
West Virginia
**Criminal History Records
Data Quality Review**

Criminal Justice Statistical Analysis Center
West Virginia Division of Criminal Justice Services

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West Virginia Criminal History Records Data Quality Review

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Participating Law Enforcement Agencies

There are numerous law enforcement professionals at the state, county, and local levels who have contributed greatly to the data collection process during the on-site reviews. Thanks is extended to these participating law enforcement agencies for their willingness to answer questions and provide access to arrest records.

State Police Detachments

Gilbert
Hinton
Huntington
Kingwood
Marlinton
Martinsburg
Morgantown
Paden City
Parkersburg
Point Pleasant
Romney
Spencer
Summersville
Webster Springs

Sheriff's Departments

Fayette County
Monongalia County
Summers County
Tyler County
Wirt County

Municipal Police Departments

Bridgeport
Charleston
Fairmont
Hurricane
Keyser
Martinsburg
Mason
Morgantown
Peterstown
Ripley
Wardensville
Williamson

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Introduction

This audit is designed to assess the current state of the criminal history records system in West Virginia. It also seeks to assess the degree to which the state is in compliance with standards recommended by the Bureau of Justice Statistics (BJS) and Bureau of Justice Assistance (BJA). Using the federal recommendations as a guide, the current audit evaluates WV's criminal history records based on three criteria: 1) completeness; 2) accuracy; and 3) timeliness. It is anticipated that the current audit will provide information that will assist state practitioners and policy-makers as they seek to make improvements in West Virginia's criminal history records system.

This audit of the criminal history records system represents one aspect of WV's participation in the National Criminal History Records Improvement Program (NCHIP). In addition, it also provides a means for WV to remain a participant in the FBI's Interstate Identification Index (III) initiative and remain eligible to receive Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grants. Beginning in 1992, all states that received Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant funds were federally mandated to designate 5.0% of these monies to the improvement of the state's CHR system.

West Virginia is obligated to maintain the capacity of its criminal history records system as a participant in the FBI's Interstate Identification Index (III) initiative. The III is a system designed to allow for states to readily exchange criminal history record information. Under the III, the FBI maintains an index of persons arrested for felonies or serious misdemeanors under federal or state law. A basic requirement for participation in III is that states maintain an automated criminal history records system which is capable of interfacing with the III and responding automatically to state and federal agencies requesting record information.

This audit further represents one component of WV's involvement in the NCHIP. Established under the Violent Crime Control and Law Enforcement Act of 1994, the NCHIP is intended to foster a system of criminal justice communication, collaboration, and cooperation among information systems. This program is designed to help ensure

that states maintain complete, accurate, and timely criminal history records that are readily accessible to law enforcement and other agencies. Moreover, the NCHIP assists states in maintaining an integrated system that links records across distinct agencies. Other goals of the NCHIP include making information instantly available for all legal inquiries, providing the capacity to identify persons ineligible to purchase firearms, and the ability to identify persons with restricted access to children, disabled persons, and/or elderly populations.

Finally, this audit is important not only for fulfilling federal mandates and obligations, but also for protection of the general public. All criminal justice agencies as well as numerous employers rely on having access to complete, accurate, and timely criminal history information to make important decisions. For instance, criminal history records are commonly used for the following:

- * To screen applicants for firearm purchases;
- * To determine eligibility for persons to hold positions that involve direct contact with vulnerable populations such as children (education, child care, foster parenting), the elderly, and disabled persons;
- * To conduct background checks for employment, professional licensing, and national security;
- * To assist law enforcement, courts, and other criminal justice agencies in investigations, prosecution, sentencing, and general decision making processes; and
- * To identify individuals subject to protective orders, have outstanding warrants, or have been convicted of stalking and or domestic violence.

Given the importance of criminal history records for ensuring public safety, it is necessary to periodically assess the extent to which this system contains complete, accurate, and timely information. Thus, this audit assesses the current state of the criminal history records system. This report begins with an overview of WV's criminal history records system

and, in particular, the Criminal Identification Bureau (CIB) of the WV State Police.

Criminal Identification Bureau (CIB)

Criminal history records (CHR) are generally found in states' central repositories. The repository is the physical location of the agency that houses the computerized database, and is responsible for maintaining the state's CHR information. West Virginia's state repository is located at the State Police Headquarters in Charleston. The state Criminal Identification Bureau (CIB) is synonymous with repository and is organizationally defined as the Criminal Records Section.

In 1935, the West Virginia CIB was established as a section under the operation of the State Police Headquarters. The CIB is governed by the authority of the state as written in WV Code §15-2-24. This section of the code is provided in Appendix A. The purpose of the CIB is to receive and file fingerprints, photographs, records, and other information pertaining to the investigation of crimes and the apprehension of criminal offenders. The CIB has recently been given the responsibility of maintaining the following state registries: the sex offender registry, the concealed pistol and handgun registry, and the bail bond enforcement registry.

With the responsibility of being the statewide repository for criminal records and the registries stated above, the CIB must provide for the security and accuracy of each individual's recorded information. Each piece of information is governed by section and department policy and procedure, as well as state and federal law. Each of the controlling documents are consistent in their basic intent to protect the citizens within their jurisdiction and to protect those records and individuals for whom the records exist.

In 1992, the WV State Police began the automation of the information contained within the Criminal Records Section or CIB. Along with the efforts of automation came challenges in the form of funding, personnel, and workload. By 1996 the automation process had matured to a point which enabled the full integration of the criminal record information with the statewide enforcement telecommunications system, commonly referred to as the WEAPON system. Records predating 1996 are currently automated when an inquiry is made that pertains to that specific record. Currently, the CIB is responsible for 806,748 records. There are 599,589 records that have not yet been converted into the automated system.

Audit Highlights.....

* Compared to 1997 audit results, WV's criminal history records system contains a greater proportion of complete records.

* Automation of the WV's CHRs has expanded since 1997.

* The criminal history records system contains more timely information, compared to 1997 estimates.

Completeness

* The percentage of fingerprint arrest cards submitted to the central repository by law enforcement agencies increased by 27.2% since the last audit.

* Nearly 7 out of 10 CHRs contained a fingerprint arrest card.

* Over one half (57.3%) of all fingerprint arrest cards were submitted to the central repository within ten days.

* A CDR form did not arrive at the CIB in over fifty percent (56.5%) of all sampled arrests.

* DUI arrests were the most likely offenses to have a fingerprint arrest card arrive at the CIB, and these cards were also the most complete.

* Over twenty percent (21.6%) of CHRs that involved violent offenses did not have a fingerprint arrest card at the central repository.

* Over one half of the records in the total sample for murder/non-negligent manslaughter did not have a fingerprint arrest card arrive at the CIB.

* Only 36.7% of fingerprint cards found were assessed as complete.

* Excluding violent offenses, greater than one half of the arrests records did not have a corresponding CDR form at the CIB.

The master name index has been fully automated since August 3, 1995.

In 1999, the WV State Police formed an agreement with the FBI for the implementation of AFIS, Automated Fingerprint Identification System. This step moved the state of West Virginia into a period of major change with regard to the

processing of criminal records and the analysis of fingerprints. During the following months, the CIB in concert with the FBI, fully automated the master fingerprint file.

The WV State Police is currently working with various state, county, and local criminal justice agencies to implement the next phase of AFIS development. The CIB has begun the operational stage of automated submissions of criminal record information. Several criminal justice agencies are in the process of purchasing and testing live scan stations, also known as electronic fingerprinting stations, to allow for the immediate automated submission of arrest fingerprint cards.

Criminal History Records and Processes

A CHR is specific to an individual and details all the offenses for which a person has been arrested and fingerprinted, also known as arrest events. A CHR includes basic demographic information, specific fingerprint/arrest information, and complete dispositional and correctional information linked to a specific individual. These records contain all prior arrest events regardless of conviction. CHRs also include a felony flag status indicator that appears at the beginning of the individual's rap sheet that indicates whether or not the individual has been convicted of a felony offense. Each arrest event also indicates whether the arrest was for a felony or misdemeanor offense. Contained in a CHR are other layers of data that include applicant information, sex offender registry flags, weapons flags, and bail bonds data.

The information included in a CHR stems from various sources. The following is a list of the data sources that comprise a person's CHR: fingerprint arrest card, court disposition reporting form (CDR), and incarceration card. The arresting agency is responsible for forwarding the fingerprint arrest card to the CIB. The arresting officer is also responsible for initiating the CDR form that corresponds to the arrest event. Magistrate or Circuit courts are responsible for sending the final CDRs to the CIB. The Division of Corrections and the regional jails are the institutions responsible for sending the incarceration cards and any changes in correctional status to the CIB.

The CHR process begins when an arresting law enforcement agency forwards those fingerprint arrest cards to the CIB. The CIB does not know an arrest event exists until a fingerprint arrest card is received and accepted by the central repository. Once the CIB receives the card, the name

identified is run through the master name index. If the name is found, the fingerprints are then processed through the AFIS system to confirm the master name index results. After confirmation, the new arrest event is added to the individual's existing CHR. In cases where there is no master name index match or AFIS confirmation is found, a new record begins for the individual.

There are a few pieces of information that are considered by the CIB to be vital for information to be entered into the system. For the CIB to accept the fingerprint arrest cards, the following are required elements that must be present: the name, date of birth, date arrested, charges, ORI number, and fingerprints. If this information is missing or the fingerprints are illegible the cards are returned to the arresting agency responsible for them, these types of returns are commonly known as fatal errors. The CIB currently does not track those cards which are returned to arresting agencies for fatal errors. There are pieces of arrest information that are considered to be critical elements by the CIB. These critical elements are the required elements just described in addition to the individual's social security number, sex, race, date of offense, officer's identification, height, and weight.

Once an arrest card is accepted by the CIB a unique state identification (SID) number is assigned. This is also known as a CIB number. This number is unique to the individual's record. A CHR is considered to be complete by the CIB when the required arrest/demographic information including fingerprints, fingerprint card, and CDR are present.

Juvenile information is included in a CHR in cases where the offense would be a felony, if committed as an adult. In such cases, West Virginia law designates that juveniles are to be fingerprinted and their arrest information forwarded to the state repository to be part of their CHR. Juvenile information is included when a youth is tried and found guilty as an adult in criminal court. The CIB has a specific policy for the handling of juvenile fingerprint arrest cards. The policy states that all juvenile fingerprint cards received or found in manual files are to be reviewed to determine if the juvenile was transferred to adult status. If the youth was treated as a juvenile, the records are returned to the arresting agency or destroyed. Records of juveniles transferred to adult status are processed the same as adult records.

Those fingerprint arrest cards that are mandated to be reported to the state repository are specifically addressed in

Audit Highlights.....

* Only 72.7% of final court disposition information was complete in CHRs in which a CDR form was found.

* For the total sample of arrest records only 39.0% were found to be complete in the criminal history records system.

* Nearly two-thirds (59.1%) of arrests contained missing information either from the original source documents or the rap sheet.

Accuracy

* Accuracy for arrest records found at the central repository was 65.9%, with 16.5% containing inaccurate information in at least one critical element.

* Court disposition information was assessed as accurate in 69.8% of records in which a CDR form was found, with over 20.0% containing missing information.

Timeliness

* Most timeliness measures improved since the 1997 audit, with the exception of a small increase in the average number of days between the date of arrest and court disposition.

* The average number of days between the date of arrest and the arrival of fingerprint cards at the central repository declined by 36.2 days.

* Most dispositions are reported to the state repository within the 90.0 day BJA standard, with an average of 56.4 days.

section §15-2-24(g). The code states that those fingerprint arrest cards for offenses where the penalty is “confinement in any penal or correctional institution” are to be forwarded to the repository, this applies regardless of one’s age. It also includes those fingerprint arrest cards for any individual who is “believed to be a fugitive from justice or an habitual criminal.” This defines the origin of those arrests that become part of a CHR. These fingerprint arrest cards are to be sent in duplicate, according to the code. One arrest card is kept on file by the repository and the other is forwarded to the FBI.

Organization of Report

The remainder of this report is dedicated to providing an assessment of the completeness, accuracy, and timeliness of criminal history records system in WV. This report begins with a discussion of the federal standards and state requirements that serve as the basis for the current audit and provide the mandate for the establishment of a criminal history records system. This is followed by a brief discussion of common methodologies used in the auditing of criminal history records and how this information was used to derive the methodology for the current audit.

The “Methodology” section of this report provides a detailed description of the procedures used to conduct the audit. This section describes the sampling of agencies and arrest records as well as the measures used to assess the CHRs using the established criteria. It also provides an overview of the plan to conduct the data analysis.

This discussion is followed by a presentation of the results. The “Results” section of this report is divided into two parts. The discussion begins with a review of the findings for the total sample of arrest records. Using a reverse auditing methodology as a basis, these analyses illustrate the number of sampled arrest records that actually arrived at the central repository in Charleston. This discussion is followed by a comprehensive assessment of the arrest records found at the CIB. The examination focuses solely on arrest records originally identified at each of the law enforcement agencies *and* subsequently located at the central repository. The primary purpose of this assessment is to evaluate the completeness, accuracy, and timeliness of the critical components that make up a complete CHR.

The final section of this report provides an overview of the audit results. The “Summary and Conclusions” section discusses how the results compare to the 1997 audit findings and the federal standards used as a foundation in this report. Basic limitations of the current audit are also described. This report begins with an overview of the federal standards and state requirements that guide the maintenance of CHRs in the state.

Background

This section of the report provides an overview of the federal standards and state requirements that guide the maintenance of criminal history records (CHRs). National standards recommended by the Bureau of Justice Assistance (BJA) as well as legislation that pertains to the preservation of CHRs in other states is reviewed. This discussion is followed by a description of WV's state code that provides the mandate for the maintenance of CHRs -----in this state and an overview of WV's involvement in the National Criminal History Improvement Program (NCHIP). This section concludes with a presentation of the common methodologies used to conduct audits of criminal history records systems across the nation. The discussion begins with a review of the recommended standards set forth by the BJA.

Federal Standards and State Requirements for the Maintenance of Criminal History Records

The federal government provides standards and recommendations that provide guidance for states in conducting audits of criminal history records systems. The U.S. Department of Justice, in conjunction with The National Consortium for Justice Information and Statistics (SEARCH), has produced a guide for states. *Assessing Completeness and Accuracy of Criminal History Record Systems: Audit Guide*, was published in 1992. This audit guide is intended to provide assistance to officials when conducting audits of their state's criminal history record systems. The guide describes requirements and recommendations for accuracy and completeness of CHRs. There is a federally established "goal of absolute accuracy and completeness" (SEARCH 1992: 3). It is recommended that states develop procedures and practices designed to be operationally effective, not only at the repository level but also at the originating agency level, for achieving maximum accuracy and completeness of CHRs.

At the federal level, the Bureau of Justice Assistance (BJA) has set forth recommended data quality standards for assessing the accuracy, completeness, and timeliness of CHR information. Table 1 lists the BJA standards which are divided into specific categories with accompanying benchmarks and

listed in the publication, *Guidance for the Improvement of Criminal Justice Records* (U.S. Department of Justice, 1991). The Bureau of Justice Statistics (BJS) recommends annual audits in the publication, *Voluntary Standards for Improving the Quality of Criminal History Record Information*. Annual audits are also recommended for states receiving certain types of federal funding (U.S. Department of Justice, 1991).

In addition to federal standards and recommendations, most states have established their own guidelines that mandate state specific standards for the maintenance of CHRs as well as conducting data quality reviews or audits of the criminal history records system. The specific guidelines set forth by various states are designed to clarify when and what should be submitted to the central repository in each state. Examples of these state standards include: 1) when fingerprint arrest information is to be submitted to the central repository including for what offenses or charges, 2) the content of dispositional information for reportable arrests to be submitted by the court system, correctional system, prosecutors, and or other applicable criminal justice agencies, 4) the time frames for reporting arrest and dispositional information, 5) the content and format of the official transcript of a CHR and the process for obtaining such a transcript, and 6) detailed data quality practices and procedures related to internal monitoring of accuracy and completeness of the information being submitted and entered into the criminal history records system (SEARCH 1992: 3).

Most states use the BJA standards alone or in conjunction with specific state requirements as part of their methodology for evaluating CHRs. Illinois is a state that utilizes the criteria outlined in these standards as a means of measuring the accuracy, completeness, and timeliness of CHRs (Illinois Criminal Justice Information Authority, 2003). In states that do not specifically mention the direct use of the BJA standards as part of their methodology; the criteria for measuring accuracy, completeness, and timeliness remain a constant. For example, the states of Virginia and Ohio do not specifically reference the standards but do assess for these same qualities in their criminal history records system (Auditor of Public Accounts, 2001; Ohio Office of Attorney General, 2004). The

state of Pennsylvania only mentions that they follow federal guidelines Pennsylvania Office of Attorney General, 2001). While Florida uses the BJS recommended standards, which are similar to the BJA guidelines (Florida Department of Law Enforcement, 2002). Similar to the other states, Pennsylvania and Florida base their assessments on the qualities of accuracy, completeness, and timeliness.

In addition to the use of federal standards, many audits assess standards that are specific to the state. These states have specific statutes that pertain to the reporting and

maintenance of CHRs. In some instances, states have added to the general recommendations and standards provided by the federal government and enacted legislation that provides specific guidance to the handling of CHRs. This has resulted in more specific state requirements and standards for evaluating and assessing CHRs and performing regular audits. Such requirements assist states in effectively evaluating the aptness of the system and making improvements.

Although some states do not have state requirements in addition to the federal guidelines, Illinois is an example of a

Table 1
Bureau of Justice Assistance Recommended Standards

Reporting Standards:

- * Fingerprints taken at arrest and/or confinement are submitted to the state repository within 24 hours.
- * Entered into system within 30 days if a felony, 90 days if a misdemeanor.
- * Trial dispositions reported to state repository within 90 days after the disposition is known.
- * Sent to the FBI within 2 weeks.

Automation Standards:

- * All criminal history records after October 1986 have been automated.
- * All master name index records after October 1986 have been automated.
- * New records for offenders with prior manual records are entered into the automate files.
- * Procedures have been established to ensure that all felony offenses are entered in to the automated system within 30 days of receipt by the central repository, and all other records are entered within 90 days.

