

Brad Truitt
Chair



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Executive Director

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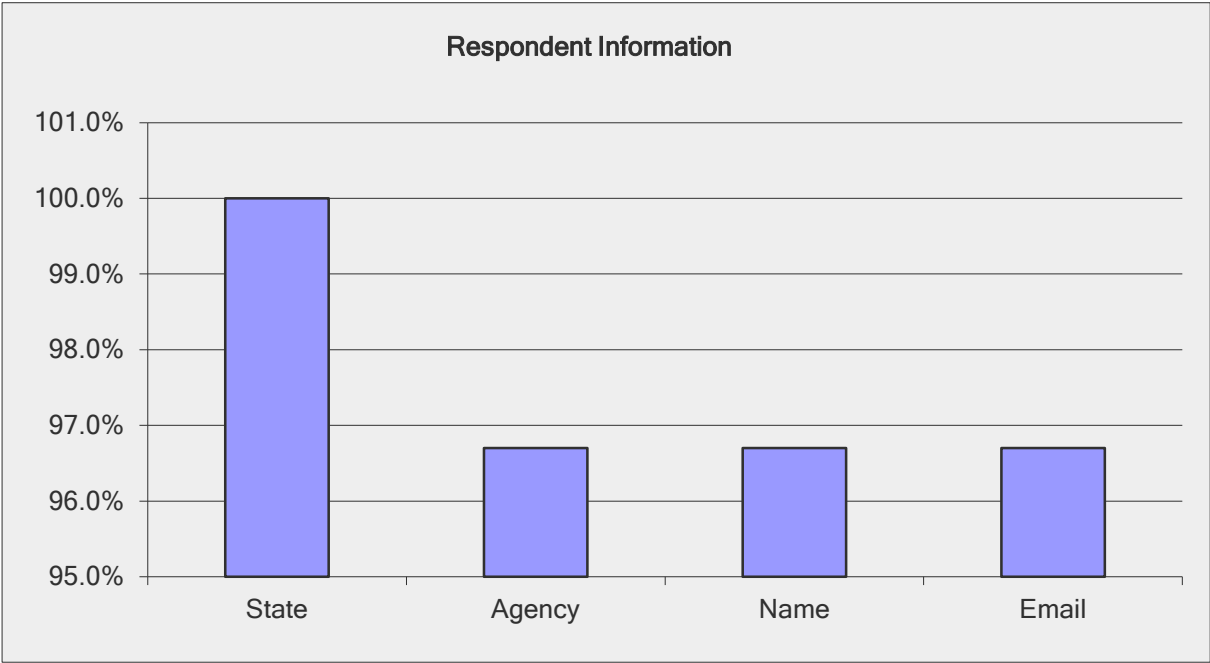
SEARCH recently conducted an informal survey of its [Membership Group](#) to gauge how different States handle the bulk sale of public criminal history data. The following are some survey highlights:

- 30 states responded
- When asked whether their state provides bulk criminal history sales, respondents reported the following:
 - 8 (or 27.6%) said “yes”
 - 19 (or 65.5%) said “no”
 - 2 (or 6.9%) said “unknown”
 - 1 did not provide an answer
- When asked which agencies provide bulk sales, respondents reported the following:
 - The same agency that hosts the state’s criminal history records repository – 5 states
 - State Administrative Office of Courts – 3 states
 - Local Law Enforcement Agencies – 2 states
 - Local Courts – 2 states
 - State Corrections Agency – 1 state
 - Local Corrections Agencies – 0 states
 - Other Agencies – 0 states
- When asked how agencies determine prices for bulk data sales, respondent reported the following:
 - 4 states reported charging a standard fee per request
 - 1 state reported allowing “gateway purchases” whereby end-users purchase records through a database interface

The survey and results are provided below. Please contact Becki Goggins, SEARCH Director of Law and Policy, at becki.goggins@search.org if you have any questions or need more information about the survey. SEARCH extends its appreciation to all those who participated in the survey.

SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

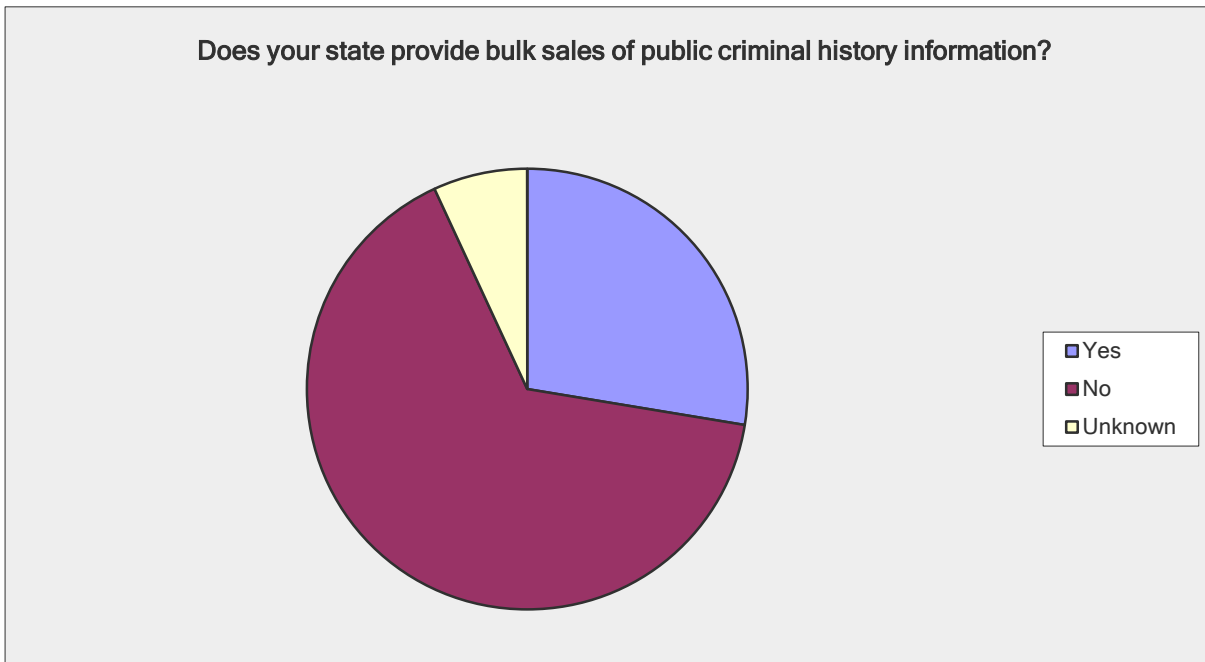
Question 1: Respondent Information		
Answer Options	Response Percent	Response Count
State	100.0%	30
Agency	96.7%	29
Name	96.7%	29
Email	96.7%	29
<i>answered question</i>		30
<i>skipped question</i>		0



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 2: Does your state provide bulk sales of public criminal history information?

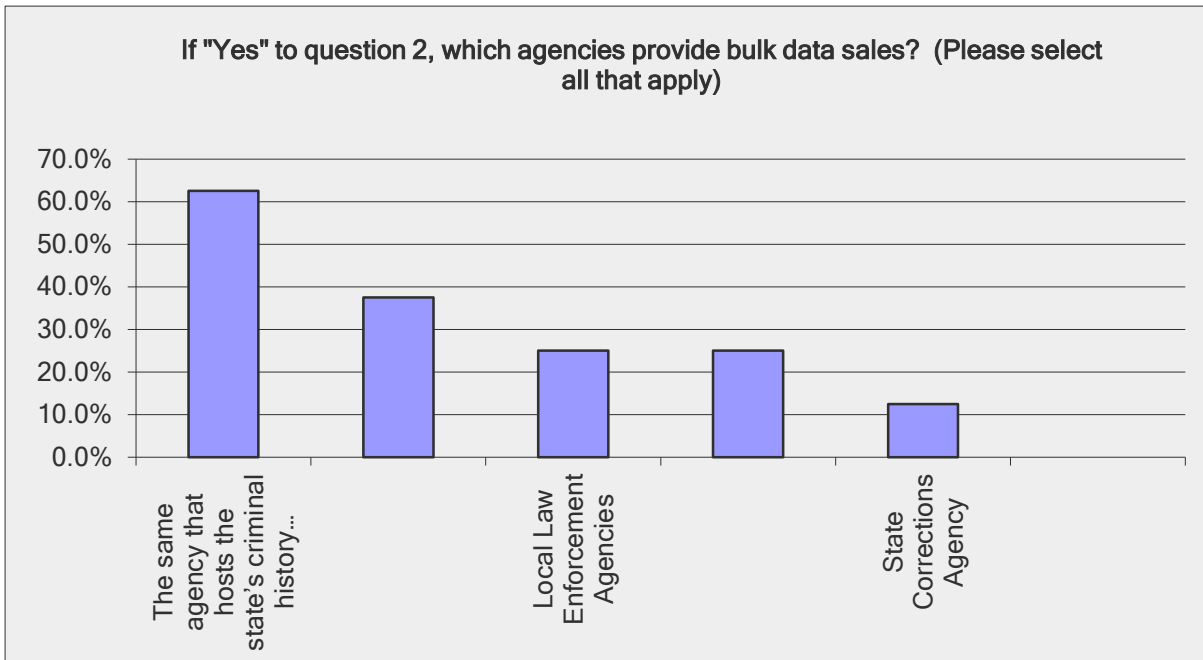
Answer Options	Response Percent	Response Count
Yes	27.6%	8
No	65.5%	19
Unknown	6.9%	2
<i>answered question</i>		29
<i>skipped question</i>		1



