

**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 &amp; 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.

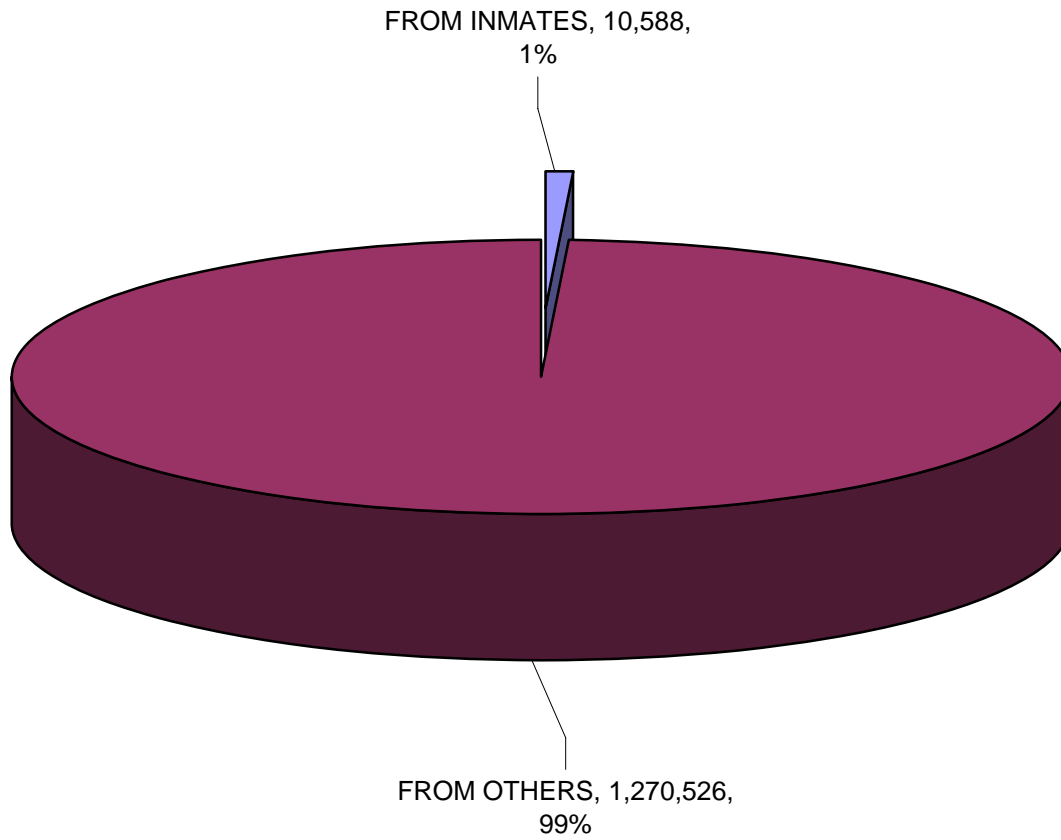
Not all states differentiate between individuals requesting their own information and employment or other types of requests received.

<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

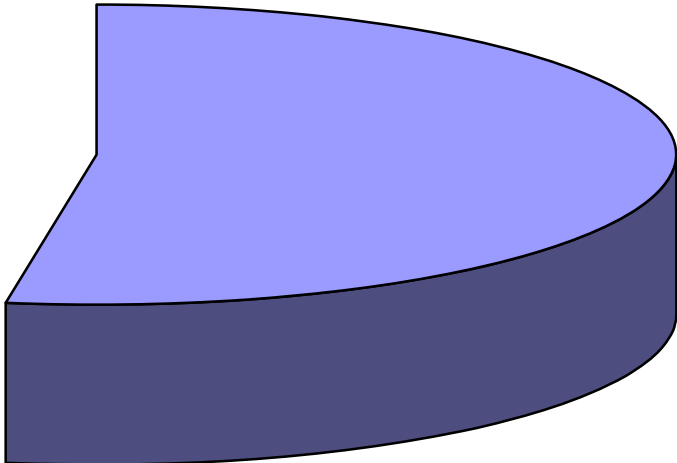
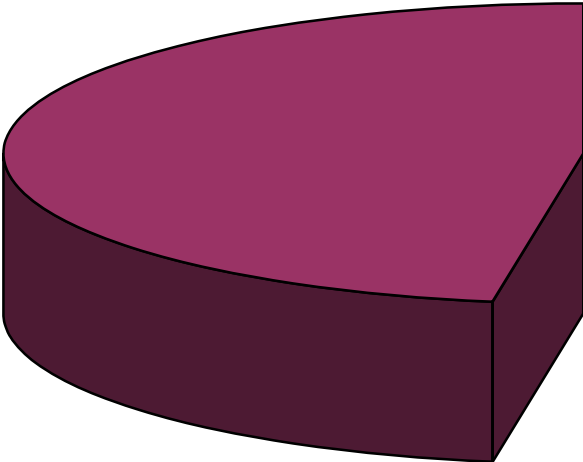