Felony Identification Standards:

- * 95% of current arrest records identify felonies.
- * 95% of offenses in the past five years should have a felony flag indicator.

Arrest Standards:

- * 95% of all current felony arrest records and fingerprints are complete.
- * 90% of felony arrests before October 1, 1991 are complete.

Disposition Standards:

- * 95% of all current felony arrests contain disposition information, if a disposition has been reached.
- * 90% of felony arrests within the past five years are complete.

Correctional Standards:

- * 95% of current sentences to and releases from prison are available.
- * 90% of felony arrest records contain complete incarceration information for the past five years.

Source: "Guidance for the Improvement of Criminal Justice Records."
December 1991: 9-12. Bureau of Justice Assistance, U.S. Department of Justice.

state that has two very state specific mandates. First, the Criminal Identification Act addresses specific requirements for the purpose of maintaining complete and accurate CHRs. This Act specifies who should be reporting, the offenses that should be reported, and when arrest information should be reported to the state repository. Second, the Illinois Uniform Conviction Information Act mandates that the state conduct regular audits of their criminal history records system.

Similar to the state of Illinois, other states have specific sections of code that mandate procedures for the maintenance of the criminal history records system, including the use of routine audits. For example, Virginia law contains various sections of code that are specific with regard to the contents of the records and mandate the auditing of the criminal history records system on an annual basis. In addition, Pennsylvania and Ohio receive guidance from state code and/or acts passed in their respective states. For instance, Pennsylvania's Criminal History Information Act requires annual audits and provides specific guidelines with regard to the accuracy, access, and quality of CHRs. Lastly, Ohio is another state that has legislation that is specific to the maintenance of CHRs.

West Virginia's Criminal History Records Mandate

West Virginia has one section of the state code exclusively devoted to CHRs, §15-2-24 (see Appendix A). This section of the code designates the physical location and purpose of the state's criminal history records system. It also charges the WV State Police with the responsibility for maintaining these records, establishing the Criminal Identification Bureau (CIB).

Section §15-2-24 further outlines basic criteria for access to CHRs and agencies required to submit information to the CIB. However, the code does not provide specific guidance for the types of arrests that should be submitted to the repository. The code states that fingerprints for any person charged with an offense where the "penalty provided therefore is confinement in any penal or correctional institution, or of any person who they have reason to believe is a fugitive from justice or an habitual criminal." Other states have outlined the offenses required to be reported to the state repository, including misdemeanors and felonies. For instance, some states have specific types of misdemeanors that are reportable and are listed in state code (e.g., Illinois and Virginia).

The WV Code also states that individuals "regardless of age....," meaning juveniles who commit an offense where the "...penalty provided therefore is confinement in any penal or correctional institution" are to be fingerprinted and those prints forwarded to the state repository. This also applies to these same individuals if believed to be a fugitive from justice or a habitual criminal. Similar mandates were found among other states as discussed earlier. Many mandates state a specific age range and that juveniles are to be fingerprinted if they commit a felony.

There is no mention of policies or procedures for conducting regular audits of the state's criminal history records system. There are no specific requirements for the maintenance of CHRs. The statute designates much of this to be set forth by the superintendent of the WV State Police.

National Criminal History Improvement Program (NCHIP) in West Virginia

Since 1990, WV has engaged in systematic efforts to improve the completeness, accuracy, and timeliness of the criminal history records system. Originally funded under the Criminal History Records Improvement Program (CHRI) at the BJS, WV remains committed to the improvement of the criminal history records system under BJS's National Criminal History Improvement Program (NCHIP). Since the mid-1990s, the National Criminal History Improvement Program (NCHIP) has served as a basis for the improvement of the criminal history records system.

Initial awards under these federal initiatives provided funds for the first data quality assessment and the development of functional requirements for a computerized criminal history records system. The first audit, conducted by The National Consortium of Justice Information and Statistics (SEARCH), provided an initial assessment of the criminal history records system. Based on the information provided by the initial assessment and evaluation of technological needs, subsequent funds were used to develop the technological foundation for a computerized system and the input of information from nonautomated master name index information.

In February 1997, Marshall University's Research and Economic Development Center, in conjunction with the Criminal Justice and Highway Safety Division and the Criminal Justice Statistical Analysis Center, published the results of the second data quality audit of WV's criminal history records

system. The central purpose of the audit was to provide a baseline for the reporting of arrest records, court disposition information, and correctional status records to the state repository. This audit also sought to identify specific points in the submission process that may impact the completeness, accuracy, and timeliness of CHR reporting. Based on a sample of 280 arrest records from April 1991 and 1994, the audit findings indicated that only 41.6% of arrests and 31.1% of CDR forms were found at the central repository or CIB. As a result, CHRs did not reflect approximately 60.0% of sampled arrests and nearly 70.0% of all dispositions sampled.

Upon the completion of the 1997 data quality review, an advisory committee was established to generate recommendations and provide oversight in the development of plans to improve WV's criminal history records system. In March 1997, the WV Criminal Justice Information Systems (CJIS) Advisory Committee developed a multifaceted plan to address various issues that pertain to the ongoing maintenance and improvement of the system. The CJIS Advisory Committee set forth a primary goal and a series of objectives.

The primary goal promulgated by the CJIS Advisory Committee is as follows:

To establish and maintain a criminal history records system that will accurately and completely collect information on all criminal charges, dispositions and the correctional status of all persons processed by the criminal justice system; to keep the information current; and to make it conveniently and instantly available to all legal inquiries in a secure manner.

The central goal of the CJIS Advisory Committee provided the foundation for the establishment of several objectives. These objectives include:

1. To review all elements and all operations of the current criminal history records system, and to re-engineer that system to achieve comprehensive record submissions with the least intrusion into primary operational functions;
2. To make maximum use of electronic technology as the most effective and cost efficient means of collecting, maintaining, and disseminating required information;

3. To meet or exceed federal standards for the collection, maintenance, and dissemination of this information with other states and with the federal government;
4. To participate where appropriate with federal criminal record keeping activities such as the interstate identification index for the enhanced utilization of records by decision-makers; and
5. To ensure all data maintained in the records system is secure, but accessible and useable.

Using the above goal and objectives as a basis, the CJIS Advisory Committee developed a series of system improvement strategies. The system improvement strategies included both automation and operational enhancements. Strategies to improve automation included the enhancement of the Automated Fingerprint Identification System (AFIS), the installation of live-scan terminals in regional jails, the automation of court disposition reporting, the upgrade of software for the Division of Corrections, and many others.

In addition, plans were developed to improve the operational aspects of the various agencies that handle and report criminal history information to the central repository. These strategies were designed to provide individual agencies and personnel with the technical support and oversight necessary to improve performance. Enhancements in operations included such strategies as providing clerical support for participation in the FBI's Interstate Identification Index (III) and AFIS initiatives, the development of a post-sentence status reporting form by the courts, and a variety of regulatory and quality control activities.

To date, all of the system improvement strategies developed by the CJIS Advisory Committee are in process while others are complete. System improvement strategies completed to date include:

1. The establishment of the Automated Fingerprint Identification System (AFIS);
2. The establishment of jail management systems for the Regional Jail and Correctional Facility Authority;

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3. The establishment of jail management systems for the Division of Juvenile Services;
 4. The continued enhancement of equipment at the central repository;
 5. The providing of clerical support for participation in the FBI's III initiative; and
 6. The continued development of the West Virginia Criminal Codes Database by the Division of Criminal Justice Services.

The CJIS Advisory Committee continues to provide oversight on other system improvement activities across multiple agencies. An additional 13 improvement strategies are in process and/or are scheduled to be completed in 2005. Given the progress on established plans to improve the system, the current audit provides information that may be used as a benchmark for the further development of plans to improve WV's criminal history records system.

Criminal History Records System Audits: Methodological Considerations

The fundamental purpose of an audit is to determine the degree to which arrest events are transferred to the criminal history records system. This involves not only determining whether an arrest is actually recorded in the criminal history system, but also the extent to which the information is recorded in an accurate, complete, and timely manner. Although there are various ways to assess the accuracy, completeness, and timeliness of CHRs, there are two common approaches to conducting an audit.

One approach is a data quality review that takes place within the state's central repository and is based solely on arrest records actually received by the repository. This type of audit is referred to as an *internal audit*. Internal repository audits are good for assessing the accuracy of data entry procedures, timeliness of information entered and received by the repository, and identifying instances in which arrest information is reflected but no corresponding dispositional or correctional information is attached to the arrest. This type of audit is also good for addressing historically documented problems with the processing of CHR information at the repository. Such audits are often recommended when on-

site visits to arresting agencies are not feasible or in conjunction with limited on-site visits.

However, an internal audit cannot assess the extent to which arrests events are in fact completely and accurately reported to the repository as mandated. Since an internal audit relies only on information obtained at the central repository, it is not possible to ascertain the proportion of actual arrests that were subsequently reported to the central repository. As a result, the degree to which the criminal history records system reflects all arrests for offenses that are mandated to be reported cannot be examined using this approach.

The second approach is an audit that begins at the arresting agency and compares information obtained in original source documents to the information contained in the criminal history records system. This is referred to as a *reverse audit*.

A reverse auditing methodology can address whether or not all arrest events were completely and accurately reported, as mandated, to the state repository. This approach involves an examination of original source documents at arresting agencies and is considered to be the "most accurate and reliable method" for auditing criminal history records systems for a couple of reasons (SEARCH 1992: 11). First, this type of audit can determine whether a specific arrest event was indeed reported as mandated. Second, the original source documents at the arresting agency can be compared to the information received at the repository. This allows the auditor to examine the degree to which the CHRs are complete, accurate, and compliant with guidelines set forth for timeliness.

Many states use a reverse auditing methodology as a means for assessing the completeness, accuracy, and timeliness of their criminal history records systems (e.g., Illinois, Pennsylvania, Ohio, and Florida). Although sampling strategies and specific criteria for assessing the adequacy of the criminal history records system may vary, the basic approach involved in a reverse auditing ideology remains constant. Simply put, a reverse auditing methodology involves the sampling of arrests and original source documents that correspond to a specific arrest and tracking that information back to the central repository.

In an effort to provide a comprehensive review of WV's criminal history records system, the current audit applies a reverse auditing methodology that contains elements of an internal audit. The methodology used in this report is indicative

of a reverse audit in that CJSAC auditors began with a sample of arrest records held at local law enforcement agencies. A representative sample of 1,522 arrests from 34 law enforcement agencies throughout the state is examined. Information gathered from original source documents is compared to information contained in the criminal history records system at the WV State Police repository. This part of the audit is designed to provide an estimate of the number of arrests that actually arrived at the CIB and were subsequently entered into the criminal history records system.

However, this audit also includes elements of an internal audit. Once the sample of 1,522 arrest records are examined to determine the proportion that arrived at the CIB, a series of analyses are conducted to ascertain the completeness, accuracy, and timeliness of records using only those records that were received at the repository. This section of the report resembles an internal audit in that only those arrest records received at the CIB are analyzed. These analyses are designed to assess the degree to which information obtained by the CIB is completely and accurately reflected in the criminal history records system. In addition, the timeliness of information submitted to the CIB and the criminal history records system is examined.

Standards recommended by the BJA for the automation of CHRs are also assessed. Face-to-face interviews with the director and staff of the CIB were conducted in March 2005. The following section provides a detailed description of the methodology used to assess the completeness, accuracy, and timeliness of WV's criminal history records system.

Methodology

This section of the report describes the methods used to conduct the audit of WV's criminal history records system. Procedures for the selection of agencies and records for the audit are discussed. This is followed by a description of the measures developed to assess the completeness, accuracy, and timeliness of CHRs and the operational definitions for various terms used in this report. The methods used to assess WV's compliance with BJA automation standards is also discussed. This section begins with a review of the procedures employed to collect arrest and disposition information throughout the state as well as a description of the sample.

Data Collection

The current audit uses a reverse auditing methodology to assess the completeness, accuracy, and timeliness of CHRs maintained at the state police central repository or CIB. This methodology involves the collection of arrest and disposition information from original source documents. Original source documents include files located at arresting agencies and/or files at the central repository. Information obtained from files at the central repository is also used to supplement missing information from documents located at the arresting agency prior to the assessment of CHRs.

Based on a reverse auditing methodology, information gathered from original source documents on a specific arrest is compared to information recorded on rap sheets or CHRs at the central repository. This method of auditing is considered to be the most accurate and reliable because it allows for auditors to identify what actually transpired in a given arrest event from original source documents. Then auditors are able to determine the extent to which information obtained from original source documents is later completely and accurately reported in a timely manner and completely and accurately entered into the criminal history records system (SEARCH, 1992).

The reverse audit process begins with the selection of agencies and the sampling of arrest records from those agencies. The process began with the selection of individual law enforcement agencies throughout the state to participate in the audit. The identification of agencies to be included in the audit and the sampling of arrest records from those

agencies involved several steps. To obtain a representative sample of agencies to participate in the audit, the CJSAC auditors took into account four key agency characteristics. These characteristics included: 1) the agency type or jurisdiction (e.g., county sheriff departments, municipal police departments, and state police detachments); 2) the population size for the jurisdiction served by each agency; 3) the geographic region in which the agency operates; and 4) the volume of arrests for each agency. In accordance with the above considerations, a comprehensive sampling strategy was developed by the CJSAC auditors.

The selection of law enforcement agencies involved a multistage stratified sampling procedure. An estimated 455 departments comprise the total population of law enforcement agencies in the state. This estimate includes all law enforcement agencies such as university police departments, Division of Natural Resources agencies, fire marshal stations, and various departments tied to individual task force operations. Given the primary considerations listed above for obtaining a representative sample, these agencies were eliminated at the outset as eligible departments to be included in the sample.

The elimination of these departments reduced the total population of "eligible" agencies to 327 in the state. The remaining law enforcement agencies consisted solely of municipal police departments, county sheriff departments, and state police detachments. These 327 agencies served as the initial sampling frame for the random selection of law enforcement agencies to participate in the audit.

Initially, the 327 law enforcement agencies were placed into categories using population groups developed by the Federal Bureau of Investigation (FBI). These population groups account for both the size of the population served by each agency as well as the agency type. Using these population groups, the CJSAC auditors developed 3 levels of strata to represent all eligible law enforcement agencies in the state.

Stratum 1 consisted of municipal law enforcement agencies with a population size of 25,000 residents or more. Only five agencies in the state served a population greater than 25,000 residents. All eligible small to midsize municipal police departments comprised Stratum 2. Stratum 3 included

all county sheriff departments and state police detachments. The smallest number of agencies were contained in stratum 1, while stratum 3 was comprised of the largest number of agencies.

Once all eligible law enforcement agencies were placed in their respective stratum, they were further stratified by geographic region of the state (i.e., northern, eastern, southern, and western). The stratification by FBI strata and geographic regions allowed for the random selection of a representative sample of law enforcement agencies by population size, agency type, and region of the state. To assign each agency to a geographic region of the state, the auditors used a classification system developed by the Uniform Crime Reporting Unit of the WV State Police and commonly reported in the annual publication of *Crime in West Virginia*.

The final step in obtaining a sample of law enforcement agencies involved the random selection of departments from each stratum. Since some agencies regularly report more arrests each year than others and, thereby account for a greater proportion of all arrests in the state, the auditors determined it was necessary to over sample agencies that report the largest volume of arrests. Essentially, this involved the over-sampling of agencies in stratum 1 followed by stratum 2. The auditors randomly selected two of the five agencies that comprised Stratum 1. These two agencies, Morgantown PD and Charleston PD, represented the northern and western regions of the state, respectively.

To obtain a random selection of law enforcement agencies from the other strata, the CJSAC auditors sampled each stratum proportionate to its size. Since more agencies made up stratum 3 compared to stratum 2, the auditors randomly selected a greater number of agencies from stratum 3. The final sample consisted of five randomly selected agencies from stratum 3, three agencies stratum 2, and two agencies from stratum 1 for each geographic region of the state. This resulted in a total sample of 34 law enforcement agencies (Table 2). These agencies were asked to participate in the statewide audit of the WV criminal history records system.

