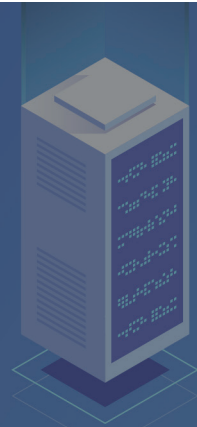


THE SINGLE NATIONAL CRIMINAL RECORDS DATABASE MYTH

How the JDP Criminal Records Database Fills in the Gaps of FBI Fingerprinting



NCIC Background

The FBI's National Crime Information Center (NCIC) was launched in 1967 and, by the end of 2015, contained over 12 million records. Since its inception, the NCIC has operated under a shared management concept between the FBI and federal, state, local, and tribal criminal justice users - meaning that the FBI relies on these entities to report criminal records to the NCIC.

However, the reporting process can be laborious and manual, with accuracy far from being guaranteed due to human error. Often times local entities do not report criminal records up to the state, and states do not report criminal records up to the federal government - leaving the NCIC far from an exhaustive database of criminal records.



The FBI acknowledges that the NCIC contains only 50 to 55% of all available criminal records

JDP Database Background

JDP utilizes its modern, flexible technology to proactively gather criminal records from a wide-range of sources - and faster. JDP's database contains the most up to date criminal records data available, with the agility to keep up with constantly changing regulations in the industry.

JDP's National Criminal Search contains data from Criminal Records, Sex Offender Registries, OFAC, FBI Terrorist List, Proprietary Offender Data, Department of Public Safety, and Administrative Office of the Courts, Department of Corrections and Federal/State/Local Wanted Fugitive Lists.

Utilizing JDP screening services also helps ensure compliance with the FCRA, which is the primary federal law regulating credit reporting agencies that perform background checks. JDP's criminal records database has the flexibility to tailor output needs including required disclosures and authorizations, reporting only FCRA-compliant records, and sending required notices to the consumer. Failing to adhere to the FCRA can result in costly litigation, negative media exposure, and the applicant/volunteer not being hired due to a false report.



More sources. Faster. Proactive Gathering from Multiple Sources. FCRA compliant - JDP's data fills in the gaps of the NCIC.

Considerations in Using NCIC as the Sole Source for Background Screening:

To the average person, an FBI NCIC search is often considered the gold standard. To those who know how it works, know that it is the worst background search one could do if that is all you rely upon.

- “National” is a misnomer. There is no single, national criminal record database - these databases contain only records that are actually reported by various government entities.
- NCIC is not a primary source. Even when used, best practice is to go to the primary source (i.e. courthouse, county, etc.) to confirm record.
- NCIC reports all records, which is not FCRA Compliant.
- Dispositions for records are available for only 75% of cases – and often times records are not updated after records change.
- Why does the NCIC contain only 50%-55% of records? The FBI must depend upon the court clerks in all counties to transmit reports to the FBI. There is no compensation to the court to engage in that process, and some courts do not have the personnel to do it.
- The 50%-55% does not mean that the FBI has 50%-55% of all records from all counties. It means that many counties send the FBI nothing and these might be the critical counties needed for the pre-employment background screen.
- The FBI won't always develop all names possibly associated with an individual. Thus a query is done using “ROBERT SMITH”, results returned may or may not include ROBERT A, BOB, BOBBY, and ROBERTO.
- CRAs use names, SSN and addresses as data points in gathering records – not just fingerprints.
- CRAs utilize more data sources, more current data, and systems that can be integrated with HR and similar platforms to decrease manual processing.

JDP/NCIC Comparison Chart

NCIC	JDP
12M+ Active Records	685M+ Records
Depends on states and counties to report criminal records	Proactively gathers records from multiple sources
24 states reporting records	All states report records
Dispositions for records in only 75% of cases	All cases have dispositions
Records from only one source	Records from multiple sources
Slow response time (measured in days)	Fast response time (measured in minutes)
Cumbersome request process	Easy pier to pier connection for automated requesting
No clear oversight of how information is used	FTC, CFPB and judicial oversight of process and content
Non-FCRA Compliant - all reports are provided, should not be used for employment	FCRA Compliant - results are adjudicated (results that are not allowed to be reported are not reported)

Real Life Example

Virginia Criminal Database Missing 750k Cases Used for Gun and Background Checks

Members of the Virginia State Crime Commission found that more than **750k records were not in the state's Central Criminal Records Exchange, including more than 300 murder convictions, 1,300 rape convictions and 4,600 felony assault convictions.**

It was determined that failure to enter a defendant's fingerprints into the system by the arresting agency when he or she was charged led to the missing records.

Because these records were not entered by the state, they would not be included in the NCIC.

Recommendations

JDP strongly encourages all organizations to consult their respective legal counsels to determine if FBI fingerprinting is required.

In the event that fingerprinting is required, JDP's background screening packages should be used to supplement fingerprinting as it will reveal criminal records that are missing from the NCIC.



Ready to Start?

Learn how JDP can change your organization's screening experience.