

Collecting and maintaining criminal history records in Illinois

By Chris Humble

Nearly every component of the justice system relies on criminal records to provide detailed information on an individual's contact with law enforcement. This data also is used in the private sector. From employee background checks to verification prior to gun purchases, the accuracy and completeness of criminal history record information is crucial. This *Trends & Issues Update* examines the scope of adult criminal history record information in Illinois.

As mandated in the Criminal Identification Act, the Illinois State Police (ISP) is the central repository for Illinois criminal history record information. All aspects of criminal history records, including collection, maintenance, and dissemination, are handled by ISP. All law enforcement agencies, state's attorneys, and circuit clerks in each county, as well as the Illinois Department of Corrections (IDOC), must submit arrest, charge, disposition, and custodial information to the ISP within a set time frame.

Criminal history record uses

Criminal history records are crucial in many areas of decision-making. School districts use conviction data to investigate whether teachers, bus drivers, and others who have contact with children were convicted of sex offenses or other employment-barring

offenses. Social service agencies also rely on conviction information to screen prospective foster parents.

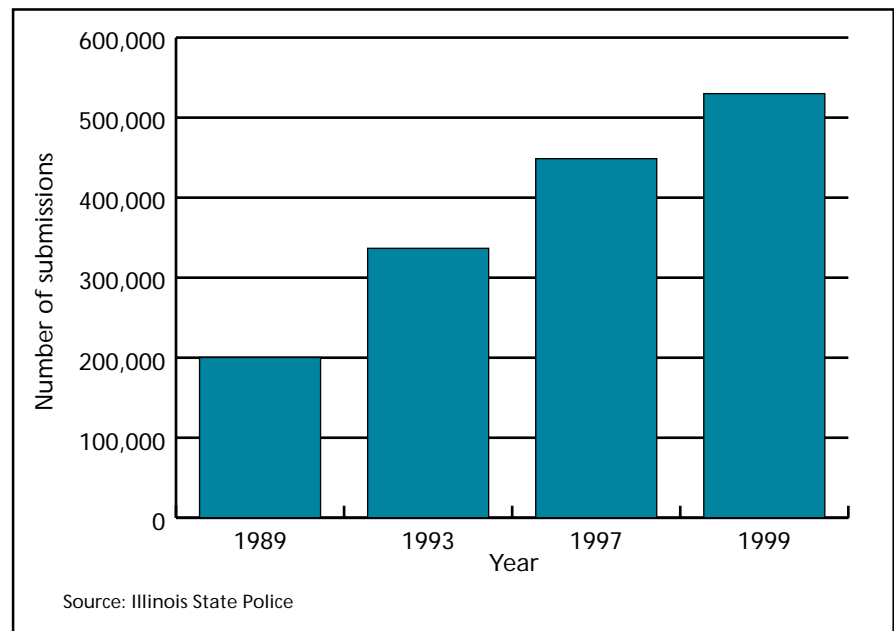
State's attorneys use criminal history records to determine whether an offender is eligible for enhanced sentencing. For example, if a person is convicted for the first time of domestic battery the offense is classified as a Class A misdemeanor. If a person is convicted again of domestic battery the

offense is prosecuted as a Class 4 felony.

IDOC officials also use criminal records to determine security levels that affect housing and work assignments. With the wrong information, a high-risk inmate may be assigned to a facility designed for low-risk offenders.

Liquor control commissions use criminal history records to determine whether an individual is qualified for a liquor license. Criminal history checks

Figure 1
Arrest fingerprint cards and livescan images submitted to Illinois State Police 1989 - 1999



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also assist in verifying information for gun licenses.

Under the Uniform Conviction Information Act the public has access to conviction information. Residents may request conviction information for a fee. Information on an arrest is not available to the public unless a conviction is posted to the database.