**INMATE RECORD CHALLENGES WITHOUT CHARGE?**

NO, 19, 48%

■ YES

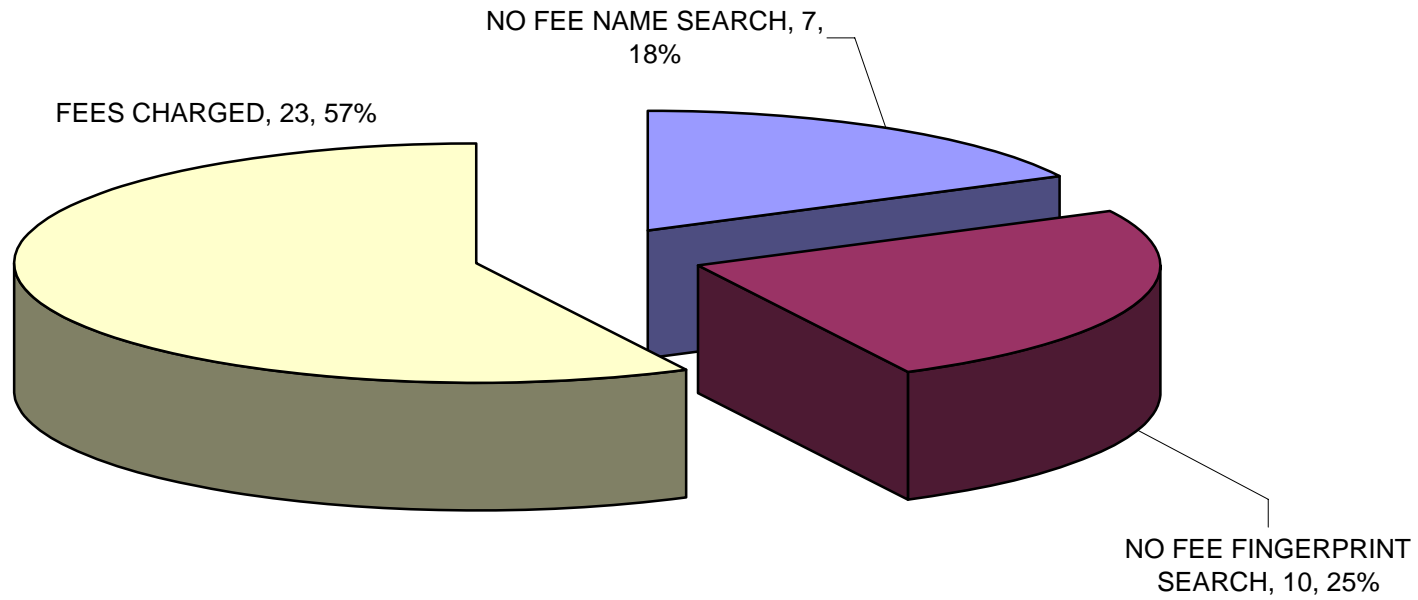
■ NO



YES, 21, 52%

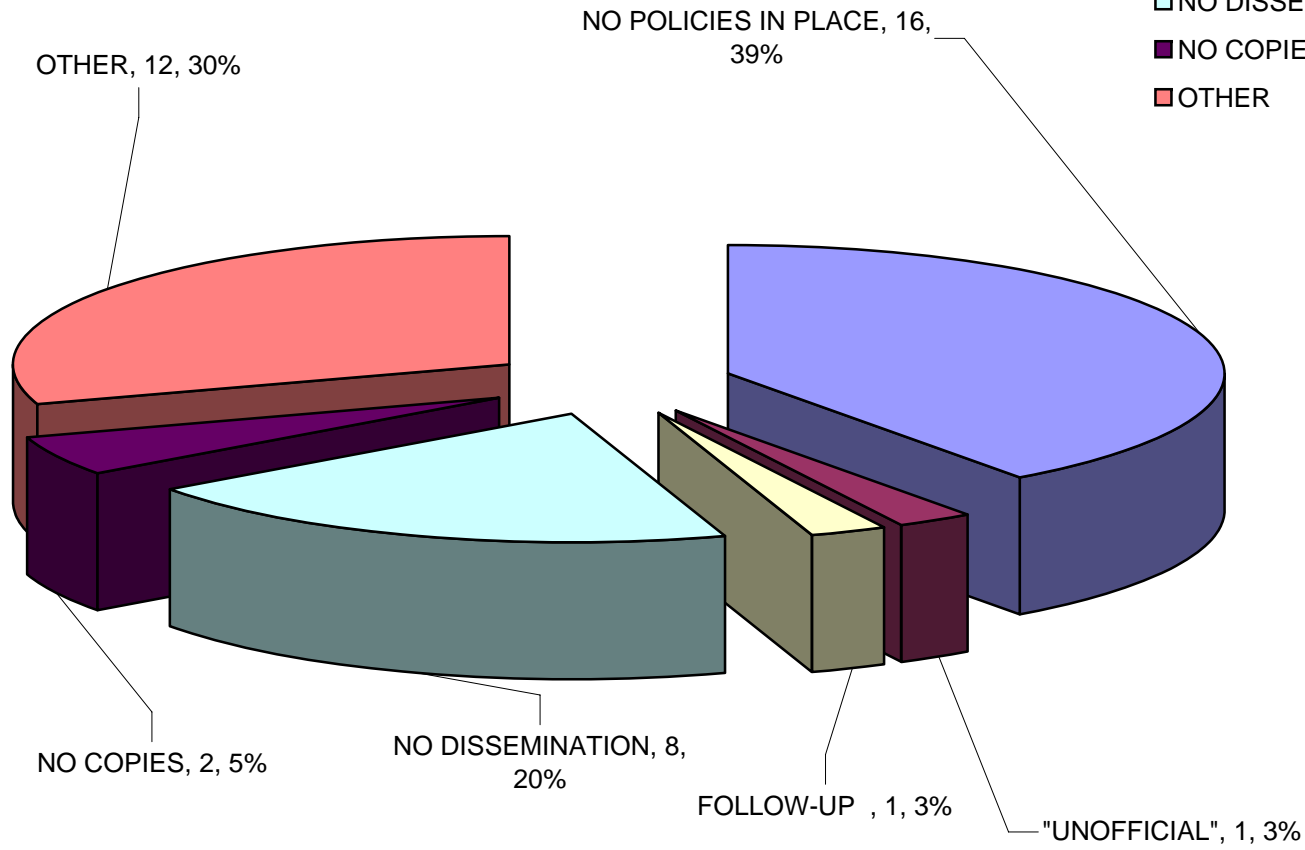
