fingerprinting juveniles to support juvenile justice record information improves the utility and reliability of juvenile justice records and facilitates matching juvenile justice records with any subsequent adult criminal history record and also provides protection for the record subject in that fingerprints assure that the records and individuals are correctly matched;

WHEREAS, existing systems for obtaining, retaining and disseminating juvenile justice record information are not always based upon fingerprints and do not always include a statewide or national capability for obtaining and disseminating juvenile justice record information;

WHEREAS, adult criminal history records available for a national search are fingerprint-supported;

WHEREAS, a system is in place for maintaining adult criminal history records on an automated, statewide basis and, through the Interstate Identification Index system, on a national basis;

WHEREAS, creating a stand-alone, automated, statewide and national juvenile justice record keeping system would result in unnecessary and excessive cost; and

WHEREAS, the cost of using the existing adult criminal history information system would be much less than a stand-alone juvenile justice information system and would be far more likely to facilitate the matching of juvenile record and subsequent adult record information;

NOW, THEREFORE, BE IT RESOLVED, by the Membership Group of SEARCH, The National Consortium for Justice Information and Statistics, that: "If the Congress determines that the nation's juvenile justice record keeping systems should be reformed to facilitate statewide and national checks, the following upgrades are recommended for information about detentions, arrests and adjudications for crimes, which if committed by an adult would be a felony or a serious misdemeanor:

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- Upon arrest or detention, juveniles should be fingerprinted and the fingerprint record, along with other identifying information and the record of the arrest or detention, should be transmitted to the adult central repository.
- The adult central repository should maintain juvenile record information (whether integrated with adult records or in a subsystem) with the same safeguards and protections accorded to adult records.
- Each state should be permitted to set its own policy with respect to intra-state dissemination and use of this juvenile record information.
- The information should be reported to the FBI on the same basis as the repository reports adult criminal history record information.

These recommendations should not and, from a constitutional standpoint, probably cannot, be imposed by federal law upon states. Rather, if the Congress determines to reform the juvenile justice record keeping system to facilitate statewide and national checks, the Congress should create a new justice assistance program which makes funding at a rate of approximately 50 million dollars per year available to those states which choose to implement these reforms.”