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 3: If "Yes" to question 2, which agencies provide bulk data sales? (Please select all that apply)

Answer Options	Response Percent	Response Count
The same agency that hosts the state's criminal history	62.5%	5
State Administrative Office of Courts	37.5%	3
Local Law Enforcement Agencies	25.0%	2
Local Courts	25.0%	2
State Corrections Agency	12.5%	1
Local Corrections Agencies	0.0%	0
Other (please specify)		4
<i>answered question</i>		8
<i>skipped question</i>		22

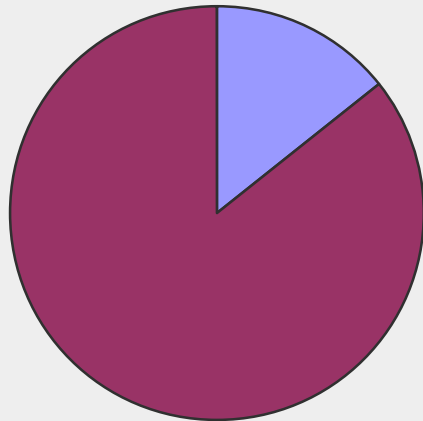


SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 4: Does your agency provide bulk data sales? (If you answer "No," you have completed the survey. If "Yes," you will continue with the survey. Select "Click to Continue.")

Answer Options	Response Percent	Response Count
Yes	14.3%	4
No	85.7%	24
<i>answered question</i>		28
<i>skipped question</i>		2

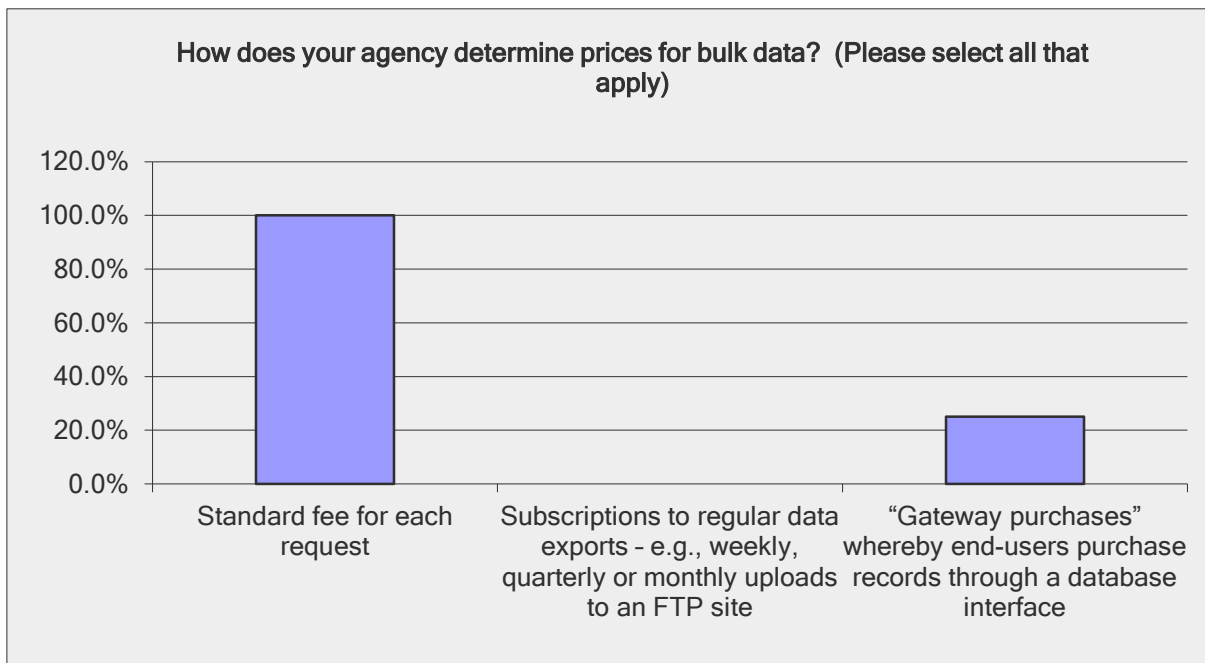
Does your agency provide bulk data sales? (If you answer "No," you have completed the survey. If "Yes," you will continue with the survey. Select "Click to Continue.")