# FEES

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



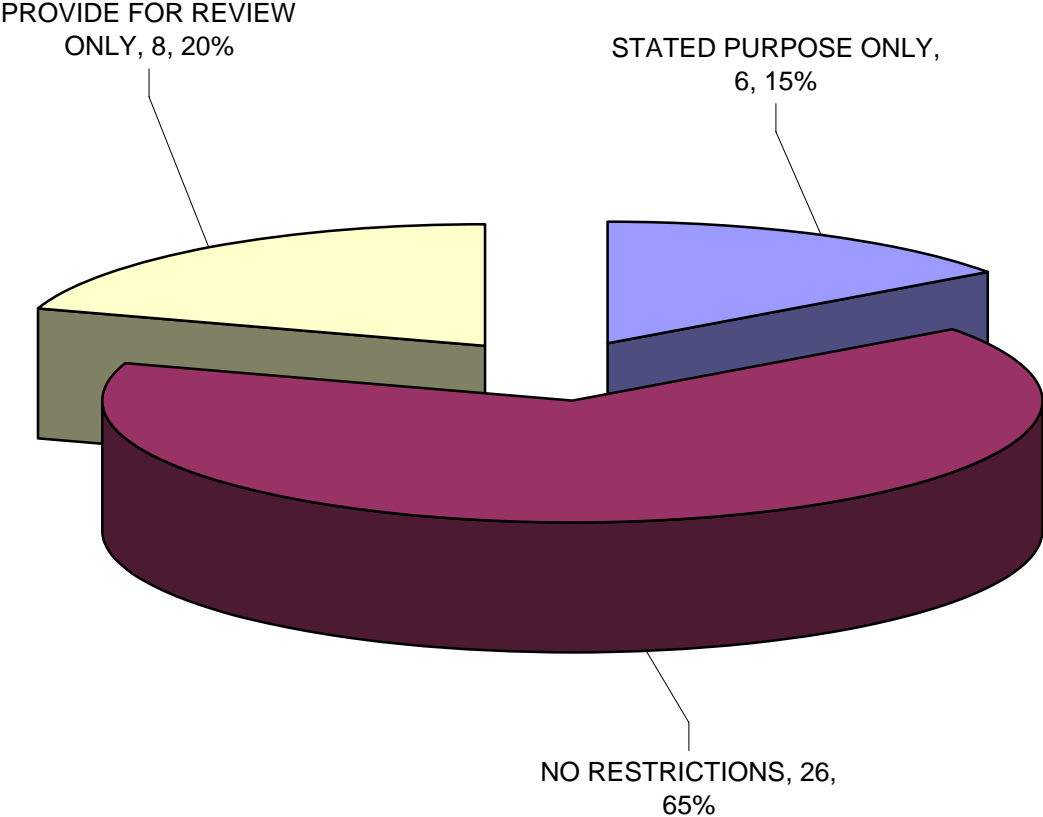
# PREVENTING MISUSE