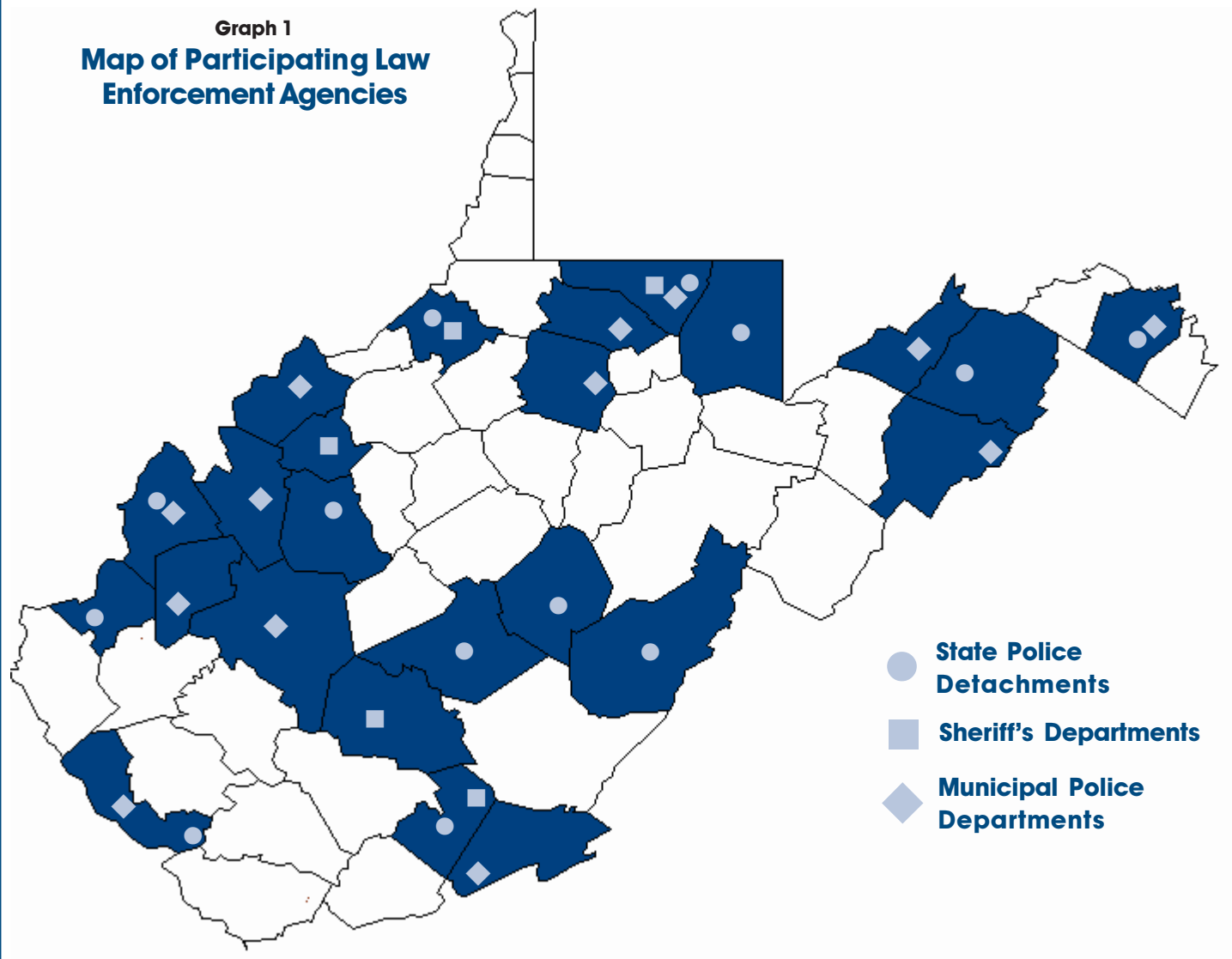
The CJSAC auditors contacted each of the initial 34 law enforcement agency selected and requested their participation in the audit. Placed on Department of Military Affairs and Public Safety (MAPS) letterhead and signed by the acting secretary, the auditors mailed a letter to each agency head asking them to participate in a federally mandated review of

Table 2
Selected Law Enforcement Agencies
by Geographic Region and Strata

Region/Agency	Strata	N	%
Northern			
Morgantown PD	1	181	11.9%
Bridgeport PD	2	38	2.5%
Fairmont PD	2	142	9.3%
Anmoore PD	2	---	---
Monongalia Co.	3	64	4.2%
Morgantown SP	3	54	3.5%
Kingwood SP	3	21	1.4%
Tyler Co.	3	12	0.8%
Paden City SP	3	7	0.5%
Eastern			
Martinsburg PD	2	185	12.2%
Keyser PD	2	41	2.7%
Wardensville PD	2	2	0.1%
Martinsburg SP	3	119	7.8%
Romney SP	3	21	1.4%
Marlinton SP	3	10	0.7%
Webster Springs SP	3	20	1.3%
Barbour Co.	3	---	---
Southern			
Mt. Hope PD	2	---	---
Williamson PD	2	15	1.0%
Peterstown PD	2	1	0.1%
Fayette Co.	3	45	3.0%
Summersville SP	3	11	0.7%
Gilbert SP	3	16	1.1%
Hinton SP	3	19	1.2%
Summers Co.	3	16	1.1%
Western			
Charleston PD	1	318	20.9%
Hurricane PD	2	7	0.5%
Ripley PD	2	19	1.2%
Mason PD	2	6	0.4%
Huntington SP	3	74	4.9%
Point Pleasant SP	3	27	1.8%
Spencer SP	3	3	0.2%
Parkersburg SP	3	7	0.5%
Wirt Co.	3	21	1.4%
TOTAL		1,522	100.0%

Note: Percentages may not total to 100.0% due to rounding.

Graph 1
Map of Participating Law Enforcement Agencies



the state's criminal history records system. The letter mailed to each agency also described the purpose and scope of the audit and requested basic information regarding arrest volume for given months and years (see Appendices B and C).

Upon the initial request, several agencies either refused to participate or the CJSAC staff were simply not able to secure participation for various reasons. In those instances, the auditors randomly selected a replacement for each agency from the same stratum and geographic region. Despite of repeated attempts by the CJSAC staff to obtain a sample of 34 agencies, participation was not able to be secured for 3 agencies. As a result, arrest records were derived from 31 of the 34 agencies randomly selected for participation in the audit. Graph 1 illustrates the geographic locations of the 31 participating law enforcement agencies.

On-site visits at arresting agencies were conducted between June and October 2004. As noted previously, arrests records were gathered from each agency for the months of April 1998 and 2002. The CJSAC auditors selected these years in an effort to provide a degree of continuation from the 1997 audit which examined April 1991 and 1994 arrests. Moreover, arrest records in 2002 were examined to allow ample time for final court disposition information to be submitted to the CIB. The source(s) for arrest information varied by agency. Arrest information found at an agency could come in the form of a fingerprint card, but most information was recorded in some other form specific to the agency, such as an arrest report or incident-based reporting form. The following section describes the law enforcement agencies and the arrest records that comprise the sample for this audit.

Sample

Table 2 displays the law enforcement agencies and the distribution of records that constitute the final sample of arrests. A total of 1,522 arrest records were sampled from 31 of the 34 law enforcement agencies across the state. As noted above, 3 agencies either refused to participate or did not provide arrest records for the audit. The final sample of law enforcement agencies was comprised of 14 municipal police departments, 6 county sheriff departments, and 14 state police detachments.

Arrest records were sampled from each law enforcement agency for the months of April 1998 and April 2002. The CJSAC auditors requested that each agency provide the total number of arrests that occurred for each month. The total number of arrest for each agency and month served as the sampling frame for the random selection of arrest records to be included in the sample. In most instances, the entire population of arrests for each month and year were in the study due to a small total number of arrests, at each agency. All records were assessed for agencies that reported fewer than 100 arrests for the specific month and year.

For those agencies that reported more than 100 arrests for a given month and year, the CJSAC auditors assigned a number to each arrest, entered these numbers into a spreadsheet, and derived a computer-generated random sample of records to audit. The appropriate sample size for achieving 95.0% confidence with a 3.0% margin of error at the agency level was obtained based on an assumption of maximum variation in outcomes.

To obtain an appropriate sample size for the total sample, the CJSAC auditors obtained an estimate for the total number of adult arrests in 2002. The CJSAC auditors chose to use an estimate obtained from the *Crime in West Virginia* report published by the WV State Police. According to the 2002 *Crime in West Virginia* report, there was a total of 40,798 adult arrests in 2002. Based on this estimate of total adult arrests in 2002, the CJSAC auditors determined a sample size of 1,481 was required to achieve a 95.0% level of confidence with a desired margin of error of 2.5%. The estimated sample size is based on a conservative estimate of the proportion of success and failures in outcomes. That is, it assumes that CHRs have a 50-50 chance of being complete or incomplete, accurate or inaccurate, and so forth.

Using an estimate of the appropriate sample size, at total of 1,522 arrest records were obtained from the random selection of law enforcement agencies in the state. The sample of 1,522 arrest records exceeds the number required to achieve 95.0% with +/- 2.5 percentage points. Thus, the CJSAC auditors are 95.0% confident that the findings reported in this audit represent the true population outcomes for all adult arrests in WV within this margin of error.

As shown in Table 2, the resulting sample appears to be rather representative of the state population of adult arrests. Roughly two-thirds of arrests records were derived from municipal police departments and small to midsize county sheriff departments and state police detachments. As shown in Table 2, approximately one-third of arrest records were obtained from each stratum. A total of 567 or 37.3% of sampled arrest records came from agencies in stratum 3, followed by stratum 1 at 499 or 32.8% and stratum 2 at 456 or 30.0%. Meanwhile, nearly two-thirds (62.7%) of the total sample of arrest records were obtained from municipal police departments, followed by state police detachments (26.9%) and county sheriff departments (10.4%).

Table 3 illustrates the distribution of the total sample by type of offense. The sample includes arrests for a wide range of offenses in terms of both type and severity. Again, the sample appears representative of the population of arrests in WV in that the distribution is skewed toward less serious, nonviolent offenses. Similar to the population of adult arrests in WV, the “other” offense category which is comprised largely of minor public order types of offenses makes up roughly one-third (34.7%) of the total sample of arrests.

The “other” offense category was followed by property (21.4%) and violent offenses (20.2%). Consistent with statewide population figures, shoplifting (7.2%) and other minor property offenses (6.1%) accounted for most of the property arrests in the sample. Likewise, assault and battery arrests constituted nearly twenty percent (17.8%) of all violent arrests. Arrests for DUI and drug trafficking and possession made up 15.7% and 7.9% of the total sample of arrests included in this audit. Similar to population estimates, drug possession arrests exceeded the proportion of trafficking arrests by more than a 2 to 1 margin. Refer to Appendix D for further details on the most serious offenses by agency type.

Table 3
Total Sample by Offense Category and Most Serious Offense

	N	%
Violent		
Murder/Non-Negligent Manslaughter	16	1.1%
Sexual Assault/Abuse	9	0.6%
Robbery	10	0.7%
Assault/Battery	270	17.8%
Property		
Burglary/Breaking & Entering	23	1.5%
Grand Larceny	5	0.3%
Forgery/Fraud	72	4.7%
Worthless Check	25	1.6%
Shoplifting	109	7.2%
Minor Property Offenses	93	6.1%
Drug		
Manufacture/Sale/Delivery Possession	33	2.2%
	87	5.7%
DUI		
All DUI Offenses	238	15.7%
Other		
Weapon Offenses	20	1.3%
Fugitive from Justice	17	1.1%
Obstruction/Resisting	39	2.6%
Diving on Suspended License	124	8.2%
Public Intoxication	89	5.9%
Open Container	14	0.9%
Failure to Appear	23	1.5%
Capias/Warrant	69	4.6%
Minor Other Offenses	131	8.6%
TOTAL	1,516	100.0%

Notes: There were 6 cases that were missing offense information and were not included in this analysis. Percentages may not total to 100.0% due to rounding.

Measurement

This section of the report describes the data collection instrument and measures used to assess the completeness, accuracy, and timeliness of CHRs. Arrest information was compiled from agency records using an audit form developed by CJSAC auditors. The information gathered on this data

collection form was later compared to arrest information contained on rap sheets at the central repository. The following discussion describes the data collection form and operational definitions or terms used in this audit to assess arrest information against CHRs maintained at the state police repository.

Data Collection Form

The data collection form used to gather arrest information from agencies is presented in Appendix E. The form used for the current audit closely models the data collection instrument used in the 1997 audit. For the purposes of this audit, some elements were added and other were modified or deleted from the form. The form captures basic demographic and arrest information, details of the fingerprint arrest card, court disposition information, and incarceration card information.

Arrest information was derived from various sources or documents. These included paper files at the arresting agency, paper files at the CIB (both of these are considered to be original source documents), and rap sheets, at the central repository. Rap sheets are synonymous to the actual automated listing of the CHR.

The first section of the form documented the basic demographic and arrest information found in the paper files at the arresting agency. When information was found to be missing on original source documents at the agency, paper files located at the CIB would be used to capture the remaining information. The basic demographic and arrest information captured on the data collection form includes the individual's name, date of arrest, charges, CDR number, ORI number, date of birth, state of birth, social security number, and various physical characteristics. This first section of this form was assessed against the arrestee's rap sheet for the specific arrest event documented on the form. Accuracy was not assessed for some items such as height, weight, eyes, or hair.

The middle section of the form captured fingerprint card information for each arrest. Fingerprint arrest cards, for the most part, were found in the paper files at the CIB. On occasion, fingerprint cards were found at arresting agencies. Elements assessed on a fingerprint card included the statute, signature of the person fingerprinted, officer identification (e.g., officer signature or number), fingerprints, photo available, and date of offense. These items could only be found on the fingerprint arrest card.

The bottom section of the form captured the court disposition information contained on CDR forms, presence of fingerprint arrest card, and incarceration card information. The data collection form measured the following elements: the presence of the CDR, fingerprint arrest card, incarceration card, final disposition, CDR disposition date, felony information from the CDR and rap sheet, SID number, and the stamp dates for each of the above forms and cards.

Stamp dates were used to determine the timeliness of the various information arriving at the CIB. As a matter of procedure, the CIB stamps all CDR forms and fingerprint arrest cards as they arrive at the CIB. If more than one CDR date was present, the most recent date was assessed. Court disposition information contained on the data collection form was assessed by comparing the information to rap sheets and stamp dates located on each of the forms and cards (see Appendix F for the audit form instructions).

All elements contained on the data collection form were assessed for completeness and missing information. Accuracy was assessed only for those elements in which information from original source documents could be compared against the rap sheets at the CIB. The dates contained on the form were used to assess the timeliness of records arriving at the CIB. The presence of CDR forms and fingerprint arrest cards received at the CIB was also captured on the audit data collection form. The following is a list of the codes contained on the data collection form and used to measure the completeness, accuracy, and timeliness of CHRs.

A = Accurate. Information contained on the rap sheet is the same when compared to the information from the original source documents.

E = Error or Inaccurate. Information contained on the rap sheet is different when compared to the information from the original source documents.

C = Complete. All of the information contained on the original source documents is present when compared to the information on the rap sheet.

I = Incomplete. All of the information contained on the original source documents is *not* present when compared to the information on the rap sheet.

MOS = Missing on Original Source Document. Information is completely absent from the original source document.

MRS = Missing on Rap Sheet. Information assessed is missing from the rap sheet.

Yes. Information being assessed exists in the original source document file at the CIB.

No. Information being assessed does not exist in the original source file at the CIB.

Overall Completeness and Accuracy

To obtain an estimate of the total number and percentage of CHRs that contain complete and accurate information, it is necessary to collapse all of the individual elements that make up each critical component into a single measure. By collapsing all of the individual components into a single measure, it is possible to assess the overall completeness and accuracy of arrests contained in the criminal history records system.

Errors and missing information found upon assessment of criminal history records (as well as the components that make up a criminal history record) are ordered in terms of seriousness. The CJSAC auditors considered information missing from original source documents (MOS) to be more serious than simply being incomplete and less serious than missing from the rap sheet (MRS). Information MRS was judged to be the most serious error in the assessment of overall completeness and accuracy. The following describes how overall completeness and accuracy were assessed in the current audit.

Overall Completeness. The completeness of a criminal history record can be assessed as complete, incomplete, MOS, and MRS (MRS is not applicable for fingerprint arrest cards). For a fingerprint arrest card or CDR form to be assessed as complete, it must include all elements that comprise the critical component being examined. An assessment of incomplete results when at least one of the elements is incomplete. Missing on original source documents (MOS) includes a

situation when at least one of the elements is missing from the original source. If a component contained incomplete information, but also had information MOS, it is considered to be MOS. MRS refers to instances where an element was found to be missing from the rap sheet. If a component contained both MOS and a MRS, these cases were classified as MRS.

Overall Accuracy. Similar to assessment of overall completeness, records can be assessed as accurate, inaccurate, MOS, and MRS. An assessment of accuracy is simply when all of elements are present and accurate. Inaccurate refers to a situation when at least one of the elements contains an error. Missing on original source documents (MOS) includes a situation when at least one of the elements is missing. Missing on rap sheet (MRS) includes a instance when at least one of the elements is missing from the sheet. If a component contained both MOS and MRS, these cases were assessed as MRS since this is considered to be the most serious assessment.

Timeliness Measures

The “timeliness” for the submission of arrest information submitted to the criminal history records system is measured separately from both completeness and accuracy. For this report, timeliness is measured by the number of days that elapse between the date of arrest and the information arriving at the CIB. Both the average or mean and median number or days are calculated to estimate the extent to which submission of arrest information to the central repository falls with in BJA standards and other state requirements. The discussion below provides an overview of the timeliness measures used in this audit.

Arrest to Fingerprint Card Arrival. This measures the length of time (in days) it takes for the fingerprint arrest card to arrival at the CIB. This is calculated by subtracting the fingerprint arrest card stamp date from the arrest date. Because a stamp date is required for this calculation, only those cases where a fingerprint arrest card was received at CIB are analyzed. In WV, fingerprint arrest cards must be submitted within ten days to the repository. This is an important measure used in the assessment of timeliness.

Arrest to Court Disposition. This measures the number of days from the date of arrest to the date of disposition. This is calculated by subtracting the disposition date found on the CDR from the arrest date. Only cases where a CDR was received at the CIB are assessed.

Arrest to CDR Arrival. This captures the length of time (in days) between the date of arrest and for the final court disposition report (CDR) to arrive at the CIB. This is calculated by subtracting the CDR stamp date from the arrest date. Because a stamp date is required for this calculation, only those cases where a CDR form was received at CIB are analyzed.

Disposition to CDR Arrival. This measures the number of days between the final court disposition and the arrival of the CDR form at the CIB. This is calculated by subtracting the CDR stamp date from the date of the disposition on the CDR. Since a stamp date is required for this calculation, only those cases where a CDR form was received at CIB were analyzed. BJA recommends that final disposition information should be reported to the repository within ninety days. The BJA standard is used to assess the timeliness of court disposition information.

Key Terms and Definitions

A variety of terms are used in this report to describe the data collection process and audit findings. The following section provides definitions for the most commonly used terms contained in this report.

As part of the audit process, CIB staff assisted the CJSAC auditors in collecting paper files and rap sheets at the central repository. In some instances, however, a problem would occur in actually locating the paper file or rap sheet at the CIB. When a paper file or rap sheet could not be located, the arrest record in question was classified in one the following ways as defined by the CIB staff.

No Record. No information exists at the CIB on this individual. No assessment could be made for these arrest records collected at the agency.

Not Listed. Information on the individual exists at the CIB, but the specific arrest record in question cannot be found.

The arrest is not listed on the rap sheet and no fingerprint arrest card was received at the CIB.

Not Converted. This indicates that the individual is listed in the master name index only, no CHR exists. *Demographics* can only be assessed with the master name index. The actual arrest information may be present at the CIB in the paper file, but has yet to be entered into the criminal history records system. *Arrest information* cannot be assessed against a rap sheet.

No File Found. This indicates that no paper file can be found at the CIB. In these cases, no further original source information can be documented. However, this information can be assessed against the rap sheets. This often occurred in cases when the individual was deceased or the file was pulled internally and not available for review.