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 5: How does your agency determine prices for bulk data? (Please select all that apply)

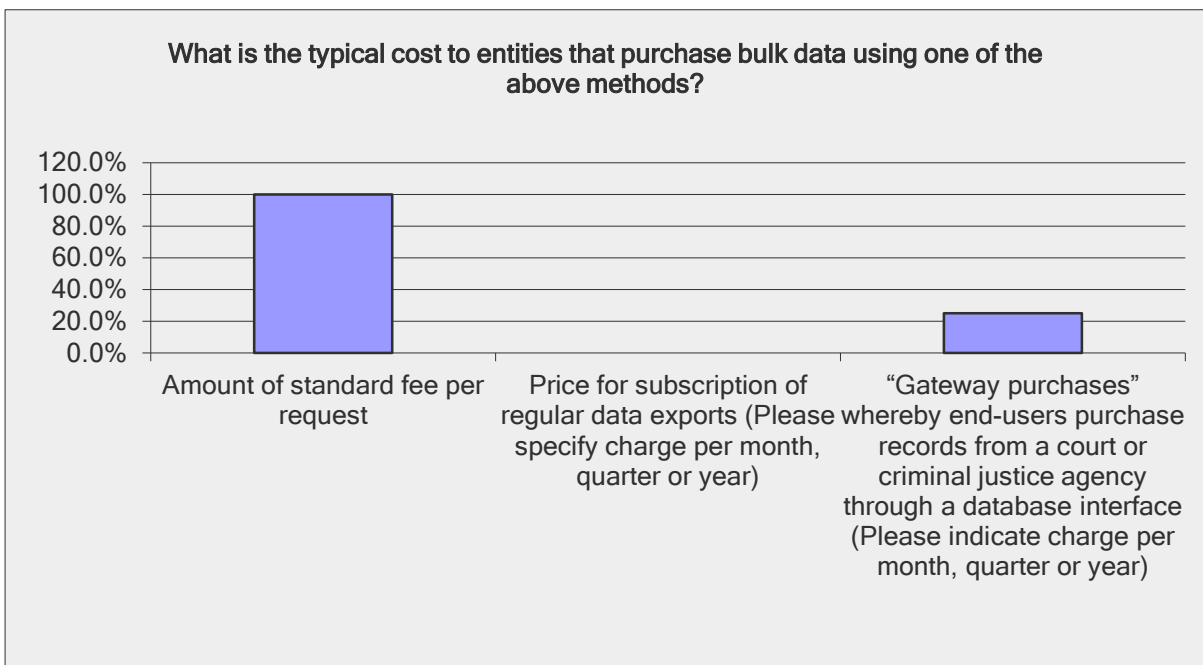
Answer Options	Response Percent	Response Count
Standard fee for each request	100.0%	4
Subscriptions to regular data exports - e.g., weekly, quarterly or monthly uploads to an FTP site	0.0%	0
“Gateway purchases” whereby end-users purchase records through a database interface	25.0%	1
Other (please specify)		0
<i>answered question</i>		4
<i>skipped question</i>		26



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 6: What is the typical cost to entities that purchase bulk data using one of the above methods?