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



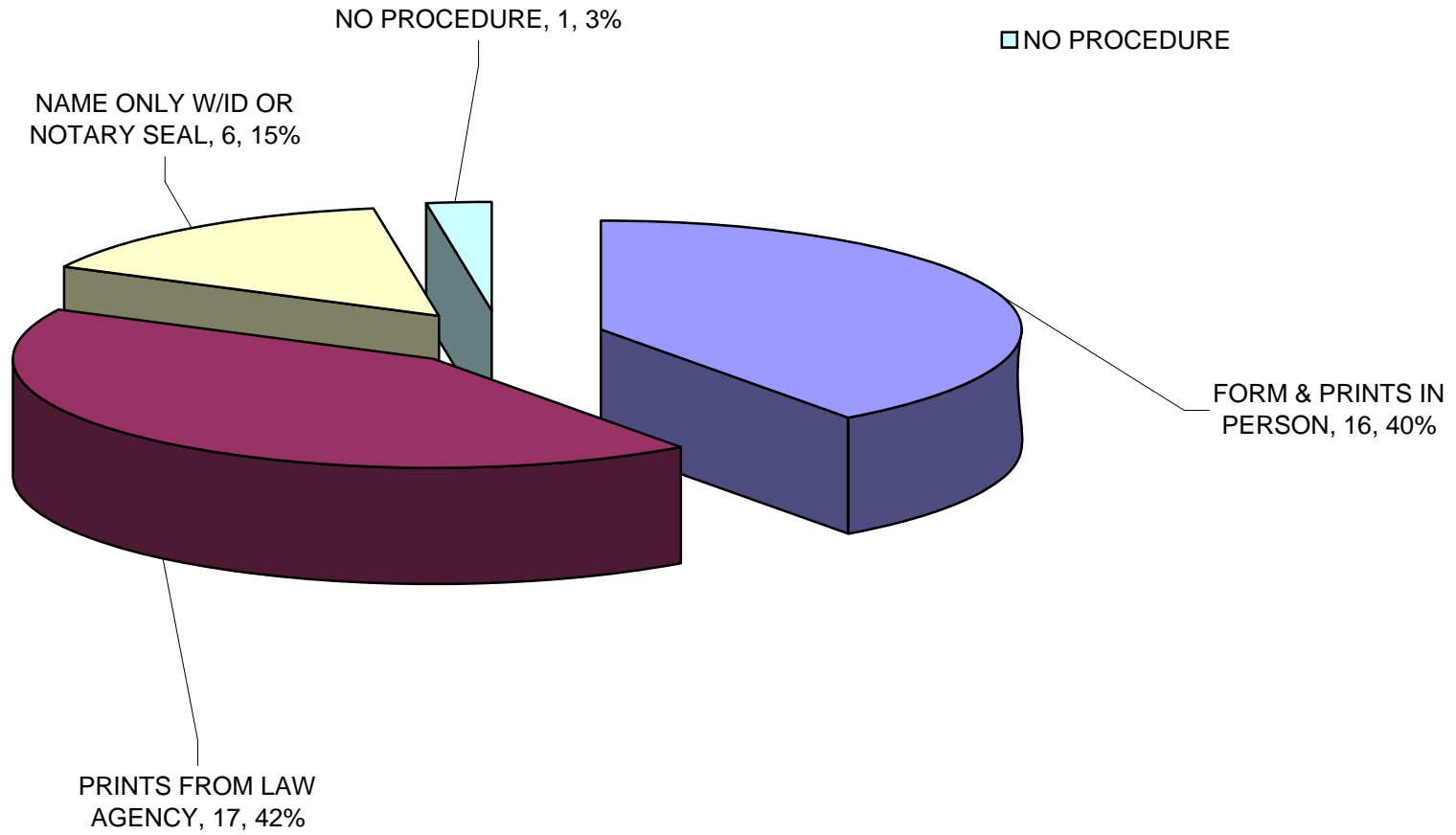
# RESTRICTIONS

- 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**