The following definitions are essential to interpretation of the audit results. Definitions regarding the criminal history records system are provided. The terms completeness, accuracy, timeliness, original source documents, median are also defined.

Criminal History Record (CHR). A CHR is specific to the individual. The CHR is a chronological listing of all the offenses for which an individual has been arrested. The record includes basic demographics, specific arrest information, complete dispositional and correctional information. The automated print out of a CHR is also known as the person's rap sheet.

Critical Components. These are the various sections that combined to make up an individual's entire CHR. They are the arrest record, the fingerprint arrest card, and the final court disposition report (CDR).

Arrest Record. The arrest record includes the basic demographic characteristics of the individual as well as the specific arrest event. The specific elements that combined to make up the arrest record are: name, date of birth, state of birth, social security number, sex, race, height, weight, eyes,

hair, (demographics) date of arrest, charges, and ORI number (arrest information) and an accompanying fingerprint card.

Completeness. This represents the extent to which all of the original arrest information collected from the arresting agency is present in the corresponding CHR.

Completeness of Arrest Record. An arrest record is considered to be complete when all of the elements are present, including the fingerprint arrest card.

Completeness of the Criminal History Record. The CHR is considered to be complete when all the required arrest record elements are present, the fingerprint arrest card is present, and the final CDR is present.

Accuracy. This is the extent to which the original arrest information obtained from the arresting agency is accurately reflected in the corresponding CHR.

Timeliness. The amount of time it took for a particular piece of arrest information to arrive at the repository. Also, timeliness may refer to time periods between specific designated dates.

Original Source Documents. Based on the reverse auditing methodology these are the documents that are found either at the law enforcement agency or in the paper file at the CIB.

Median. This represents the point where the distribution is divided in half, with 50.0% of the cases falling above and below this point.

The type of offense associated with each arrest was collapsed into five categories. These offense groupings are based on the most serious charged listed for an arrest. The offense categories and the individual offenses that comprise each category are listed below.

Violent. Murder/non-negligent manslaughter, sexual assault/abuse, robbery, and assault/battery.

Property. Burglary/breaking and entering, grand larceny, forgery/fraud, worthless check, shoplifting, and minor property offenses.

Drug. Manufacturing/sale/delivery and possession.

DUI. All DUI offense are included here.

Other. Weapon offenses, fugitive from justice, obstruction/resisting, driving on suspended license, public intoxication, open container, failure to appear, capias/warrant, and other minor offenses.

Assessment of BJA Automation Standards

There are a total of four automation standards recommended by BJA. Three of the standards pertain to the automation of CHRs after October 1986, including the automation of master name index records and new records for offenders with prior manual records. The fourth automation standard addresses the actual procedures established for the timeliness of entering offense information into the automated system.

To assess the BJA standards that relate to the automation of CHRs, face-to-face interviews were conducted with the director of the CIB and staff during the month of March 2005. The purpose of these interviews was to allow CJSAC auditors to confirm audit findings from the February 1997 report. In addition, these interviews sought to ascertain the current status of automation efforts and the degree to which WV is in compliance with the BJA recommendations.

Analysis Plan

The reverse auditing methodology seeks to answer whether or not an arrest event actually arrived at the repository from its place of origin. Thus, the discussion of the results begins with an assessment of the total sample of records gathered from law enforcement agencies throughout the state. The central purpose of this analysis is to ascertain the proportion of arrest records, fingerprint cards, and CDR forms that were reported to the central repository. This analysis provides an estimate of the overall completeness of arrest records as well as CHRs in the state.

This assessment of overall completeness is followed by a detailed examination of arrest records and other critical

components of CHRs. Analyses of arrest records focus on records that were initially obtained from the agencies and later determined to have arrived at the CIB. Other analyses focus on records where a fingerprint arrest card or a CDR form for that arrest was found at the original source, either the agency or the CIB. These analyses are designed to evaluate the completeness, accuracy, and timeliness of arrest and disposition information.

Thus, two approaches are used to assess the adequacy of the criminal history records system. The first approach provides an estimate of the overall completeness of the criminal history records system based on the total sample of arrests. Meanwhile, the second approach provides a comprehensive review of the records that were actually located. The review focuses on the accuracy, completeness, and timeliness for critical components that comprise a CHR. The next section of this report presents the results of the 2005 audit of WV's criminal history records system.

Results

This section of the report presents the results of the criminal history records audit. The discussion begins with a presentation of the number of arrest records and CHRs that were found at the state police central repository. In addition, these results describe the overall completeness of arrest records and CHRs that were found at the central repository based on the total sample of arrests. The number and percentage of fingerprint arrest cards and court disposition report (CDR) forms received at the central repository are examined by type of agency and offense.

This discussion is followed by a comprehensive assessment of the arrest records and CHRs found at the CIB. The examination focuses solely on arrest records originally identified at each of the law enforcement agencies and subsequently located at the central repository. The primary purpose of this assessment is to evaluate the completeness, accuracy, and timeliness of the critical components that make up a complete CHR.

The assessment of the critical components highlights the degree to which information contained in the criminal history record system is congruent with the original source documents completed at the time of the arrest and at court disposition. Estimates of completeness, accuracy, and timeliness are derived by comparing original source documents to information contained on the CHR or rap sheet maintained at the central repository.

The discussion of the results concludes with an assessment of the BJA automation standards. The findings based on the face-to-face interviews with CIB staff and the director are reviewed. The presentation of the results begins with an assessment of the total sample of arrests and the records submitted to the central repository or CIB.

Assessment of the Total Sample of Arrests

Using a reverse audit methodology, this report examines arrest information gathered from law enforcement agencies throughout the state and compares this information to CHRs maintained at the state police central repository. In this section of the report, we describe how many of the total sample of

Table 4
Completeness for Total Sample of Arrest Records (N = 1,522)

	Arrest Records		Criminal History Records	
	N	%	N	%
Complete	948	63.3%	585	39.0%
Incomplete	44	2.9%	29	1.9%
MOS	190	12.7%	570	38.0%
MRS	316	21.1%	316	21.1%
Total	1,498	100.0%	1,500	100.0%

Notes: A total of 24 cases were missing from the arrest records and 22 cases were missing from the criminal history records. These cases were excluded from this analysis.

arrests actually arrived at the CIB and the extent to which the information is complete. Thus, the overall completeness of both arrest records and CHRs are assessed.

Completeness of Arrest and Criminal History Record

Arrest records are comprised of basic demographic information of the arrestee, charge information, arresting agency information, and a fingerprint arrest card. For an arrest record to be complete, it must contain a fingerprint arrest card and all of the demographic and agency information must be present.

A complete CHR is defined as having all required arrest information, a fingerprint arrest card, and a final CDR form for the specific arrest. The required arrest information includes the following individual elements: name, date of birth, date of arrest, charges, ORI number, and accompanying fingerprints. Records are assessed as incomplete when any of the required arrest elements are not complete. Information missing from the original source document or missing from the rap sheet are indicated as MOS and MRS, respectively.

A total of 1,522 arrests comprise the sample for the reverse audit. Table 4 displays the completeness of both arrest

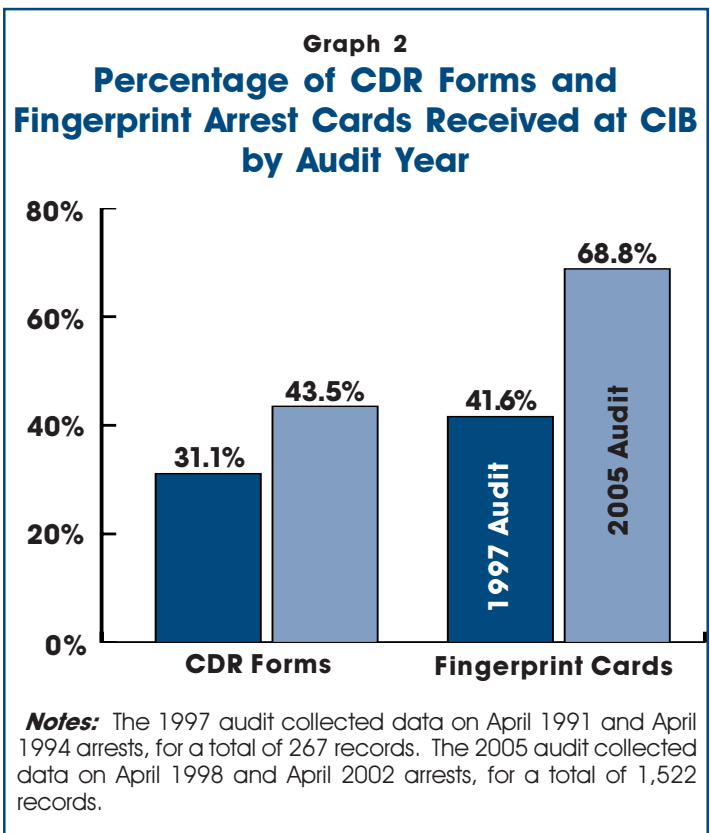
and CHRs for the sample of “valid” arrest events (see Sample section). It is important to note that in some instances a full assessment was not possible. For instance, the criminal history records system contained only demographic information for 48 or 3.2% of all arrests contained in the sample. As a result, only the demographic information of the individual arrestee could be assessed using the master name index. In addition, there were 140 records or 9.2% of all sampled arrests where no information on the individual arrested existed at the CIB. These records are considered to be missing and are captured in the missing from original source (MOS) category in Table 4. A total of 282 or 18.5% of all arrests sampled had no listing of the particular arrest event on the CHR or rap sheet. Therefore, the specific arrest information is considered to be missing and these records are captured in the missing on the rap sheet (MRS) category.

Only 585 or 39.0% of arrests were assessed as complete in the criminal history records system, having all of the required arrest elements, a fingerprint arrest card, and a final CDR form (Table 4). Nearly two-thirds (59.1%) of arrests were either MOS or MRS. This is reflective of the fact that over half (56.5%) of the 1,522 records audited had no accompanying CDR form. Only 29 or 1.9% of arrests had one or more of the required arrest elements assessed as incomplete.

The results in Table 4 further show the degree to which arrest records are complete. When the criteria for completeness is reduced to having all of the required arrest elements and a fingerprint card only, the percentage of records assessed to be complete increased by 24.3%. A total of 948 (63.3%) of all audited arrests were determined to be complete, having all required arrest elements and an accompanying a fingerprint arrest card. The percentage of records found to be MOS declined by 25.3%, from 38.0% to 12.7%. The proportion of records assessed as MRS remained the same.

Fingerprint Arrest Cards and CDR Forms Received: A Comparison of 1997 and 2005 Audit Findings

Graph 2 displays the percentage of CDR forms and fingerprint cards received at the CIB by audit year. A comparison of 1997 and 2005 audit findings shows that a greater percentage of fingerprint cards and court disposition information are being submitted to the central repository. The percentage of records containing CDR forms and fingerprint arrest cards in 2005 increased compared to 1997 figures.



Of the 1,522 records collected from law enforcement agencies, a fingerprint arrest card was located at the CIB for 1,047 or 68.8%. In contrast, the 1997 audit found only 41.6% of CHRs at the central repository were accompanied by a fingerprint arrest card. This represents a 27.2% increase over the percentage of fingerprint cards found in the 1997 audit.

Similar to fingerprint arrest cards, a greater percentage of CHRs were also found to have final court disposition information. A total of 662 or 43.5% of CHRs contained a CDR form. The 1997 criminal history audit reported that only 31.1% of arrests contained a CDR form at the CIB. As a result, there is a modest increase in the proportion of records at the CIB that contain court disposition information. Nonetheless, the results illustrate that a majority of CHRs still do not contain final CDR forms at (56.5%).

The remainder of this section focuses on those fingerprint arrest cards and CDRs that were received at the CIB. Analyses are presented by agency type and offense category for each. It is important to note that analysis by type of agency and CDR forms received at the CIB did not show any substantial variation.

Table 5
Fingerprint Arrest Cards Received at CIB
by Agency Type (N = 1,522)

	<u>Received at CIB</u>		<u>Municipal Police</u>		<u>Sheriff's Departments</u>		<u>State Police Detachments</u>	
	N	%	N	%	N	%	N	%
Yes	1,047	68.8%	671	70.3%	103	65.2%	273	66.7%
No	475	31.2%	284	29.7%	55	34.8%	136	33.3%
Total	1,522	100.0%	955	100.0%	158	100.0%	409	100.0%

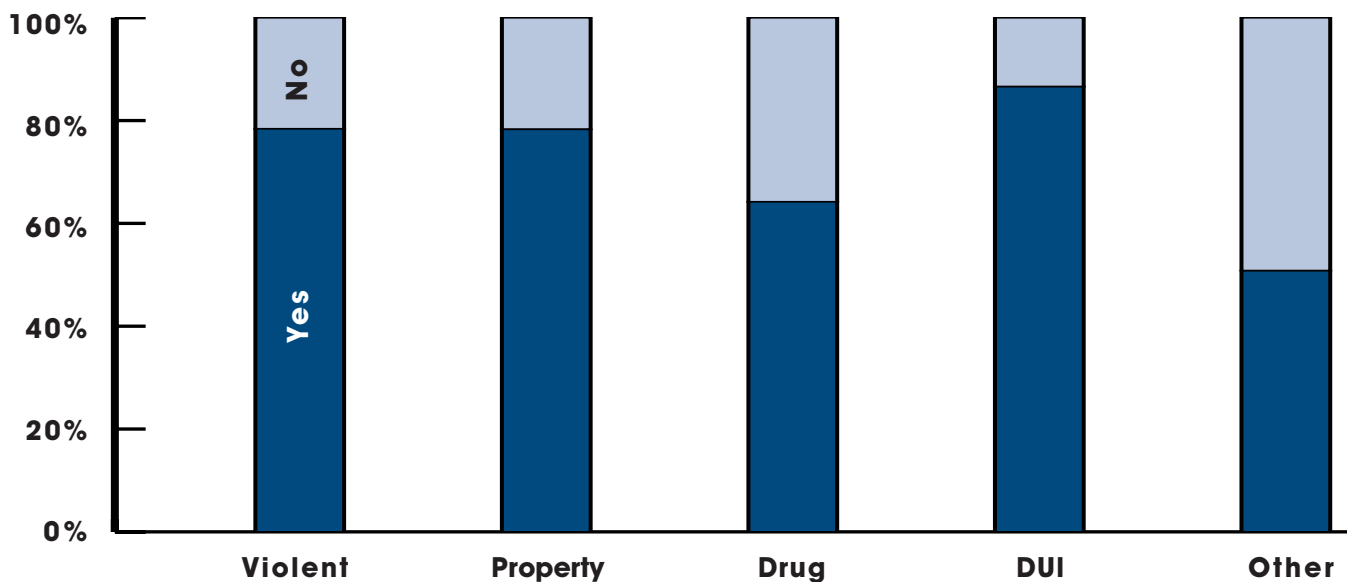
Fingerprint Arrest Cards Received by Agency Type

Table 5 displays the number and percentage of fingerprint cards received at the CIB by agency type. As noted above, roughly two-thirds (68.8%) of the sampled records had a fingerprint arrest card associated with them at the CIB. However, a closer examination of fingerprint cards received by agency type indicates that there is some variation across law enforcement agencies. Municipal police departments were most likely to have their fingerprint arrest cards arrive at CIB, at 70.3%, followed by state police detachments (66.7%), and sheriff's departments (65.2%).

Fingerprint Cards Received by Offense Category

The completeness of CHRs may or may not be influenced by offense seriousness. Law enforcement agencies and courts may be more or less diligent in ensuring that all of the pertinent information is submitted to and received at the central repository depending on the seriousness of the offense. To examine whether this is the case, the type of offense is used as a proxy measure of seriousness. Graph 3 displays the percentage of fingerprint cards received at the CIB by offense category.

Graph 3
Percentage of Fingerprint Arrest Cards Received at CIB by
Offense Category (N = 1,516)



Notes: A total of 6 arrest records contained missing offense information and were excluded from this analysis. Yes refers to those fingerprint arrest cards that were received at the CIB. No refers to those that were not received at the CIB

Table 6
CDR Forms Received at CIB by Offense Category
(N = 1,516)

Received at CIB	Violent		Property		Drug		DUI		Other	
	N	%	N	%	N	%	N	%	N	%
Yes (N= 662)	171	56.1%	148	45.3%	49	40.8%	125	52.5%	169	32.1%
No (N=854)	134	43.9%	179	54.7%	71	59.2%	113	47.5%	357	67.9%
Total	305	100.0%	327	100.0%	120	100.0%	238	100.0%	526	100.0%

Note: A total of 6 arrest records contained missing offense information and were excluded from this analysis.

Results indicate, there is variation in the percentage of fingerprint cards received at the CIB by offense type (see Methods section for a description of the most serious offenses contained in each category). Given the inherent nature of violent offenses, it might be anticipated that fingerprint cards for violent crimes would be received at the CIB at a higher rate than the other offense categories. In contrast, fingerprint cards for public order offenses might be received at the CIB at a lesser rate.

In fact, the results displayed in Graph 3 do indicate that fingerprint cards are the least likely to be received at the CIB for “other” offenses (49.2%). The “other” category includes a wide range of arrests indicative of public order offenses. Some of these offenses include public intoxication, open container violations, failure to appear in court, and arrests on capias or warrants. The drug offense category represented the next largest percentage of fingerprint arrest cards that did not arrive at the CIB, at 35.8%. A majority of drug arrests consisted of possession charges.

In terms of property and violent offenses, approximately 1 in 5 arrests did not contain a fingerprint arrest card at the central repository. The CIB did not receive fingerprint arrest cards for slightly more than twenty percent of arrests for property (21.7%) and violent offenses (21.6%). One half of all property arrests were for shoplifting charges, followed by minor property offenses. Roughly eighty percent (81.8%) of violent offenses were for assault and battery charges. It is noteworthy, that there were only 16 murder/non-negligent manslaughter records in the sample of 1,522 arrest records and over one half did not have a fingerprint arrest card arrive at the central repository.