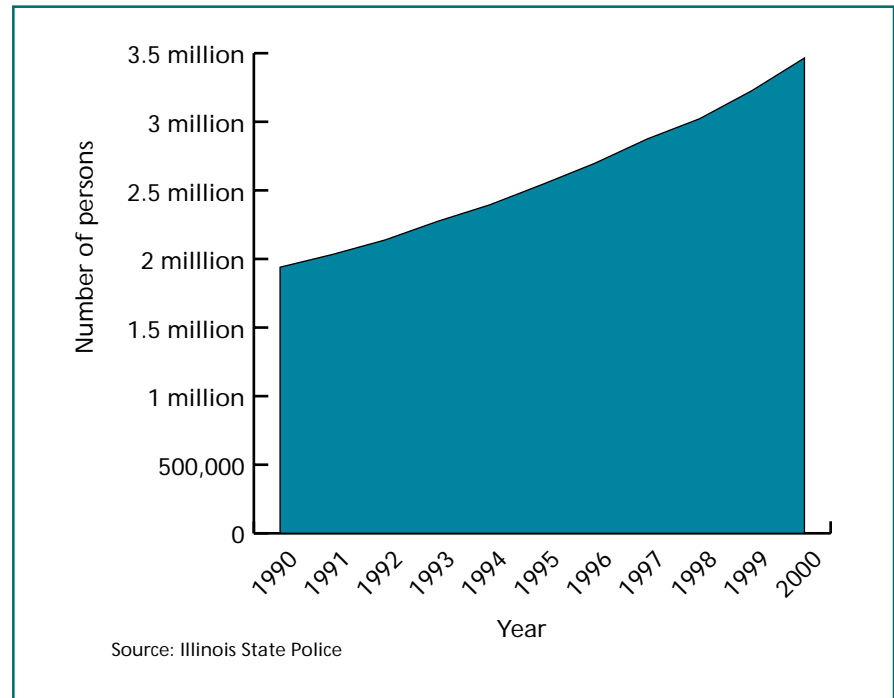
System guidelines

In 1991, the Illinois Ad Hoc Committee on Dispositional Reporting was created by the Illinois Criminal Justice Information Authority to act as a criminal history records improvement task force. Consisting of members of law enforcement, prosecution, courts, corrections, and other criminal history record users, the committee created the Illinois Criminal History Improvement Plan. The plan follows guidelines published by the U.S. Department of Justice Bureau of Justice Assistance in 1991 requiring that 95 percent of current felony arrests and fingerprints are complete. The plan also requires current felony arrest records with fingerprints to contain subsequent state's attorney and court dispositions upon termination of the cases, as well as up-to-date sentencing and prison release information.

Under the committee's direction, Illinois adopted the following principles regarding the state's criminal history records system:

- Illinois criminal history record information must be accurate, complete, and current.
- Illinois criminal history record information must be available in a timely and efficient manner.
- The Illinois criminal history record information system must make optimum use of information and communications technology.
- The Illinois criminal history record information system must be guided by, and responsive to, the needs and requirements of its users.
- Illinois criminal history record information must be readily available

Figure 2
Cumulative number of persons in the criminal history system



for research and other management and systemic analysis purposes.

- The Illinois criminal history record information program must foster and support information sharing and exchange among agencies within the criminal justice system.

Criminal history record collection

ISP's Bureau of Identification (BOI) was formed in 1929 to be the main repository of criminal records in the state. By 1932, the first criminal history records, or *rap sheets*, were produced. In the BOI's first year of existence 30,000 fingerprint cards were collected. In 1999, almost 530,000 fingerprint cards and livescan images were collected (Figure 1).

ISP began automating Illinois criminal records in the early 1970s with the Computerized Criminal History (CCH) system. Initially, fingerprint cards were classified by hand, and a manual search of the paper criminal history files was conducted. If a match, or *hit*, was

made, the fingerprints were added to the existing criminal history record. If matching records did not exist, the subject was issued a unique state identification number, and a criminal history record was created. Identifying fingerprints and linking them to a criminal history record was made easier in the 1980s and 1990s with the development of the Automated Fingerprint Information System (AFIS) and livescan, an electronic fingerprinting device.

Manual reporting

Fingerprints are the most common method of linking a person to his or her criminal justice contacts. The BOI uses state identification numbers to identify individuals with criminal history records in the computerized system.

Historically, when a person was arrested and taken into custody, his or her fingerprints were recorded on a five-part reporting form designed for the CCH system. Form 1 went to the BOI containing subject identification and arrest information. Carbon paper was used so that information placed on Form 1 was entered simultaneously

onto forms 2, 3, 4, and 5. The second form was the arresting agency's copy and was kept in the agency's files. Forms 3 and 4 were the state's attorney's and circuit court clerk's copies (respectively) and contained fields used to note subsequent charge and court disposition information. Form 5 also was the BOI's copy. Fingerprints were clearly rolled on the back of this card, with blocks identified for each finger and simultaneous impressions of both hands.

A fingerprint card was not made when an individual was entered into the criminal justice system without an arrest. Under these circumstances, the state's attorney requested that the court order the individual to be fingerprinted.