Answer Options	Response Percent	Response Count
Amount of standard fee per request	100.0%	4
Price for subscription of regular data exports (Please specify charge per month, quarter or year)	0.0%	0
"Gateway purchases" whereby end-users purchase records from a court or criminal justice agency through a database interface (Please indicate charge per month, quarter or year)	25.0%	1
<i>answered question</i>		4
<i>skipped question</i>		26

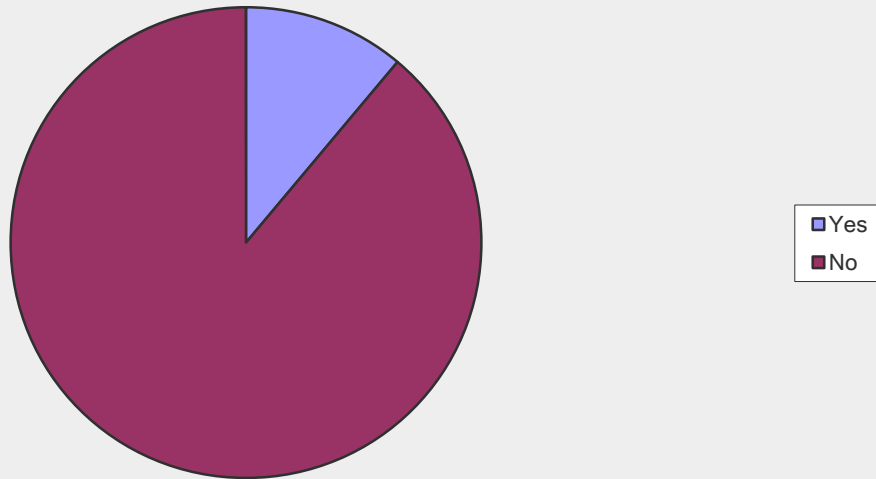


SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 7: Does your agency allow the resale or dissemination of bulk data?

Answer Options	Response Percent	Response Count
Yes	11.1%	1
No	88.9%	8
<i>answered question</i>		9
<i>skipped question</i>		21

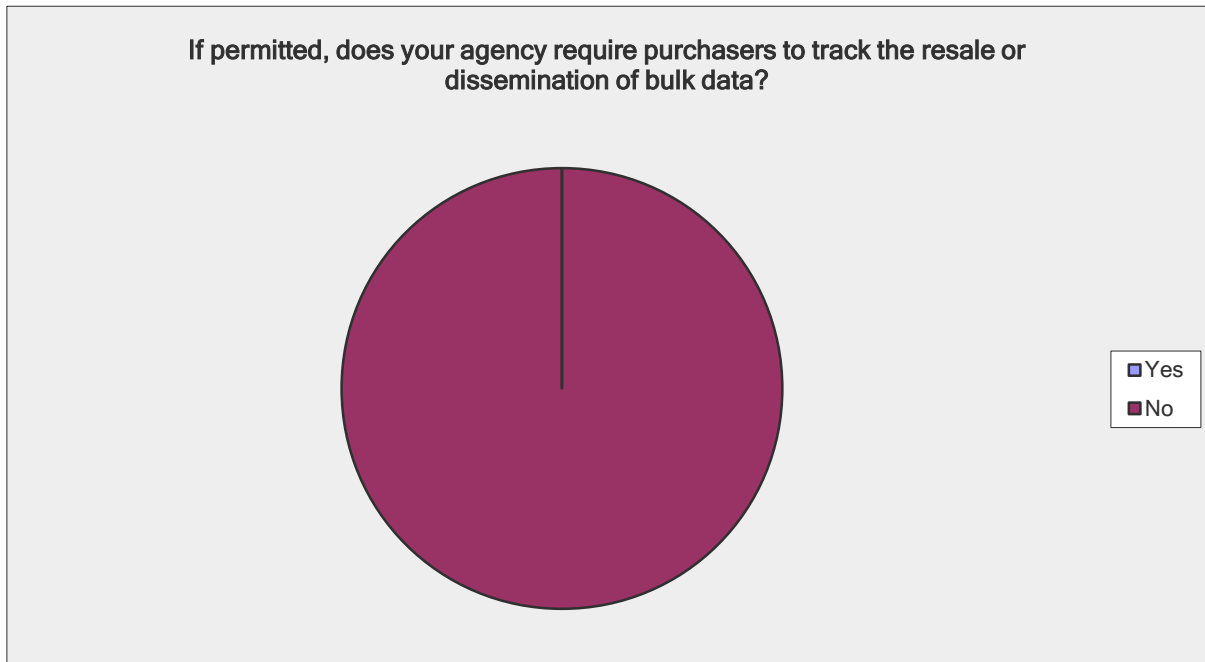
Does your agency allow the resale or dissemination of bulk data?



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 8: If permitted, does your agency require purchasers to track the resale or dissemination of bulk data?