The CIB was most likely to receive fingerprint cards for DUI arrests. Roughly 8 out of every 10 arrests (86.6%) for DUI had a fingerprint card associated with them at the central

repository. It is important to note, however, that DUI arrests comprised only 15.7% of the 1,522 arrest records sampled.

Court Disposition Report Forms by Offense Category

Similar to the analysis of fingerprint cards received at the CIB by offense category, Table 6 examines the extent to which CDR forms are reflected in the criminal history records system at the central repository by type of offense. In general, greater than one half of the arrests for all offense categories had no accompanying CDR arrive at the CIB, with the exception of the violent offense category. A CDR form was not received at the central repository for approximately 4 out of 10 arrests that involved some form of violence.

In other respects, the types of offenses for which a CDR was found at the CIB is rather consistent with the pattern found for fingerprint arrest cards. Similar to fingerprint arrest cards, final dispositional information was least likely to be received at the CIB for “other” and drug offenses. Nearly 7 out of 10 arrest records for “other” offenses did not have a final CDR form associated with them at the central repository. As reported in Table 6, the CIB did not receive a CDR form for 357 or 67.9% of the 526 arrests for offenses in the “other” category.

In addition, approximately sixty percent (59.2%) of all sampled arrests involving drug offenses did not have a final CDR form associated with them at the CIB. Drug offenses were followed by property and DUI offenses. For property offenses, 54.7% did not have a CDR form arrive at the CIB. Over one half of the property offenses were for shoplifting charges and other minor property offenses. For DUI offenses, 47.5% did not have final dispositional information recorded in the criminal history records system.

Assessment of Criminal History Record Critical Components

This section of the report focuses on only those critical components (i.e., arrest records, fingerprint arrest cards, and CDR forms) that constitute a CHR. Analyses are designed to further evaluate the completeness, accuracy, and timeliness of each of these critical components. The first critical component discussed is the arrest record. Analyses here focus on records that were initially obtained from law enforcement agencies *and* subsequently received at the central repository. The last two sections discuss analyses that focus on records where an accompanying fingerprint arrest card or a CDR form for that arrest was located at *either* the law enforcement agency or the CIB. Estimates of completeness, accuracy, and timeliness are derived by comparing the original source documents to information contained on the CHR or rap sheet maintained at the central repository. This sections begins with an analysis of critical elements that comprise an arrest record.

Arrest Record

A complete arrest record contains basic demographic information of the arrestee, charge information, an arresting agency identifier, and a fingerprint arrest card. The CIB considers certain elements of the arrest record to be “critical

elements.” These critical elements include: name, date of birth, charge(s), date of arrest, ORI number, social security number, state of birth, sex, race, eye color, hair color, height, and weight (see Table 7).

The following analyses examine the completeness and accuracy of arrest records received at the central repository in terms of the 13 critical elements described above. Since the CIB does not acknowledge that an arrest has actually occurred until a fingerprint arrest card is received and accepted, only those arrest records where a fingerprint arrest card was received and accepted by the CIB are analyzed. A total of 1,047 arrest records are examined.

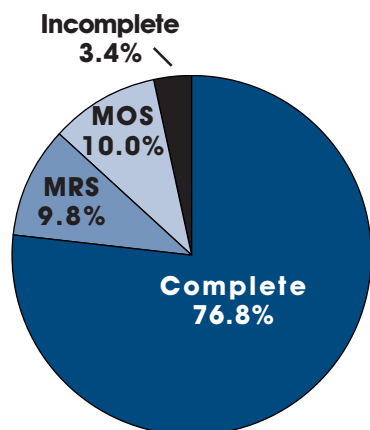
Completeness of Critical Elements for the Arrest Record

The overall completeness for the total sample of arrest records received at the CIB is shown in Graph 4. Overall completeness is based on an assessment of all 13 critical elements of an arrest record. The results indicate that 76.8% of all arrest records were assessed as complete, containing all 13 critical arrest record elements. Less than five percent (3.4%) of arrest records received by the CIB had at least one incomplete critical element.

A greater percentage of arrest records have at least one critical element missing from the original source documents or CHR/rap sheet. The results show that 1 out of every 10 arrests records that arrived at the CIB have at least one critical element missing in the original source documents. Also, nearly ten percent (9.8%) of all arrest records have at least one critical arrest element missing from the rap sheet or CHR.

The completeness for each of the 13 critical elements of an arrest record is assessed in Table 7. When each critical element of an arrest record is examined separately, it is clear that most are rather complete. All of the individual arrest elements were 96.0% complete or greater, with the exception of state of birth and charges. As shown in Table 7, name, date of birth, sex, race, height, and weight were over 99.0% complete. Meanwhile, social security #, arrest date, ORI #, eyes, and hair were assessed as being between 96.0% and 99.0% complete. For this sample of arrest records, gender was the single most complete critical element at 100.0% complete.

Graph 4
Completeness of Arrest Records
(N = 1,047)



Notes: A total of 19 arrest records were not converted. These records were handled as missing cases and excluded from this analysis.

Table 7
Completeness of Critical Arrest Record Elements
(N = 1,047)

Elements	Complete		Incomplete		MOS		MRS	
	N	%	N	%	N	%	N	%
Name	1,046	99.9%	1	0.1%	0	0.0%	0	0.0%
Date of Birth	1,046	99.9%	0	0.0%	1	0.1%	0	0.0%
State of Birth	905	86.4%	0	0.0%	78	7.4%	64	6.1%
Social Security #	1,024	97.8%	2	0.2%	15	1.4%	6	0.6%
Arrest Date	1,002	97.9%	0	0.0%	0	0.0%	21	2.1%
Charges	969	94.7%	34	3.3%	0	0.0%	20	2.0%
ORI #	995	97.3%	0	0.0%	8	0.7%	20	2.0%
Sex	1,047	100.0%	0	0.0%	0	0.0%	0	0.0%
Race	1,046	99.9%	1	0.1%	0	0.0%	0	0.0%
Height	1,040	99.3%	0	0.0%	0	0.0%	7	0.7%
Weight	1,038	99.1%	0	0.0%	2	0.2%	7	0.7%
Eyes	1,012	96.7%	2	0.2%	22	2.1%	11	1.1%
Hair	1,017	97.1%	2	0.2%	12	1.1%	16	1.5%

Notes: A total of 24 arrest records were missing information on the arrest date, charges, and ORI #. These records were handled as missing and excluded from this analysis. Percentages may not total to 100.0% due to rounding.

State of birth and charge represent the only two critical elements that were found to be less than 96.0% complete. The specific charge was the most incomplete element within the arrest record at 3.3%. One potential reason for this may be due to additional charges having been filed against an individual between the time of arrest (when the original source information was gathered) and subsequent prosecution and disposition. In such instances, more charges may appear on the rap sheet than had previously been documented from the original source information.

Some critical arrest elements had information missing from the original source document(s) (MOS) or the rap sheet (MRS). In particular, a rather large percentage of arrest records were missing information on the arrestee's state of birth. State of birth was missing from the original source document in 7.4% of the arrest records and missing from the rap sheet in 6.1% of the cases. As a result, state of birth was assessed to be complete in only 86.4% of all arrest records received at the CIB. Other critical arrest elements missing information on the rap sheet included: arrest date (2.1%),

charge (2.0%), ORI # (2.0%), hair (1.5%), eyes (1.1%), height (0.7%), weight (0.7%), and social security number (0.6%).

Accuracy of Critical Elements for the Arrest Record

Once arrest records are assessed for completeness it is possible to evaluate the available information on the basis of accuracy. That is, it is possible to assess the extent to which the arrest information obtained from original source documents is accurately reflected on the CHR or rap sheet at the central repository. The accuracy of the arrest information recorded in the criminal history records system is assessed for all critical arrest elements, except height, weight, eyes, and hair.

The results of the overall assessment for accuracy are displayed in Graph 5. All 9 critical arrest elements were assessed as accurate for roughly two-thirds (65.9%) of arrest records received at the CIB. At the same time, however, a fairly large percentage of rap sheets contained at least one critical arrest element with inaccurate information or some missing information. When original arrest information was

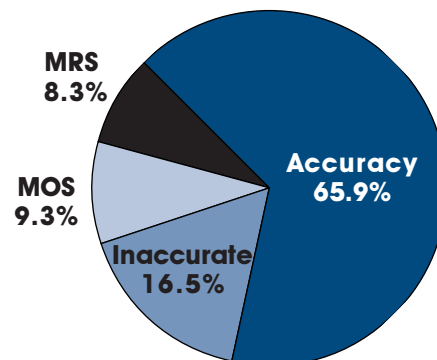
compared to corresponding rap sheets, 16.5% of all arrest records contained inaccurate information on at least one critical arrest record element.

Other errors that impact the accuracy of arrest records contained in the criminal history records system include information missing from original source documents (MOS) and rap sheets (MRS). Nearly the same percentage of arrest records had at least one critical element MOS or MRS. Just under ten percent (9.3%) of all arrest records sampled had at least one critical element missing from an original source document(s), compared to 8.3% having information missing from the CHR or rap sheet.

The accuracy for each of the 9 critical arrest elements is assessed in Table 8. Most of the critical arrest elements appear to be rather accurate in the criminal history records system. Gender, date of birth, and arrest date were reflected accurately in the CHR in 97.0% to 98.4% of the records received at the CIB.

Similar to the completeness assessment, gender was the most accurate element within in the arrest record, at 98.4%. Meanwhile, the least accurate element was state of birth, at 82.9%. Other critical arrest elements assessed as inaccurate on CHRs or rap sheets included social security # (4.8%), state of birth (3.5%), name (3.4%), and race (3.0%).

Graph 5
Accuracy of Arrest Records
(N = 1,047)



Notes: A total of 15 arrest records were not converted. These records were handled as missing and excluded from this analysis.

Some elements were also missing information in the original source documents and/or rap sheets. In terms of information missing from original source documents, the state of birth and social security number of arrestees were the most common elements not found. Elements that were most likely to be missing from the rap sheet were state of birth (6.1%), arrest date (2.1%), charge(s) (2.0%), and ORI number (2.0%).

Table 8
Accuracy of Critical Arrest Record Elements
(N = 1,047)

Elements	Accurate		Inaccurate		MOS		MRS	
	N	%	N	%	N	%	N	%
Name	1,011	96.6%	36	3.4%	0	0.0%	0	0.0%
Date of Birth	1,018	97.2%	28	2.7%	1	0.1%	0	0.0%
State of Birth	868	82.9%	37	3.5%	78	7.4%	64	6.1%
Social Security #	976	93.2%	50	4.8%	15	1.4%	6	0.6%
Arrest Date	992	97.0%	10	1.0%	0	0.0%	21	2.1%
Charges	982	96.0%	21	2.1%	0	0.0%	20	2.0%
ORI #	975	95.3%	20	2.0%	8	0.8%	20	2.0%
Sex	1,030	98.4%	17	1.6%	0	0.0%	0	0.0%
Race	1,015	96.9%	31	3.0%	1	0.1%	0	0.0%

Notes: A total of 24 arrest records were missing information on the arrest date, charges, and ORI #. These records were handled as missing and excluded from this analysis. Percentages may not total to 100.0% due to rounding.

Table 9
Completeness of Fingerprint Arrest Cards
by Agency Type (N = 1,094)

Assessment	Municipal Police		Sheriff's Departments		State Police Detachments	
	N	%	N	%	N	%
Complete	271	38.8%	42	35.6%	89	32.1%
Incomplete	2	0.3%	1	0.8%	1	0.4%
MOS	426	60.9%	75	63.6%	187	67.5%
Total	699	100.0%	118	100.0%	277	100.0%

Fingerprint Arrest Cards

This section of the report examines arrest records, in which a fingerprint arrest card was found in the original source documents, either at the law enforcement agency or the CIB. Fingerprint arrest cards are assessed only for completeness and timeliness since no comparison to the rap sheet is conducted. Of the 1,522 arrest records sampled from law enforcement agencies, a total of 1,094 or 71.9% were accompanied by a fingerprint arrest card. The following analyses examine the completeness and timeliness of the 1,094 fingerprint arrest cards contained in original source documents.

Completeness of Fingerprint Arrest Cards

For a fingerprint arrest card to be complete, all of the elements captured on the card must be complete. Only 402 or 36.7% of the 1,094 fingerprint arrest cards found in original source documents were assessed as complete. A total of 4 or 0.4% of cards were assessed as having incomplete fingerprints. While, 688 or 62.9% of all fingerprint cards identified in original source documents contained missing information.

As shown in Table 9, the degree to which fingerprint arrest cards were found to be completed varied slightly across different agency types. Municipal police departments had the largest percentage of fingerprint cards assessed as complete at 38.8%. Slightly fewer fingerprint arrest cards were assessed as complete for county sheriff departments (35.6%), and state police detachments (32.1%). It is important to note, however, that nearly half of the fingerprint arrest cards completed by municipal police departments listed city ordinance codes rather than state codes or statutes. For this audit, fingerprint arrest cards that cited city ordinance codes or statutes were also assessed as complete.

State police detachments had the largest percentage of fingerprint arrest cards missing at least one element at 67.5%, followed by sheriff's departments (63.6%), and municipal police departments (60.9%). In terms of specific elements missing from fingerprint arrest cards, all three agency types had a relatively large proportion of cards that did not contain a city or state code or statute. In fact, over one half (51.4%) of all fingerprint arrest cards completed by municipal law enforcement agencies had missing code or statute information. A total of 31.4% and 19.1% of all fingerprint cards completed by county sheriff's departments and state police detachments, respectively, did not contain WV statute or city ordinance information. In addition, over one half (56.3%) fingerprint arrest cards completed by state police detachments did not contain photographs of the arrestee, compared to 27.1% of cards submitted by county sheriff's departments and 11.6% municipal police departments.

Table 10 displays the results of the completeness of fingerprint arrest cards by offense category. Regardless of type of offense, no category had over fifty percent of arrest cards with all information evaluated as complete. DUI offenses not only had the largest percentage of cards arrive at the CIB, but they were also the most complete at 44.8%. DUI arrests were followed by drug (40.0%), violent (36.9%), property (34.1%), and "other" offenses (32.5%). As noted previously, only a small percentage of fingerprint arrest cards were assessed as incomplete. Most fingerprint cards contained some missing information.

In terms of missing information by type of offense, the "other" offense category contained the largest percentage of fingerprint cards with at least one missing element. A total of 191 or 67.5% of the 283 fingerprint arrest cards submitted for an "other" offense contained some missing information.

The majority of these offenses were for driving on a suspended license, an issuance of a capias/warrant, and “other” minor offenses.

In addition to the “other” offense category, fingerprint cards for roughly two-thirds of property, violent, and drug offenses also contained missing information. A total of 176 or (65.9%) of the 267 fingerprint arrest cards submitted for property offenses had at least one missing element. The property offenses that contained missing information were for shoplifting, other minor property, forgery, and fraud charges. Slightly above sixty-two percent (62.7%) of cards completed for violent arrests also had missing information, with most of the information coming from assault and battery charges. The DUI category had the least amount of information missing from the fingerprint card at 53.8%.

Graph 6 shows the percentage of fingerprint cards assessed as complete by specific element for the 1,094 fingerprint cards found at the original source. Specific elements that comprise a fingerprint card include: fingerprints, signature of the person fingerprinted, date of offense, officer identification, photo available, and the WV statute (or city ordinance) that corresponds to the charges at the time of arrest.

As shown in Graph 6, the actual fingerprints of the arrestee were the single most complete element on the fingerprint card at 98.4%, followed by the signature of the person fingerprinted (97.0%), and the date of offense (91.0%). Less than ninety percent (86.3%) of fingerprint arrest cards contained the officer identification element which included either the officer’s signature or permanent identification number. Roughly three-quarters (75.4%) of all fingerprint arrest cards indicated the availability or non

availability of arrestee photographs. Only 4 out of every 10 fingerprint arrest cards included complete information for the WV statute or city ordinance that established the basis for the arrest.

In terms of missing elements, the WV statute (or city ordinance) was the single most missed element on all fingerprint arrest cards found in the original source documents. The WV statute or city ordinance was missing in over forty percent (41.0%) of all fingerprint arrest cards assessed. Missing statute information was followed by the photo availability check box (24.6%) and the officer identification number or signature (13.7%). This audit found only 9 cases in which the actual fingerprints were assessed as incomplete. The following section examines the timeliness of fingerprint arrest cards submitted to the state police central repository.

Timeliness of Fingerprint Arrest Cards

An important criterion for assessing the state or condition of WV’s criminal history record system is the “timeliness” in which fingerprint arrest cards are submitted to the repository by law enforcement agencies. An assessment of timeliness, measures the length of time between the date of arrest and arrival of the arrest information at the CIB. Based on the operating procedures of the central repository, all arrest records including fingerprint arrest cards are date stamped upon arrival at the CIB. This stamp date is used to calculate the number of days for the arrest record to arrive at the CIB after the date of arrest. The following analysis examines the timeliness of 1,047 fingerprint arrest cards that were found at the central repository.