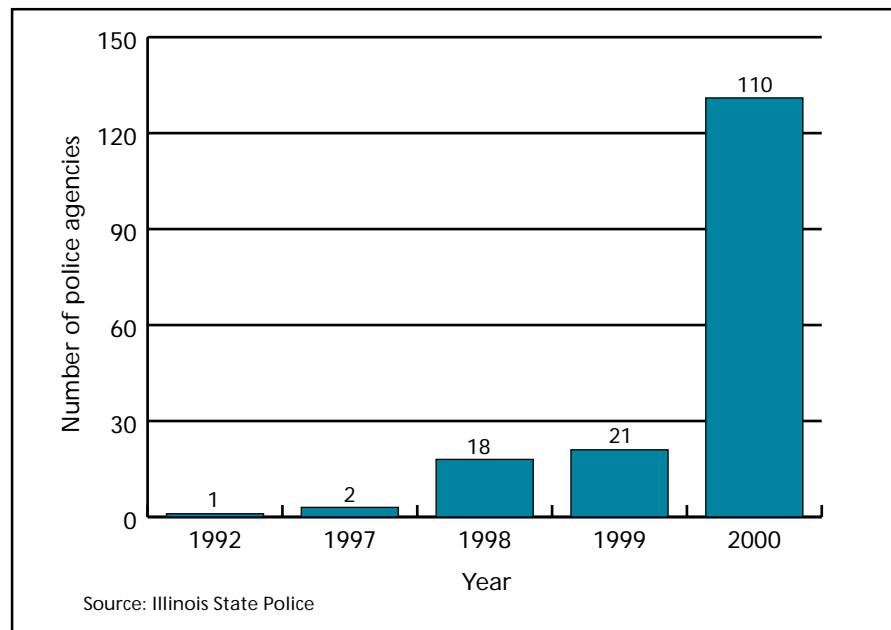
Automated fingerprint processing

AFIS reads, catalogues, and matches fingerprint images. Upon receipt of fingerprint images from livescan, AFIS will check the fingerprint image for quality. If AFIS detects a print of poor quality that has the capacity for enhancement, a technician will attempt to improve the fingerprint image. If the technician cannot enhance the quality, or if AFIS detects a print that has no capacity for enhancement, the originating agency is asked to obtain new prints.

Upon receiving data from AFIS, CCH conducts a variety of edit features. If the system detects data that could prohibit the record from being posted, such as incorrect charge information, the originating agency is notified of the error and asked to correct it.

When a match is found, AFIS notifies CCH, and the new arrest is added to the CCH database. The individual's record is updated to reflect the new arrest. CCH then notifies AFIS to archive the fingerprint submissions. When there is no match, a state identification number is assigned to the arrestee, creating a criminal history record of the individual (Figure 2).

Figure 3
Number of police agencies in Illinois submitting records through livescan 1992-2000



Since 1995, the National Criminal History Improvement Program has helped states partner with the Federal Bureau of Investigation to build an accurate and useful national system of criminal records.

With disposition or status change information, the computer system searches the existing database for the corresponding fingerprint submission. To aid in the search, all forms and submissions are given a document control number, which links related criminal justice events. For example, if an arrest submission has been posted, BOI matches it with the already existing document number and posts the disposition to the corresponding record. If a submission is not available, related event information is routed to a pending file until corresponding records are posted.

Livescan submissions

Less than 20 percent of submissions received by the BOI are mailed. Many agencies use livescan to fingerprint subjects (Figure 3). In most cases, the livescan device is connected to a terminal at the booking site. All descriptive and charge information is entered at booking. Once the data is entered into livescan, fingerprint impressions can be taken. The fingerprints and data are linked together with document and transaction control numbers. Livescan will create a package of information including demographics, digital fingerprint images, and digital photos. This information is transmitted electronically from the livescan device to AFIS for editing, and then finally to the CCH.

Funding

CCH is supported with general revenue funds generated by the state. CCH also is funded by the U.S. Department of Justice through Edward Byrne Memorial State and Local Law Enforcement Assistance Program grants. Under the Crime Control Act of 1990, states must allocate at least 5 percent of these funds for the improvement of criminal

histories until 95 percent of the records are consistently complete, accurate, and timely. Since 1995, the National Criminal History Improvement Program (NCHIP) has helped states partner with the Federal Bureau of Investigation (FBI) to build an accurate and useful national system of criminal records. Initiated with a \$100 million appropriation under the Brady Handgun Violence Protection Act and administered by the Bureau of Justice Statistics, NCHIP is designed to help states meet requirements concerning criminal histories and related records.

Illinois has used NCHIP funds to upgrade and redesign the state's criminal history records system. The state also has used NCHIP funding to assist local law enforcement agencies in purchasing livescan equipment and expanding online disposition reporting.

Record audits

The Authority conducts periodic audits of the CCH system to determine

if the criminal history records comply with government funding and statutory standards. Audits conducted in 1995 and 1999 revealed a lack of consistent compliance with statutory requirements by local agencies. In some cases, agencies were unaware of reporting requirements and procedures.

Conclusion

Criminal history record information is a crucial element in the administration of criminal justice in Illinois. Decisions ranging from whether an individual is fit for employment in certain professions to the amount of bail an arrestee should be required to post are made with criminal history data. It is important that the information stored, submitted, and disseminated is accurate, timely, and complete.

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Trends and Issues Update

is a periodic publication of the Illinois Criminal Justice Information Authority. For more information on this or other reports produced by the Authority, please contact our **Criminal Justice Information Clearinghouse** at 312-793-8550, or by e-mail: irc@icjia.state.il.us.

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This report was supported by grant #00-DB-MU-0017, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view in this document do not necessarily represent the official position or policies of the U.S. Department of Justice.

Printed by authority of the State of Illinois. Printing order #02-090. Number of copies: 3,000.

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