

Washington State Criminal Records Audit: Presentation to the Sentencing Guidelines Commission

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Objective of the Criminal Records Audit

- ◆ Analyze Washington State's criminal history databases for adult felons to determine completeness and accuracy among the databases (October 2007).
- ◆ Databases to be studied:
 - Washington State Patrol (WSP)
 - Department of Corrections (DOC)
 - Administrative Office of the Courts (AOC)
 - Sentencing Guidelines Commission (SGC)
- ◆ Time Period: 1992 through 2005.



In This Presentation: Review Three Study Questions

- 1) How uniquely can a defendant be identified?
- 2) Are defendant's criminal records accurately recorded?
- 3) Are criminal records consistently associated with the same defendant throughout the system?

1) How uniquely can a defendant be identified?

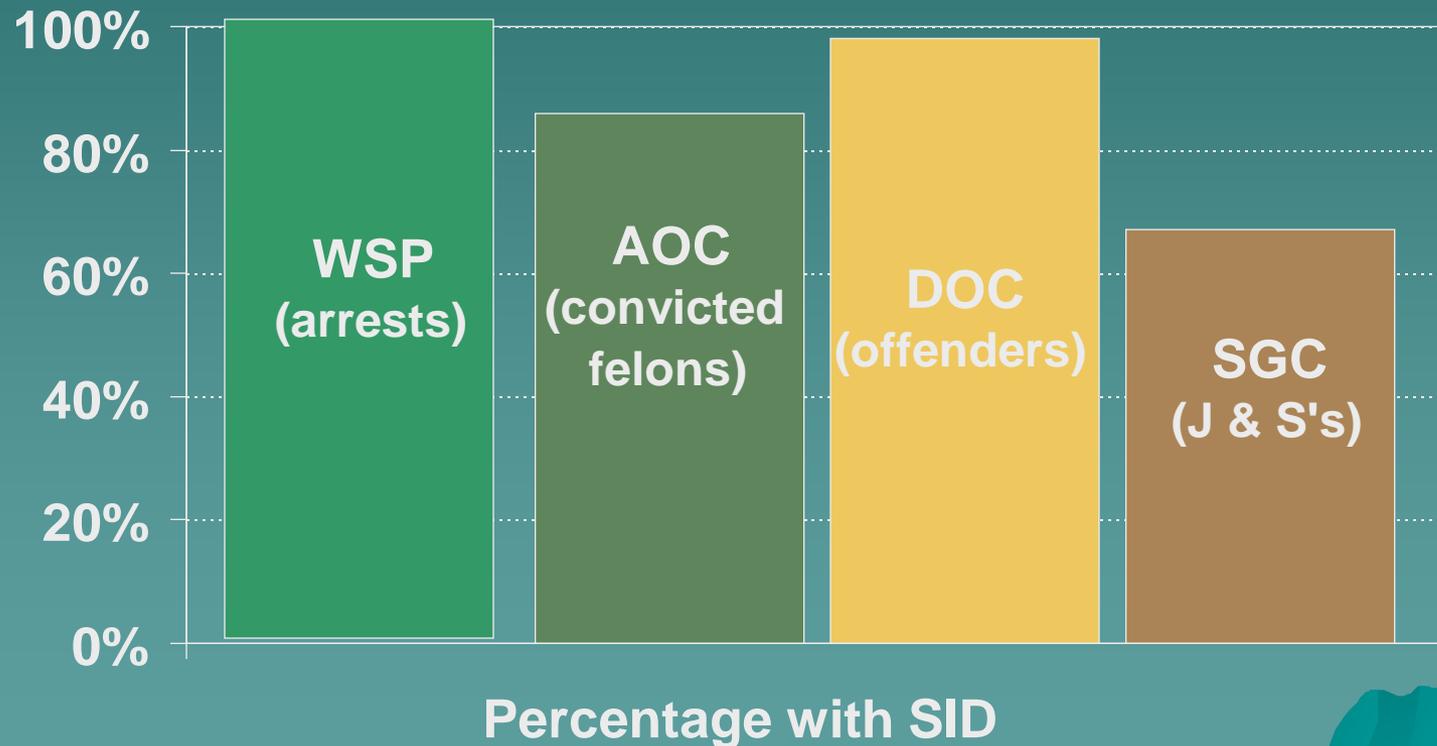
Percentage of Person IDs Matched to WSP by Name and Date of Birth With More Than One SID in WSP Database