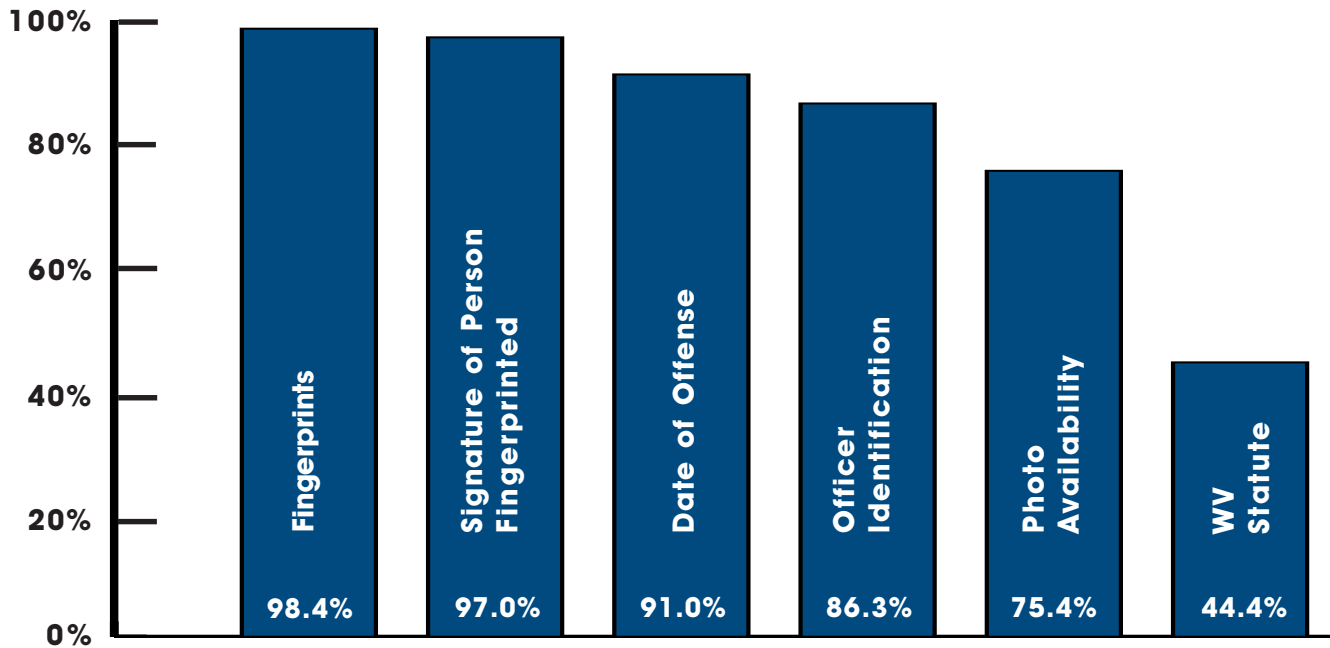
Fingerprint cards are required to be submitted to the central repository within ten days of the date of arrest in WV. The

Table 10
Completeness of Fingerprint Arrest Cards by Offense Category
(N = 1,094)

Assessment	Violent		Property		Drug		DUI		Other	
	N	%	N	%	N	%	N	%	N	%
Complete	93	36.9%	91	34.1%	32	40.0%	94	44.8%	92	32.5%
Incomplete	1	0.4%	0	0.0%	0	0.0%	3	1.4%	0	0.0%
MOS	158	62.7%	176	65.9%	48	60.0%	113	53.8%	191	67.5%
Total	252	100.0%	267	100.0%	80	100.0%	210	100.0%	283	100.0%

Note: A total of 2 cases were missing for type of offense and were excluded from this analysis.

Graph 6
Percent of Fingerprint Arrest Card Elements Complete
(N = 1,094)



Bureau of Justice Assistance (BJA) recommends that fingerprints taken at arrest and/or confinement should be submitted to the state repository within 24 hours.

To assess the timeliness of fingerprint cards, the mean and median number of days are reported as estimates of the length of time it takes for fingerprint information to arrive at the CIB. Cases that represented outliers were excluded from the analysis in an effort to make the time estimates more representative of the actual length of time between most arrests and arrival of the arrest information at the repository. Cases that took three months or more to arrive at the CIB were considered outliers and represented only 1.7% of the total sample of fingerprint cards. In addition, a total of 41 records that contained illogical dates were excluded, resulting in a final sample of 1,006 fingerprint arrest cards.

Table 11 displays the mean and median number of days for fingerprint arrest cards to arrive at the CIB by agency type. Prior to reviewing the results by agency type, however, it is important to note that the mean or average number of days for *all* fingerprint arrest cards to arrive at the CIB was 12.8 days. Over one half (57.3%) of all fingerprint cards arrived at the CIB within the ten day requirement.

As shown in Table 11, the number of days for fingerprint arrest cards to be received by the central repository does vary

by the type of law enforcement agency. Regardless of the statistic examined, fingerprint cards submitted by municipal police departments arrived at the CIB in the fewest number of days. For municipal police departments, the average and median number of days between the time of arrest and arrival of fingerprint cards at the CIB fell within a period of 10 days. Of the 660 valid records for which fingerprint arrest cards were submitted by municipal police departments, it took an average of 9.4 days for the cards to be stamped at the central repository. The median time between arrest and arrival of the cards at this CIB was 8.0 days. Over two-thirds (67.4%) of fingerprint cards submitted by municipal police departments arrived within 10 days of the date of arrest.

For both sheriff's departments and state police detachments, the timeliness for the submission of fingerprint arrest cards exceeded 10 days. On average, fingerprint cards submitted by state police detachments took 17.9 days to arrive at the central repository. The median time between the time of arrest and arrival of the cards at the CIB was 12.0 days. Of the 251 valid records for which fingerprint cards were received at the CIB from state police detachments, only 39.8% arrived within 10 days of the arrest.

The mean and median number of days between the date of arrest and arrival of fingerprint cards at the CIB was longer

Table 11
Number of Days for Fingerprint Arrest Cards to Arrive at CIB by Agency Type (N = 1,006)

	Mean	Median
Municipal Police	9.4	8.0
Sheriff's Departments	22.6	14.0
State Police Detachments	17.9	12.0

Note: Cases over ninety days were excluded from this analysis.

for county sheriff's departments, compared to the other two types of law enforcement agencies. There were a total of 95 valid records for which fingerprint arrest cards were sent to the CIB by county sheriff's departments, excluding 3.0% of cases considered to be outliers and 8 missing cases. The average or mean time for fingerprint arrest cards to arrive at the CIB from sheriff's departments was 22.6 days. Slightly less than one-third (32.6%) of fingerprint arrest cards sent by county sheriff's departments arrived at the CIB within 10 days. The following section turns to the last critical component of CHRs to be reviewed—court disposition reports (CDR) forms.

Court Disposition Report Forms

This section of the report examines arrest records in which a CDR form was found in original source documents, either at the CIB or the arresting agency. Similar to arrest records and fingerprint arrest cards, the contents of CDR forms gathered from original source documents was compared to rap sheets or CHRs at the CIB. The final court disposition information contained in CDR forms was assessed for completeness, accuracy, and timeliness. A total of 670 CDR forms were examined.

Completeness of Court Disposition Report Forms

All of the individual elements that comprise a CDR form were assessed against the rap sheets or CHRs maintained at the state police repository. For a CHR or rap sheet to be complete, it must contain all of the final disposition information

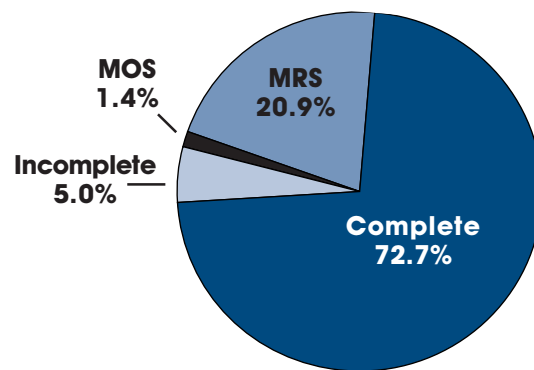
contained on a CDR form. The rap sheet must have a final disposition (including the charge, which may include a reduction of the original charge, the plea, the finding, and the actual sentence imposed) and date for the disposition as well as a corresponding CDR number.

Graph 7 shows the proportion of CHRs that contained complete court disposition information. For the sample of 670 arrest events for which a CDR form was found, a total of nearly three-quarters (72.7%) of criminal history records or rap sheets contained complete court disposition information. Only 5.0% of CHRs were assessed as having incomplete disposition information, while details were missing from the original source documents in 1.4% of the cases. Court disposition information was missing from rap sheets at the CIB in 487 or 20.9% of the 670 cases examined.

Only minor variation in the completeness of court disposition information was present when examined by type of offense. Regardless of the offense, roughly 7 in 10 CHRs contained complete court disposition information. Court disposition information was most complete for CHRs that pertained to drug (76.6%) and property offenses (75.0%). These offense categories were followed by violent (74.1%), "other" (72.7%), and DUI offenses (68.6%).

In terms of missing and incomplete cases, property offenses accounted for the largest percentage of records with incomplete information at 6.7%. However, information missing from rap sheets contributed the most to CHRs not being complete. Roughly 1 in 4 DUI offenses (25.4%) had

Graph 7
Completeness of Dispositional Information (N = 645)



Notes: Dispositional information was missing from 25 cases. These cases were handled as missing and excluded from this analysis.

court disposition information missing from rap sheets. Likewise, approximately 1 in 5 cases that pertained to violent (20.5%) and “other” offenses (20.9%) had final disposition information missing from CHRs. Assault and battery charges comprised the overwhelming majority of the violent offenses that had dispositional information missing from rap sheets, less than 6.0% were for robbery charges.

Graph 8 depicts the percent of CHRs complete by CDR elements. As noted previously, these elements include the final disposition, date of disposition, and CDR number. Over ninety percent of CHRs examined in this audit contained a complete final disposition and the date of the disposition. When these CDR elements were compared to rap sheets at the central repository, 93.6% and 90.2% of CHRs contained a disposition date and final disposition respectively. Less than eighty percent (79.2%) of rap sheets had a complete CDR number. The element that was most often missing from the rap sheet was the CDR number at 20.3%, followed by the disposition date at 3.3%. The accuracy of court disposition information on CHR is discussed below.

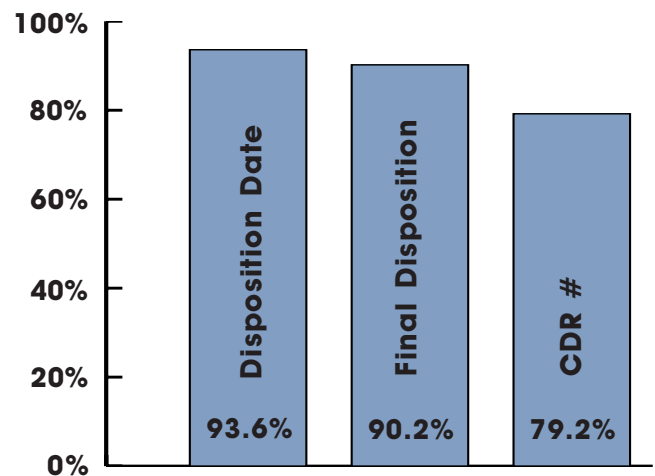
Accuracy of Court Disposition Report Forms

This section describes the degree to which disposition information recorded on rap sheets accurately reflects the information contained on CDR forms found in original source documents. Graph 9 presents the accuracy of disposition information for the sample of 645 records examined. For all arrests in which a CDR form was found at either the arresting agency or the CIB, a total of 450 or 69.8% of records contained accurate disposition information. In contrast, less than eight percent (7.9%) of CHRs contained some information that was deemed to be inaccurate.

Disposition information was found to be missing in the original source documents for only 1.4% of cases (see Graph 9). However, a rather large percentage of rap sheets were simply missing at least one element contained on the CDR form. CHRs were missing disposition information in 20.9% of the 645 arrests examined.

The results indicate some variation in the overall accuracy of final disposition information when examined by broad offense categories. While DUI offenses had the most complete fingerprint arrest cards, these offenses had the lowest accuracy rating in regards to dispositional information. Approximately two-thirds (65.3%) of rap sheets that pertain

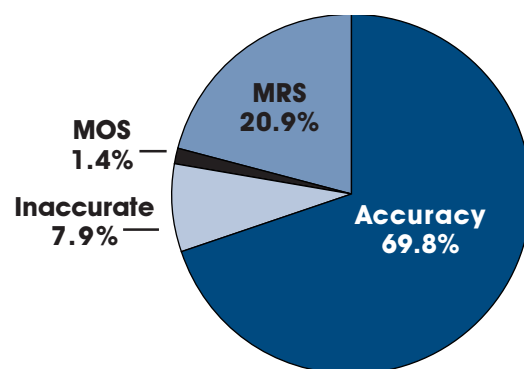
Graph 8
Percent of CDR Elements Complete
(N = 645)



Notes: Dispositional information was missing from 25 cases. These cases were handled as missing and excluded from this analysis.

to DUI offenses contained fully accurate information. CHRs associated with drug offenses had the greatest percentage of cases assessed as accurate at 74.5%, followed by property (71.8%) and violent offenses (70.5%). The largest percentage of inaccurate dispositional information occurred in reference to property offenses at 10.7%. The majority of these offenses were for minor property, forgery, and fraud charges.

Graph 9
Accuracy of Dispositional Information
(N = 645)



Notes: Dispositional information was missing from 25 cases. These cases were handled as missing and excluded from this analysis. Percentages may not total to 100.0% due to rounding.

Graph 10 displays the percentage of CHRs assessed as accurate by individual CDR elements. Roughly 9 out of 10 contained an accurate final disposition and date of disposition. The single most accurate element derived from CDR forms was the final disposition at 93.3%. This includes accurate charge and plea information, the finding, and the sentence. Likewise, the date of disposition was assessed as accurate in 90.4% of CHRs examined. Only 76.6% of rap sheets contained an accurate CDR form number.

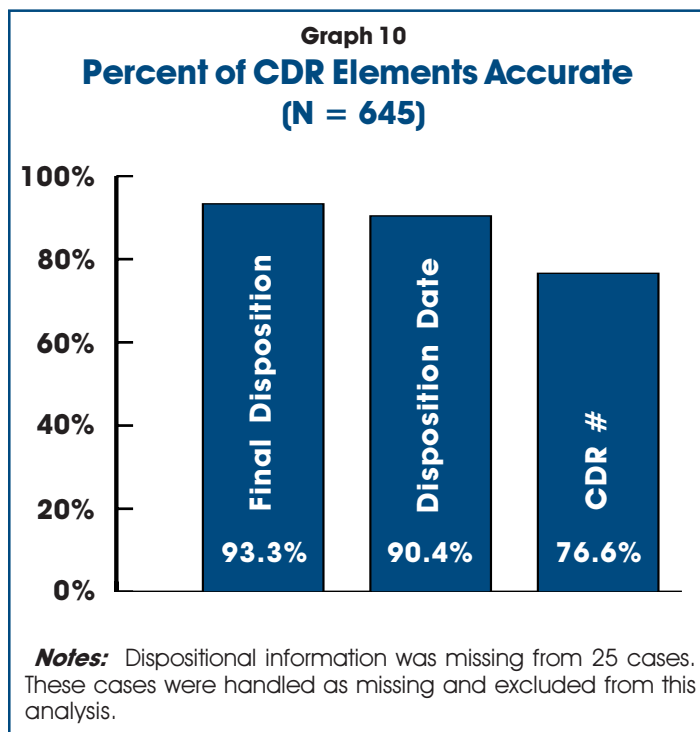
In terms of inaccurate and missing information, the date of disposition contained the largest percentage of records with inaccurate information at 3.7%. The CDR element missing most often from the original source documents was the date of disposition at 2.6%. Again, the primary source for missing information on rap sheets was the absence of a CDR number. Roughly 1 out of every 5 rap sheets were missing a CDR number followed by a disposition date at 3.3%.

Timeliness of Court Disposition Report Forms

Similar to the assessment of fingerprint arrest cards, the “timeliness” of court disposition information can be assessed using dates of events in the process of submitting information to the criminal history records system. In the case of CDR forms and disposition information, it is possible to assess timeliness at multiple points in the process. Using the dates contained on various original source documents, it is possible to examine the number of days between the following points: 1) the date of arrest to the arrival of fingerprint arrest card at the CIB; 2) the date of arrest to actual disposition of the case; 3) the date of arrest to the arrival of the CDR form at the CIB; and 4) the date of disposition to arrival of the CDR form at the CIB.

Based on the 662 CDR forms received at the central repository, the following analyses examine these various points in the CHRs process. To provide a more accurate representation of the actual number of days between each point in the process, cases that exceeded two years at each stage of the process were considered outliers and excluded from the analyses. Cases which contained illogical dates were also excluded. Depending on the point in the process being assessed, outliers comprised between 1.6% and 4.0% of the 662 CDR forms received at the CIB.

The mean number of days for information to arrive at the CIB for each stage of the process is examined in Graph 11.



In an effort to highlight any changes in recent years, the results for each stage of the process are further compared to the 1997 audit findings. As discussed previously, the mean number of days between the date of arrest and the arrival of the fingerprint card at the CIB has declined since the 1997 audit. The current results indicate that it took an average of 12.8 days for fingerprint cards to arrive at the CIB from the date of arrest, compared to 49.0 days found in the 1997 audit. However, the stages of the criminal history process that involve the reporting of court disposition information has changed little since the 1997 audit.

As shown in Graph 11, there was a slight increase in the average number of days between arrest and the disposition of cases in the 2005 audit (5.2 days). On average, it took 109.2 days for the courts to dispose of a case from the date of arrest in 2005, compared to 104.0 days in 1997. In one half of all the cases, it took more than two months (65.5 days) to receive a court disposition from the time of arrest.

In contrast, there was a small decrease in the amount of time for CDR information to arrive at the CIB after arrest and court disposition in 2005. From the date of arrest to the arrival of a CDR form at the CIB, the average length of time declined by 7.1 days since the 1997 audit. According to results, it took an average of 154.9 days for court disposition information to arrive at the CIB from the date of the arrest.

This is compared to 162.0 days based on the findings of the 1997 audit. For slightly above 50.0% of the cases examined, it took 116.0 days from arrest to final CDR arrival in 2005.