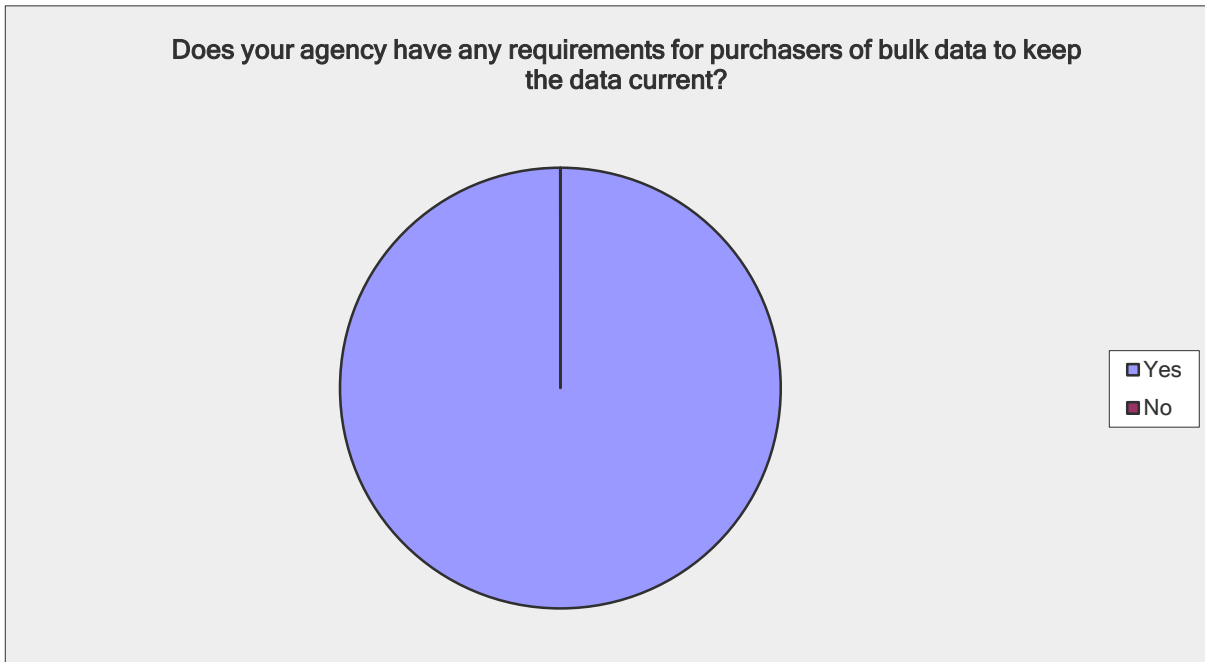
Answer Options	Response Percent	Response Count
Yes	0.0%	0
No	100.0%	1
<i>answered question</i>		1
<i>skipped question</i>		29



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 9: Does your agency have any requirements for purchasers of bulk data to keep the data current?

Answer Options	Response Percent	Response Count
Yes	100.0%	1
No	0.0%	0
<i>answered question</i>		1
<i>skipped question</i>		29



SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

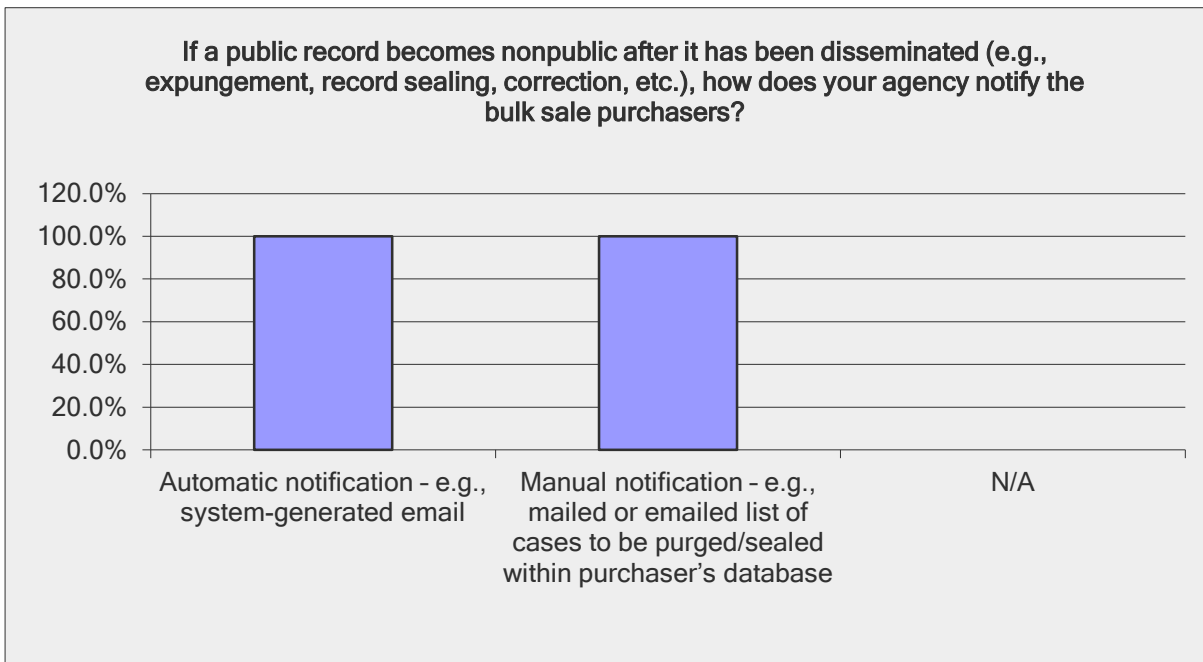
Question 10: If "Yes" to question 9, please describe (or provide a link to) your policy for how often records need to be refreshed.

Answer Options	Response Count
	1
<i>answered question</i>	1
<i>skipped question</i>	29

SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 11: If a public record becomes nonpublic after it has been disseminated (e.g., expungement, record sealing, correction, etc.), how does your agency notify the bulk sale purchasers?

Answer Options	Response Percent	Response Count
Automatic notification - e.g., system-generated email	100.0%	1
Manual notification - e.g., mailed or emailed list of cases	100.0%	1
N/A	0.0%	0
Other (please specify)		1
<i>answered question</i>		1
<i>skipped question</i>		29

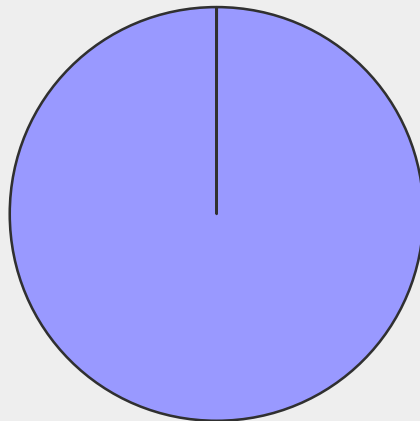


SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 12: If a purchaser of bulk data is notified that a public record is no longer public, does your agency require purchasers to purge or seal the record in their database

Answer Options	Response Percent	Response Count
Yes	100.0%	1
No	0.0%	0
Other (please specify)		1
<i>answered question</i>		1
<i>skipped question</i>		29

If a purchaser of bulk data is notified that a public record is no longer public, does your agency require purchasers to purge or seal the record in their database within a prescribed period of time?



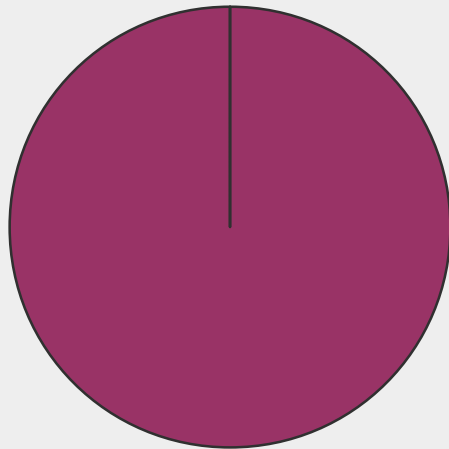
■ Yes
■ No

SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 13: Does your agency periodically perform audits of purchasers of bulk data to ensure compliance with any terms of use of the data?

Answer Options	Response Percent	Response Count
Yes	0.0%	0
No	100.0%	1
<i>answered question</i>		1
<i>skipped question</i>		29

Does your agency periodically perform audits of purchasers of bulk data to ensure compliance with any terms of use of the data?



■ Yes
■ No

SEARCH Membership Survey: Bulk Sale of Public Criminal History Information

Question 14: If you answered "Yes" to question 13, please describe (or provide a link to) your auditing procedures.

Answer Options	Response Count
	0
<i>answered question</i>	0
<i>skipped question</i>	30