Criminal Justice Database	Percentage of Person IDs With Multiple Matches in WSP Database Based on Name and DOB
Administrative Office of the Courts	10%
Sentencing Guidelines Commission	11%
Department of Corrections	8%

- ◆ Fingerprints are not exclusively used to identify an offender by AOC, SGC, and DOC.
- ◆ It is difficult to reliably identify a person using only name, date of birth.

1) How uniquely can a defendant be identified?

Fingerprint-based State Identification number (SID) exists for:



2) Are criminal records accurately recorded?

- ◆ Not all AOC felony conviction cases are found in the criminal justice databases.
 - WSP: 87 percent found
 - SGC: 88 percent found
 - DOC: 91 percent found
- ◆ When cases match from AOC to the criminal justice databases:
 - between 69 and 90 percent of all charges match.

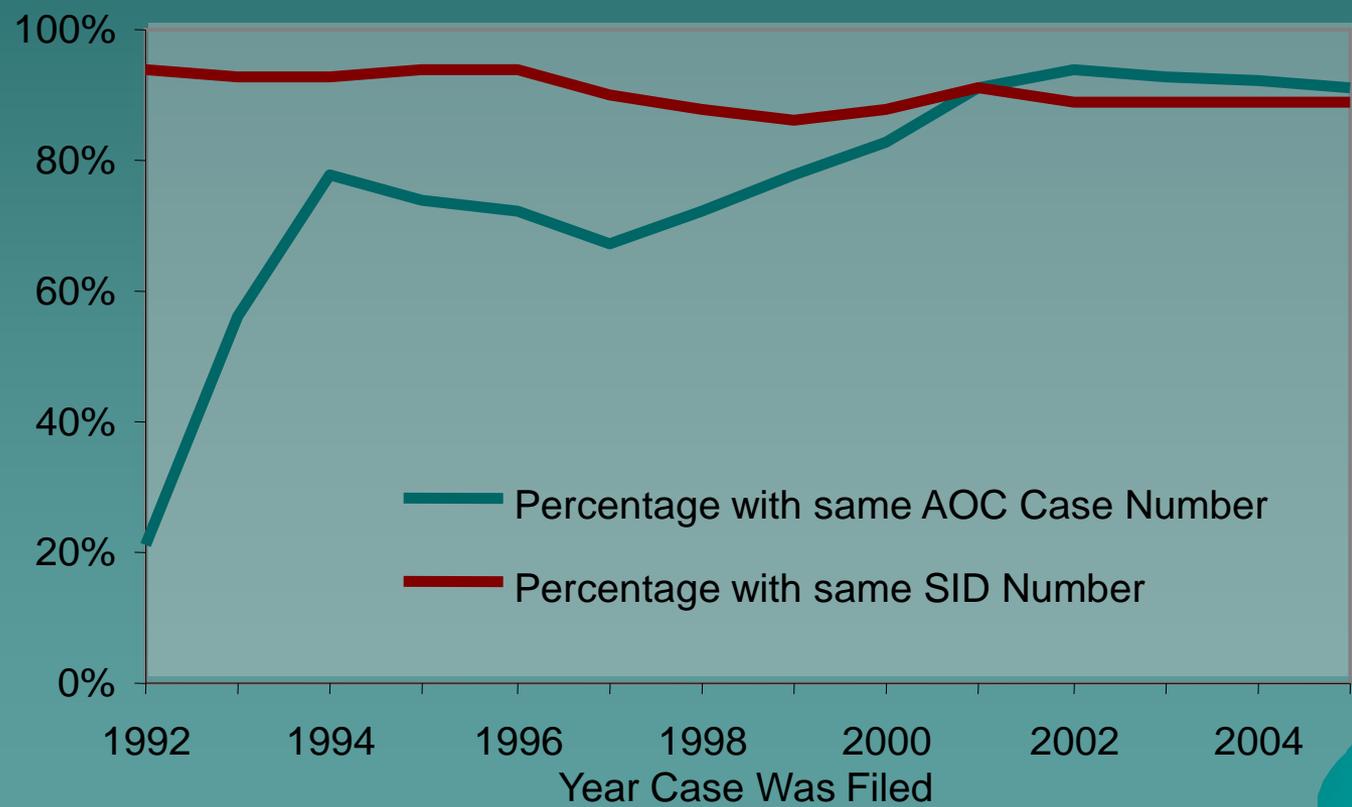
3) Are criminal records consistently associated with the same defendant throughout the system?