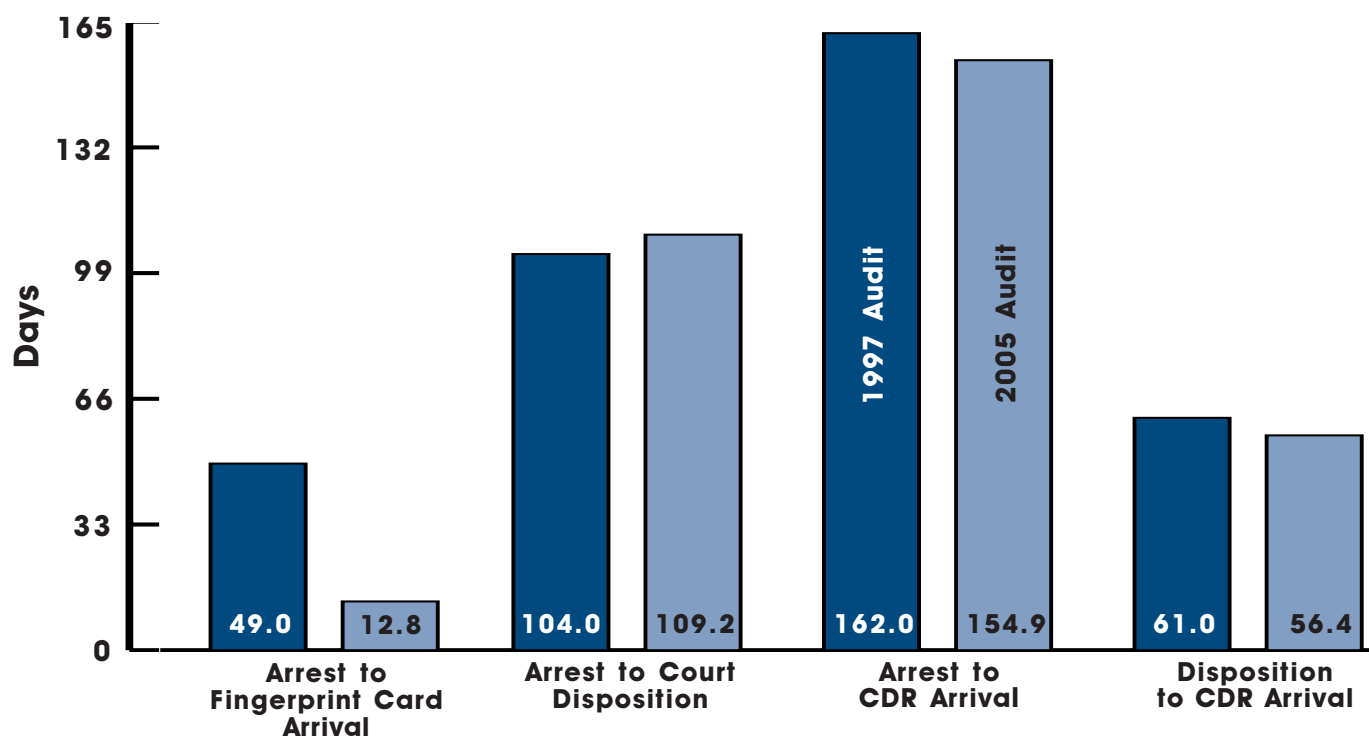
For both the 1997 and 2005 audits, the average amount of time between a court disposition and the arrival of a CDR form at the CIB was approximately two months. According to BJA standards, trial dispositions should be reported to the state repository within 90.0 days after the disposition is known. As shown in Graph 11, WV surpasses the BJA standard of 90.0 days. In 2005, it took an average of 56.4 days for a CDR form to arrive at the CIB once a case was disposed in the courts. This was a small improvement in relation to the results from the 1997 audit. This represented a decline of nearly 5 days between the 1997 and 2005 audits, from 61.0 to 56.4 days. Based on the current results, 85.3% of all cases in which CDR form was received by the CIB arrived within 90.0 days.

Table 12 presents the number of days from arrest to CDR form arrival at the CIB by type of offense. Since this process

is largely a court function, the number of days between arrest and arrival of CDR forms at the CIB by law enforcement agency is not provided in this report. While other analyses showed little variation in the average number of days between arrest and the submission of CDR forms by agency type, the results did indicate that the average number of days may have been inflated for municipal police departments due to the disproportionate number of drug offenses handled by these departments.

Nevertheless, the results presented in Table 12 indicate that the average number of days for court disposition information to arrive at the CIB was influenced by type of offense. As shown in Table 11, CDR forms that pertain to drug and DUI offenses had the highest mean and median number of days between arrest and arrival at the CIB. In particular, the amount of time for court disposition information to arrive at the CIB for drug offenses was considerably greater than for all other offenses. For drug offenses, the average number of days between arrest and CDR form arrival was

Graph 11
Mean Number of Days for Timeliness Measures
by Audit Year



Notes: The 1997 audit collected data on April 1991 and April 1994 arrests. The 2005 audit collected data on April 1998 and April 2002 arrests. Cases over two years were excluded from this analysis. Totals for each measure of timeliness are as follows: Arrest to fingerprint card Arrival (N = 1,006), Arrest to Court Disposition (N = 632), Arrest to CDR Arrival (N = 599), Disposition to CDR Arrival (N = 587)

Table 12
Number of Days from Arrest to CDR
Arrival at CIB by Offense Category
(N = 599)

	<u>Mean</u>	<u>Median</u>
Violent	158.2	126.0
Property	144.0	107.0
Drug	211.3	167.0
DUI	174.4	134.0
Other	130.8	97.0

Note: Cases over two years were excluded from this analysis.

211.3 days or over 6 months. This is compared to DUI offenses at 174.4 days. Cases that involved violent and property offenses had CDR forms arrive at the CIB in an average of 158.2 and 144.0 days, respectively. The shortest amount of time between arrest and CDR form arrival was for “other” types of offenses at 130.8 days or slightly longer than four months.

Assessment of BJA Automation Standards

This section presents the results of the assessment designed to ascertain WV’s compliance with automation standards recommended by the BJA. The BJA recommendations contain four standards that relate to the automation of CHRs. Based on face-to-face interviews with the director and staff at the CIB, CJSAC auditors sought to confirm the 1997 report findings and ascertain the current status of automation efforts at the central repository.

All four BJA standards that pertained to the automation of CHRs were assessed in the 1997 audit report. The 1997 audit concluded that WV was in compliance with two of the four BJA standards for automation. Based on the interviews with CIB personnel, the CJSAC auditors were able to confirm that WV has met these same standards.

First, CJSAC auditors were able to confirm that the master name index has been fully automated for records after 1986. Consistent with the results of the 1997 audit, master name index records that pertain to arrests after October 1986 were fully automated as of August 3, 1995. Second, CJSAC auditors

concluded that WV has also met the BJA standard stipulating that new records for offenders with prior manual records should be automated. The 1997 audit also reported that WV was in compliance with this BJA recommendation. The CIB staff and director all confirmed that it is common practice to automate new records for offenders with prior manual records as they are received at the central repository.

The BJA further recommends the automation of all CHRs that arrive at the central repository after October 1986. The previous audit concluded that this BJA standard had not been met in WV. Similar to the conclusions drawn in the 1997 audit report, the results of the current audit indicate that WV is still not in compliance with this BJA recommendation. Nonetheless, the CIB continues to automate records after 1986. CIB policy states that records predating 1996 are only automated when an inquiry is made that pertains to that record. Of the 806,748 records maintained at the CIB, 599,589 continue to be nonautomated.

The fourth automation standard recommends that procedures should be established to ensure that all felony offenses are entered into the system within 30.0 days of arrival at the repository, and that *all* other records are entered within 90.0 days. This standard was not met in the 1997 audit. Presently, it appears that WV does meet this standard. The CIB director states that these time frames are being met; however, there is no formal documentation that establishes these time frames as CIB policy. Thus, the results of the interviews with CIB personnel indicate that WV’s criminal history records system is in compliance with three of the four automation standards recommended by the BJA.

Summary and Conclusions

This final section provides a discussion of the audit results. The results were based on a representative sample of 1,522 arrest records obtained from 31 agencies across the state. Both the selection of law enforcement agencies to participate in the audit and the specific arrest records examined were obtained using probability sampling techniques at each stage. The selection of law enforcement agencies involved a multistage, stratified sampling process that accounted for four key characteristics of agencies in the state. These included the population size of the jurisdictions served by each agency, the type of agency, arrest volume, and geographic region. The final sample of records was comprised on arrests that occurred during the month of April in 1998 and 2002.

This report set out to assess the overall completeness, accuracy, and timeliness of WV's criminal history records system. Standards set forth by the Bureau of Justice Statistics (BJS) and the Bureau of Justice Assistance (BJA) were used as a basis for the assessment. When possible, the results of the current audit were compared to findings from the 1997 audit conducted by Marshall University's Research and Economic Development Center, in conjunction with the Criminal Justice and Highway Safety Division and the Criminal Justice Statistical Analysis Center.

One of the broadest statements that can be made regarding the results of the current audit, is that there has been modest improvement since the 1997 audit was conducted. For example, the current audit found that a greater proportion of fingerprint arrest cards and CDR forms were received at the central repository. Based on the results of the current audit, it is also possible to conclude that records are arriving at the CIB in a more timely manner. The following discussion highlights the major findings of the report in relation to the 1997 audit and federal standards.

Comparison of the 1997 and 2005 Audit Findings

Although there are some basic methodological differences between the 1997 and 2005 audits, some of the results can be compared. For instance, it is possible to compare the rate at which fingerprint arrest cards and CDR forms were actually

received at the central repository. In terms of fingerprint arrest cards, the results indicate that there were modest improvements in the proportion of the total sample received at the CIB. The percentage of fingerprint cards received at the CIB for the total sample of records increased by 27.2%, from 41.6% in 1997 to 68.8% in 2005.

In addition, there were also improvements in the proportion of CDR forms found at the repository. The percentage of CDR forms received at the CIB increased by 12.4%, from 31.1% in 1997 to 43.5% in 2005. In spite of this improvement, however, this audit found that more than one half of all sampled arrests did not have an accompanying CDR form at the repository. Likewise, many of the CDR forms received at the central repository also had incomplete or missing information.

A second comparison can be made in reference to the measured used to assess time frames in this report. The largest improvement was found in the amount of time it took fingerprint cards to arrive at the CIB from the date of arrest. The results of this audit indicated that it took an average of 12.5 days for fingerprint arrest cards to arrive at the repository. This result is compared to an average of 49.0 days based on the findings reported in the 1997 audit. Thus, the time between the date of arrest and arrival of fingerprint cards at the CIB decreased by approximately 36.2 days. In contrast, this audit found a slight increase in the number of days between the date of arrest and final disposition.

In terms of other timeliness measures, the average time from the arrest date to the actual CDR arrival at the repository decreased in the current audit by 7.1 days. In 1997, the average number of days between the date of arrest and CDR arrival at the repository was 162.0 days. In comparison, the current audit found that it took an average of 154.9 days. Finally, there was a slight decrease in the amount of time between the CDR arrival at the repository and the date of disposition. In 1997, the average number of days between the disposition date and the CDR arrival at the repository was 61.0 days, compared to only 56.4 days in 2005. The following section provides an overview of the audit findings in relation to the national standards.

Comparison of the 2005 Audit Findings to Federal Standards

As noted previously, the federal government provides standards and recommendations designed to guide states in the evaluation of their criminal history records systems. The BJA provides the most commonly used standards for the assessment of criminal history records systems. The BJA standards cover various aspects of the criminal history records system, including automation. Although some of the BJA standards go beyond the scope of the current audit, the report was able to assess many of the standards that relate directly to the completeness, accuracy, and timeliness of criminal history records. Whenever possible, comparisons were made between the results of the audit and the federal recommendations.

The BJA standards recommend that fingerprints taken at arrest and/or confinement should be submitted to the state repository within 24 hours. The results of this audit showed that WV does not meet this standard. This is consistent with the findings from the 1997 audit. Based on the results of this audit, it took an average of 12.8 days for fingerprint arrest cards to arrive at the CIB after the date of arrest. It is worth noting, however, that over one half (57.3%) of all fingerprint arrest cards did arrive within 10 days. Fingerprint cards used in the state of West Virginia indicate that they must be submitted to the CIB with 10 days of the date of arrest.

The BJA standards further recommend that disposition information should be reported to the state repository within 90.0 days after the disposition is known. It appears WV does meet this federal standard. The results of the current audit indicated that it took an average of 56.4 days for disposition information to arrive at the CIB. In addition, over one half of all CDR forms arrived within 30.0 days of the date of disposition. These results exceed the national standard and are consistent with the findings reported in the 1997 audit.

Other BJA standards were examined through interviews with CIB administrators and staff. All of the automation standards were assessed through face-to-face interviews. Most of the automation standards were assessed in the 1997 audit and WV was found to not be in compliance with two of the four recommendations. Similar to the 1997 audit findings, WV does not meet all of the BJA standards for automation.

For instance, a standard proposed by BJA is that all CHRs after October 1986 should be automated. The automation of all records after 1986 continues to be an ongoing process for the CIB. According to repository staff, this process includes the automation of new records as they are received. Records that pre-date 1996 are fully automated when an inquiry is made that pertains to that specific record. Of the 806,748 records at the CIB, a total of 599,589 records have not been automated to date.

In addition, it appears that the state meets the BJA standard that recommends procedures to be established for ensuring that all felony offenses are entered into the automated system within 30.0 days of receipt at the repository, and all records entered within 90.0 days. Based on responses to interviews, the director of the CIB confirms that WV is in compliance with the federally established recommendations. However, there is no formal documentation establishing these time frames as a policy of the central repository. At the time of the 1997 audit, this standard had not been met.

Similar to the results of the 1997 report, the current audit found WV had met federal standards for the automation of master name index records and new records for repeat offenders. Based on interviews with CIB administrators and staff, CJSAC auditors concluded that state meets the BJA standard that all master name index records after October 1986 should be automated. Consistent with the results from the 1997 audit, master name index records have been fully automated since August 3, 1995.

Finally, the state also meets the BJA standard which stipulates that new records for offenders with prior manual records should be entered into automated files. As previously mentioned, the practice of CIB staff is to automate records that pre-date 1996 when an inquiry is made that pertains to that specific record. If a manual record exists, it is fully automated when the new arrest is received.

Aside from the BJA standards the Bureau of Justice Statistic's *Voluntary Standards for Improving the quality of Criminal History Record Information* recommends annual audits of criminal history record systems by states to ensure that mandates and standards are being met. At present, West Virginia does not conduct an annual audit of the criminal history records system.

Conclusions

This audit offered a comprehensive assessment of the criminal history records system in West Virginia. It also sought to assess the degree to which the state has met standards recommended by the Bureau of Justice Statistics (BJS) and Bureau of Justice Assistance (BJA). Although this audit represents a comprehensive assessment of WV's criminal history records system, the results are based solely on a reverse audit methodology. As a result, this report was not able to assess all of the federal standards recommended by the BJA. For instance, many of the BJA standards pertain only to felony arrests. An assessment of these BJA standards using a reverse auditing methodology would require the identification of felony offenses prior to deriving a sample. Given that the present audit contained a sample of all adult arrest (including both misdemeanors and felonies), federal standards that related to felony arrests were not assessed.

This audit did not seek to identify policy and procedural issues that pertain to the handling and recording of CHR information at the agency level. There is some evidence that suggests disparities in policy and practice across individual law enforcement agencies (as well as courts) may contribute to problems associated with reporting criminal history information to the central repository. Future efforts should seek to delineate the policies and procedures that contribute to differences in reporting levels across individual law enforcement agencies as well as the court system.

In addition, the results of this audit indicate that the absence of final court disposition information is a major source of error in the criminal history records system. The results of the current audit illustrated that a large percentage of CHRs simply did not contain final CDR forms. Of the 1,522 arrest records sampled in this audit, 860 or 56.5% of the records did not contain a CDR form at the central repository. Future examinations should consider focusing on identifying court processes that may contribute to reductions in the reporting of final court disposition information to the CIB.

Finally, this audit obtained a representative sample of arrest records from various law enforcement agencies throughout the state. The original sampling plan, however, called for the inclusion of 34 law enforcement agencies. The CJSAC auditors contacted each of the initial 34 agencies selected and

requested their participation in the audit. Upon the initial request, several agencies either refused to participate or the CJSAC auditors were simply not able to secure participation. Multiple agencies were randomly selected to replace the agencies that failed to participate. Despite repeated attempts by the CJSAC staff to obtain a sample of 34 agencies, participation was secured for only 31 agencies. Although the reduced sample of agencies is not likely to impact the final results of the audit, the representativeness of future audits could be augmented with greater participation from individual law enforcement organizations.

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Appendices

Appendix A:
WV Code 15-2-24

Appendix B:
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West Virginia Code

§15-2-24. Criminal identification bureau; establishment; supervision; purpose; fingerprints, photographs, records and other information; reports by courts and prosecuting attorneys; offenses and penalties.

(a) The superintendent of the department shall establish, equip and maintain at the departmental headquarters a criminal identification bureau, for the purpose of receiving and filing fingerprints, photographs, records and other information pertaining to the investigation of crime and the apprehension of criminals, as hereinafter provided. The superintendent shall appoint or designate a supervisor to be in charge of the criminal identification bureau and such supervisor shall be responsible to the superintendent for the affairs of the bureau. Members of the department assigned to the criminal identification bureau shall carry out their duties and assignments in accordance with internal management rules and regulations pertaining thereto promulgated by the superintendent.

(b) The criminal identification bureau shall cooperate with identification bureaus of other states and of the United States to develop and carry on a complete interstate, national and international system of criminal identification.

(c) The criminal identification bureau may furnish fingerprints, photographs, records or other information to authorized law-enforcement and governmental agencies of the United States and its territories, of foreign countries duly authorized to receive the same, of other states within the United States and of the state of West Virginia upon proper request stating that the fingerprints, photographs, records or other information requested are necessary in the interest of and will be used solely in the administration of official duties and the criminal laws.

(d) The criminal identification bureau may furnish, with the approval of the superintendent, fingerprints, photographs, records or other information to any private or public agency, person, firm, association, corporation or other organization, other than a law-enforcement or governmental agency as to which the provisions of subsection (c) of this section shall govern and control, but all requests under the provisions of this subsection (d) for such fingerprints, photographs, records or other information must be accompanied by a written authorization signed and acknowledged by the person whose fingerprints, photographs, records or other information is to be released.

(e) The criminal identification bureau may furnish fingerprints, photographs, records and other information of persons arrested or sought to be arrested in this state to the identification bureau of the United States government and to other states for the purpose of aiding law enforcement.

(f) Persons in charge of any penal or correctional institution, including any city or county jail in this state, shall take, or cause to be taken, the fingerprints and description of all persons lawfully committed thereto or confined therein and furnish the same in duplicate to the criminal identification bureau, department of public safety. Such fingerprints shall be taken on forms approved by the superintendent of the department of public safety. All such officials as herein named may, when possible to do so, furnish photographs to the criminal identification bureau of such persons so fingerprinted.