- ◆ AOC case numbers were matched to case numbers in the criminal justice databases. We found that the SID is the same in both databases:
 - WSP: 91 percent
 - SGC: 64 percent
 - DOC: 93 percent



3) Are criminal records consistently associated with the same defendant throughout the system?

PCNs in AOC's Database Matched to PCNs in WSP's Database





Recommendations to Improve Person Identification

- ◆ Require the SID be the official state identifier for all databases for criminal defendants from superior court.
- ◆ Transmit the SID electronically from WSP to all other agency databases (e.g., email).

Improve Person Identification – cont'd

- ◆ Discuss methods to guarantee that an SID appears on every judgment and sentence document signed by a judge.
 - SGC and the Superior Court Judges Association
- ◆ Require SID on the prosecutor's charging document for booked defendants.
 - Based on fingerprint from law enforcement.
- ◆ Eliminate name and date of birth identification and use live-scan devices (in the courtroom).
 - Comment: Allow time before court appearance to fingerprint summoned defendants.

Recommendations to Improve Accuracy and Consistency of Criminal History Records

- ◆ Develop an oversight committee charged with managing the consistent recording of RCWs.

Responsibilities could include:

- Establish a common RCW table for all agencies.
- Simplify charges requiring more than one RCW. For example, theft charges.
- Review ambiguous RCWs.
 - ◆ "Undefined" - can not distinguish if it's a felony
 - ◆ "Combined" - subparagraphs are felonies and misdemeanors
- ◆ Require the PCN (or PCNs) on the judgment and sentence document.



Targeting Areas for Future Improvements

- ◆ Fingerprints become the exclusive method for recording an offender identification.
- ◆ Databases become more integrated.
 - assist each organization to align its database with the requirements of an integrated criminal justice database system.
- ◆ Rely on data transmission without manual intervention.
- ◆ AOC capture conviction information from the judgment and sentence for transmission to WSP, SGC, and DOC.

Other Helpful Slides Not Used During This Presentation

Washington State Institute for Public Policy

- ◆ Created in 1983 by the state Legislature
- ◆ Mission: Carry out non-partisan research on projects assigned either by the legislature or the Institute's Board of Directors
 - 8 legislators
 - 4 higher education provosts or presidents
 - 4 state agency directors

Authority

- ◆ OFM contracted with the Institute to conduct an audit of the Washington State criminal history record systems as part of the National Criminal History Improvement Program.
- ◆ This project was approved by the Institute Board.

Criminal Records Oversight Committee

- ◆ Representing nine state and local criminal justice agencies.
- ◆ Responsibilities:
 - To provide the Institute with technical guidance on data and business practices.
 - To ensure analyses accurately reflect the status of the criminal history databases and records.
- ◆ The Institute did not ask the Committee to take an official position on each recommendation.

Importance of Complete and Accurate Criminal Records

- ◆ Sentencing Reform Act of 1984 - Convictions are counted in a sentence calculation.
- ◆ DOC's risk assessment tool.
- ◆ Other reasons include: background checks, voter registration, professional licensing, sex offender registration, rental housing decisions, etc.

Dictionary of Terms

- ◆ SID – Fingerprint-based State Identification number issued by WSP
- ◆ PCN – Unique number linking disposition of fingerprinting event to an arrest record.