(g) Members of the department of public safety, and all other state law-enforcement officials, sheriffs, deputy sheriffs, and each and every peace officer in this state, shall take or cause to be taken the fingerprints and description of all persons arrested or detained by them, charged with any crime or offense in this state, in which the penalty provided therefor is confinement in any penal or correctional institution, or of any person who they have reason to believe is a fugitive from justice or an habitual criminal, and furnish the same in duplicate to the criminal identification bureau of the department of public safety on forms approved by the superintendent of said department. All such officials as herein named may, when possible to do so, furnish to the criminal identification bureau, photographs of such persons so fingerprinted. For the purpose of obtaining data for the preparation and submission to the governor and the Legislature by the department of public safety of an annual statistical report on crime conditions in the state, the clerk of any court of record, the magistrate

Appendix A: West Virginia Code Section 15-2-24, State Mandate Pertaining to Criminal History Records.
(Continued)

of any magistrate court and the mayor or clerk of any municipal court before which a person appears on any criminal charge shall report to the criminal identification bureau the sentence of the court or other disposition of the charge and the prosecuting attorney of every county shall report to the criminal identification bureau such additional information as the bureau may require for such purpose, and all such reports shall be on forms prepared and distributed by the department of public safety, shall be submitted monthly and shall cover the period of the preceding month.

(h) All persons arrested or detained pursuant to the requirements of this article shall give fingerprints and information required by subsections (f) and (g) of this section. Any person who has been fingerprinted or photographed in accordance with the provisions of this section, who is acquitted of the charges upon which he or she was arrested, and who has no previous criminal record, may, upon the presentation of satisfactory proof to the department, have such fingerprints or photographs, or both, returned to them.

(i) All state, county and municipal law-enforcement agencies shall submit to the bureau uniform crime reports setting forth their activities in connection with law enforcement. It shall be the duty of the bureau to adopt and promulgate rules and regulations prescribing the form, general content, time and manner of submission of such uniform crime reports. Willful or repeated failure by any state, county or municipal law-enforcement official to submit the uniform crime reports required by this article shall constitute neglect of duty in public office. The bureau shall correlate the reports submitted to it and shall compile and submit to the governor and the Legislature semiannual reports based on such reports. A copy of such reports shall be furnished to all prosecuting attorneys and law-enforcement agencies.

(j) Neglect or refusal of any person mentioned in this section to make the report required herein, or to do or perform any act on his or her part to be done or performed in connection with the operation of this section, shall constitute a misdemeanor, and such person shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail for a period of not more than sixty days, or both. Such neglect shall constitute misfeasance in office and subject such persons to removal from office. Any person who willfully removes, destroys or mutilates any of the fingerprints, photographs, records or other information of the department of public safety, shall be guilty of a misdemeanor, and such person shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for a period of not more than six months, or both.

Appendix B: Initial Contact to Law Enforcement Agencies Selected for Participation in the Audit.



State of West Virginia
OFFICE OF THE SECRETARY
DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY
State Capitol Complex
Bldg. 6, Room B122
Charleston, West Virginia 25305-0120
Telephone: (304) 558-2930
Fax: (304) 558-6221
17 May 04

BOB WISE
GOVERNOR

M. CHRISTINE F. MORRIS
ACTING CABINET SECRETARY

Sheriff XXXXXXXX
XXXXXX County Sheriff's Department
Post Office Box 669
XXXXXXX, West Virginia XXXXX

Re: CHIS and WVIBRS Data Quality Reviews

Dear Sheriff XXXXXXXX:

The Division of Criminal Justice Services (DCJS), an agency of the Department of Military Affairs and Public Safety, in conjunction with the Criminal Justice Statistical Analysis Center (CJSAC), has selected your agency to participate in a federally mandated review of the State's Criminal History Information System (CHIS) as well as a data quality review of the WV Incident-based Reporting System (WVIBRS). All states that receive Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant funds are federally mandated to conduct reviews of their state's criminal history records system.

These data quality reviews are necessary to ensure that the information maintained in each system is accurate, complete, and readily available for use by law enforcement and other criminal justice agencies in WV. The criminal history records review is intended to assess the state's compliance with federal standards set forth by the U.S. Department of Justice, Bureau of Justice Statistics, and the Bureau of Justice Assistance. The evaluation of the WVIBRS is necessary for estimating the accuracy of statistical information reported to the Federal Bureau of Investigation.

DCJS has developed a protocol that is intended to limit the amount of time and resources required for your participation. DCJS staff will be primarily responsible for conducting the review of your agency's records. However, we will ask that your agency provide some basic information regarding arrest volume for given months and years, assist DCJS/CJSAC staff in obtaining specific arrest records for review, and designate a criminal history records officer to participate in a structured telephone interview.

Your agency is one of a small number of selected law enforcement agencies asked to participate in this process. So, your agency's participation is essential for helping us ensure that our results are truly representative of the entire State. Please sign and return the enclosed form which confirms your agency's participation by **June 4, 2004**. Once your signed participation form is received, you will be contacted with further details.

The participation of your agency is greatly appreciated. If you have any questions or would simply like to inquire more about the review process, please contact Theresa Lester, Research Analyst for the WV Criminal Justice Statistical Analysis Center at (304) 558-8814, extension 218 or tlester@wvdcjs.org.

Sincerely,

M. Christine F. Morris

c: Norb Federspiel, Director
WV Division of Criminal Justice Services

Appendix C: Request for Documentation of Voluntary Participation to be Completed by the Agency.

Agency Participation Form

Please check one of the responses below and sign.

_____ **Yes**, our agency will participate in the West Virginia Criminal History Records & Incident Based Reporting Data Quality Reviews.

_____ **No**, our agency will NOT participate in the West Virginia Criminal History Records & Incident Based Reporting Data Quality Reviews.

Signature: _____ **Date:** _____

Please provide the contact information for an agency representative(s) who will serve as the primary point of contact for the project staff.

1. Provide Arrest Volume Information:

Print Name: _____

Print Title: _____

Phone Number: _____

E-mail Address: _____

2. Assist Project Staff in On-Site Review (locate records for review):

Print Name: _____

Print Title: _____

Phone Number: _____

E-mail Address: _____

3. Participate in Structured Telephone Survey:

Print Name: _____

Print Title: _____

Phone Number: _____

E-mail Address: _____

Please return this form BY JUNE 4, 2004 to (self-addressed envelop enclosed):

**Theresa K. Lester, Research Analyst
Criminal Justice Statistical Analysis Center
Division of Criminal Justice Services
1204 Kanawha Boulevard, East
Charleston, WV 25301**

Appendix D: Total Sample of Arrests by Most Serious Charge and Agency Type.

Percentage of Most Serious Offense by Agency Type (N = 1,516)						
	<u>Municipal Police</u>		<u>Sheriff's Departments</u>		<u>State Police Detachments</u>	
<u>Violent</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
Murder/Non-Negligent Manslaughter	2	1.2%	2	4.0%	12	13.5%
Sexual Assault/Abuse	4	2.4%	2	2.0%	4	4.5%
Robbery	6	3.6%	0	0.0%	4	4.5%
Assault/Battery	154	92.8%	47	94.0%	69	77.5%
TOTAL	166	100.0%	50	100.0%	89	100.0%
<u>Property</u>						
Burglary/B&E	7	3.3%	2	6.3%	14	17.1%
Grand Larceny	3	1.4%	0	0.0%	2	2.4%
Forgery/Fraud	41	19.2%	10	31.3%	21	25.6%
Worthless Check	11	5.2%	12	37.5%	2	2.4%
Shoplifting	89	41.8%	1	3.1%	19	23.2%
Minor Property Offenses	62	29.1%	7	21.9%	24	29.3%
TOTAL	213	100.0%	32	100.0%	82	100.0%
<u>Drug</u>						
Manufacture/Sale/Delivery	29	35.4%	2	25.0%	2	6.7%
Possession	53	64.6%	6	75.0%	28	93.3%
TOTAL	82	100.0%	8	100.0%	30	100.0%
<u>DUI</u>						
All DUI Offenses	111	100.0%	32	100.0%	95	100.0%
TOTAL	111	100.0%	32	100.0%	95	100.0%
<u>Other</u>						
Weapon Offenses	11	2.9%	2	6.1%	7	6.3%
Fugitive from Justice	12	3.1%	0	0.0%	5	4.5%
Obstruction/Resisting	27	7.1%	2	6.1%	10	8.9%
Driving on Suspended License	61	16.0%	6	18.2%	57	50.9%
Public Intoxication	82	21.5%	1	3.0%	6	5.4%
Open Container	14	3.7%	0	0.0%	0	0.0%
Failure to Appear	22	5.8%	0	0.0%	1	0.9%
Capias/Warrant	60	15.7%	6	18.2%	3	2.7%
Minor Other Offenses	92	24.1%	16	48.5%	23	20.5%
TOTAL	381	100.0%	33	100.0%	112	100.0%
Note: Six arrest records contained missing offense information and were excluded from this analysis.						

Appendix E: The 2004 Data Collection Instrument Used to Collect the Criminal History Record Data.

Data Entry

Date:

Initials:

CHR Data Quality Review Data Collection Form- 2004

☐ Automated RS

☐ Non-Automated RS

Today's Date: A- / / 04	Auditor's Initials: A- _____	Agency Name: _____
B- / / 04	B- _____	

1. NAME

Last _____ First _____ M _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

5. ORI #: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

2. Date Arrested: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

6. Date of Birth: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

3. Charges/Arrest Offenses: ☐ More than 5 charges

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

7. State of Birth: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

8. Social Security # _____ - _____ - _____

A	E	C	I		
---	---	---	---	--	--

9. Physical Characteristics

Sex: _____	A	E	C	I	MOS	MRS
Race: _____	A	E	C	I	MOS	MRS
Height: _____			C	I	MOS	MRS
Weight: _____			C	I	MOS	MRS
Eyes: _____			C	I	MOS	MRS
Hair: _____			C	I	MOS	MRS

4. CDR #: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

Fingerprint Card

10. Statute: _____

C	I	MOS
---	---	-----

13. Officer's Number: _____

C	MOS
---	-----

11. Signature Of Person Fingerprinted: _____

C	MOS
---	-----

14. Fingerprints: _____

C	I	MOS
---	---	-----

12. Signature Of Officer Taking Fingerprints: _____

C	MOS	N/A
---	-----	-----

15. Photo Available: _____

C	MOS
---	-----

16. Date of Offense: _____

C	MOS
---	-----

17. CDR Form Received: _____

YES	NO
-----	----

20. Felony on CDR: _____

YES (a b c d e)	NO	MOS
-----------------	----	-----

Date Stamped: _____

C	I	MOS
---	---	-----

Felony on
Rap Sheet:

YES (a b c d e)	NO	MRS
-----------------	----	-----

18. Final Disposition: ☐ Sentenced to Prison
(includes charge, plea, finding, & sentence)

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

21. Fingerprint/Arrest
Card Received: _____

YES	NO
-----	----

Date Stamped: _____

C	I	MOS
---	---	-----

22. SID/CIB #: _____

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

23. Incarceration Card Received:

YES	NO	Intake Date: _____
-----	----	--------------------

Date Stamped: _____

C	I	MOS
---	---	-----

19. CDR Disposition Date: _____

List most recent
date

A	E	C	I	MOS	MRS
---	---	---	---	-----	-----

Appendix F: Instructions for Completing the 2004 Audit Form.

Audit Form Instructions

STEP 1 (Top Section of the Form)

Location/Source of Data- Arresting Agency- OSD found in the paper files at the arresting agency. Files should include OSD consisting of *arrest information* (may or may not be in the form of a fingerprint arrest card) and copies of CDRs.

* Complete the three fields located in the grayed top portion of the audit form. Fill in today's date beside **A** next, put your initials beside the second **A**, and then write in the name of the agency you are currently auditing.

* Complete the top section of the form, items 1-9, using the existing arrest information. If the information required is not found in the OSD at the agency leave it blank. Follow the numbered instructions below.

1. NAME

Fill in the last, first, and middle initial for the individual arrested. (Be Careful not to use AKA or Alias information)

2. Date Arrested

Fill in the date the individual was arrested as month/day/year.

3. Charges/Arrest Offenses

Fill in the charges that are associated with the arrest that is being reviewed. List them as they appear in the OSD. Check the box to indicate if there are more than 5 charges listed.

4. CDR #

Fill in the CDR number from the arrest information. If it is not found in the arrest information obtain it from the CDR form.

5. ORI #

Fill in the agency's ORI number.

6. Date of Birth

Fill in the individual's date of birth as month/day/year.

7. State of Birth

Fill in the individual's state of birth.

8. Social Security #

Fill in the individual's social security number.

9. Physical Characteristics

Fill in the individual's sex as male or female. Fill in race, eyes, hair, height, and weight as it appears in the arrest information.

STEP 2 (Middle Section of the Form)

Location/Source of Data- Arresting Agency or CIB- The information required to fill out the middle section of the audit form comes from the fingerprint arrest card (OSD). This may be found at the arresting agency or the CIB. **Make sure you locate the correct fingerprint arrest card for the arrest you are auditing.** Complete items 10-16, follow the numbered instructions below.

Appendix F: Instructions for Completing the 2004 Audit Form. (Continued)

NOTE: If this information is being obtained at the CIB you need to complete the first two fields located in the grayed top portion of the audit form. Fill in today's date beside **B** next, put your initials beside the second **B**.

10. Statute

Look under the charge/citation section of the fingerprint arrest card. In the gray area, circle **C** if the West Virginia statute is complete for all charges listed in item #3, or circle **I** if the statute is there for some of the charges listed but not all of them, or circle **MOS** if it is missing for all of the charges.

11. Signature of Person Fingerprinted

Look at this section of the fingerprint arrest card. In the gray area, circle the appropriate response.

12. Signature of Officer Taking Fingerprints

Look at this section of the fingerprint arrest card. In the gray area, circle the appropriate response.

13. Officer's Number

Look at this section of the fingerprint arrest card. The officer's number may be referred to as the unit #. In the gray area, circle the appropriate response.

14. Fingerprints

Look at this section of the fingerprint arrest card. In the gray area, circle the appropriate response.

15. Photo Available

Look at this section of the fingerprint arrest card. In the gray area, circle the appropriate response.

16. Date of Offense

Look at this section of the fingerprint arrest card. In the gray area, circle the appropriate response.

STEP 3 (Bottom Section of the Form)

Location/Sources of Data: **CIB-** All of the information required to fill out the bottom section of the audit form can be found at the CIB. Information will first come from the OSD (fingerprint arrest card, CDR form, and incarceration card) found in the paper files here. If the information required is not found in the OSD at the CIB leave it blank. Complete items 17-23, follow the numbered instructions below.

NOTE: The auditor filling out the form at the CIB will be different the auditor who filled out the form at the arresting agency. If it hasn't already been done complete the first two fields located in the grayed top portion of the audit form. Fill in today's date beside **B** next, put your initials beside the second **B**.

17. CDR Form Received

Locate the CDR form that corresponds to the arrest you auditing. In the gray area, circle **YES** if the CDR form is found in the paper file or **NO** if the CDR is not in the file.

Date Stamped

Look for the stamped date on the CDR form, most likely this will be found on the back. Fill in the date stamped on the form as month/day/year. Then in the gray area, circle the appropriate response.

18. Final Disposition

Fill in the charge, plea, finding, and sentence as it appears on the CDR form. The charges listed here should correspond to the charges previously listed in item #3. Check the sentenced to prison box if the person went to prison.

Appendix F: Instructions for Completing the 2004 Audit Form. (Continued)

19. CDR Disposition Date

List the most recent disposition date found on the CDR that corresponds to the arrest you auditing, as month/day/year.

20. Felony Flag Status on CDR

If any of the charges listed in item #18 (a-e) were **indicated** as a felony – in the gray area next to **YES** circle the letter (a-e) that identifies which charge was a felony. If all of the charges were **indicated** as not being a felony then circle **NO**. If no **indication** was made either way then circle **MOS**.

Felony on Rap Sheet

SKIP this part of #20 until the rap sheet is obtained.

21. Fingerprint/Arrest Card Received

In the gray area, circle **YES** if the fingerprint arrest card is found in the paper file or **NO** if the card is not in the file.

Date Stamped

Look on the back of fingerprint arrest card, in the bottom right hand corner for this information. Fill in the date stamped on the card as month/day/year. Then in the gray area, circle the appropriate response.

22. SID/CIB

Look at this section of the fingerprint arrest card. Fill in the number as it appears on the fingerprint arrest card.

23. Incarceration Card Received

Look at item #18 and if the sentenced to prison box is checked locate the corresponding incarceration card for that arrest/charge. In the gray area, circle **YES** if the incarceration card is found in the paper file or **NO** if the card is not in the file. If yes is circled, look for the intake date. This date should be located under the left hand fingerprints in a field called *Date Taken*. Enter this date in the same gray area beside Intake Date.

Date Stamped

Look for the stamped date on the incarceration card, most likely this will be found on the back. Fill in the date stamped on the form as month/day/year. Then in the gray area, circle the appropriate response. This entire item #23 will be left blank if the sentenced to prison box was not checked.

STOP HERE!! Review each item on the entire audit form. Any items that have been left blank that can now be filled in using the OSD found in this paper file at the CIB complete them now. If the information still cannot be found in the gray area circle **MOS** to indicated that the data is missing from the OSD at both locations.

STEP 4 (Comparing Data documented on the Audit Form to the Rap Sheet)

Location/Sources of Data: **CIB - Next, locate the rap sheet from the paper file.** Go to the top right hand corner of the audit form and check whether or not the rap sheet is automated or nonautomated.

Demographic information will be found on the top portion of the individual's rap sheet. The arrest information will be listed below. Automated rap sheets will be in ascending order by arrest date. You will need to locate the correct arrest that you are auditing. Remember to assess for all the charges that correspond to that arrest.

* The information documented on the audit form will now be compared to the information on the rap sheet. Use information from the rap sheet to complete the gray areas, assessing for accuracy **A**, errors **E**, completeness **C**, incompleteness **I**, and missing information **MRS** for items 1-9, 18 & 19, second part of #20, & 22 on the audit form. If there is no rap sheet circle **MRS** in all applicable areas, you cannot assess for anything else.
