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BY THE U.S. GENERAL ACCOUNTING OFFICE

Report To The Chairman, Subcommittee
On Civil And Constitutional Rights
Committee On The Judiciary
House Of Representatives

Observations On The
FBI's Interstate
Identification Index

The Interstate Identification Index is an automated information system operated by the FBI since 1981 and managed by the FBI in cooperation with state and local law enforcement agencies. It is used to exchange criminal history and related information. According to participating state and federal officials, the Index system is useful, effective, and desirable for criminal justice purposes. Startup costs were less than \$1 million for the FBI and averaged about \$36,000 for 11 of the 14 participating states. Operating costs were available only for 10 participating states and averaged about \$2,300 monthly. Some savings may also be realized.

FBI and state officials plan to merge the Index system with the FBI's traditional fingerprint identification system to eliminate duplication between the two indexes. According to FBI officials, continued automation of the traditional system will be needed to provide better service and to prepare for the merger. However, differences in state laws for disseminating criminal history records to organizations outside the criminal justice system may limit the extent to which the two systems can be merged.



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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

GENERAL GOVERNMENT
DIVISION

B-213537

The Honorable Don Edwards
Chairman, Subcommittee on Civil
and Constitutional Rights
Committee on the Judiciary
House of Representatives

Dear Mr. Chairman:

This is in response to your May 23, 1983, request that we examine the status and implementation of the Federal Bureau of Investigation's (FBI) Interstate Identification Index (Triple I). (See app. I.) Triple I is an automated information system operated by the FBI and managed by the FBI in cooperation with state and local law enforcement agencies. It is used by federal, state, and local criminal justice agencies to exchange criminal history records and related information. As agreed with your office, we examined: (1) the status of Triple I; (2) the views of state law enforcement officials as to the utility, effectiveness, and desirability of Triple I; (3) the costs to implement and operate Triple I; (4) the potential effect of Triple I on the FBI's plans for automating its other criminal history information system; and (5) the potential for using Triple I to provide criminal history records to organizations outside the criminal justice system, such as state licensing boards, banks, and school systems (at present, Triple I may be used only by criminal justice agencies).

We reviewed written records at FBI headquarters in Washington, D.C., and interviewed officials representing the FBI, participating and nonparticipating states, and other interested parties such as the American Civil Liberties Union. Our fieldwork was performed from June through December 1983 in accordance with generally accepted government auditing standards. (See app. II for the details of our objectives, scope, and methodology.)

THE FBI OPERATES TWO CRIMINAL
HISTORY INFORMATION SYSTEMS

In addition to Triple I, the FBI operates another criminal history information system. This system has traditionally been the primary source of criminal history information for criminal justice agencies and for agencies outside the criminal justice

system such as employers and licensing agencies. More recently, Triple I is being tested to provide these criminal history records to requesting agencies faster and to shift the primary recordkeeping responsibility from the FBI to the states. Both systems are operated by the FBI, but as stated Triple I is managed jointly by the FBI and state and local law enforcement officials.

The FBI's Identification Division operates the traditional system. This system was established in 1924 to be the Nation's central repository and clearinghouse for the storage and dissemination of identification and criminal history records. The Division collects and maintains detailed criminal history information on an individual, including identifying data such as fingerprints, from federal, state, and local law enforcement agencies and provides it upon request to authorized agencies. The FBI estimates that nearly one-third of all criminals commit offenses in more than one state. While most states have identification bureaus, their records concern only an individual's criminal activities within their states. Through a single check with the Identification Division system, an authorized agency usually can obtain positive identification of an individual by fingerprints and can determine whether the individual has a criminal record anywhere in the United States.

During the early 1970s, the FBI began automating the Identification Division system to reduce costs, improve record search accuracy, and reduce fingerprint processing time. The FBI plans to complete the current phase of automation of the system by 1988. The automated part of Identification Division operations is called the Automated Identification Division System (AIDS).

TRIPLE I PROVIDES FAST RESPONSE
AND DECENTRALIZES RECORDS

In the late 1960s, several states began a cooperative, federally funded effort to demonstrate the feasibility of computerizing the interchange of criminal history records. The objectives of the demonstration were to improve response time and to decentralize from the FBI to the states the responsibility for maintaining and disseminating the criminal history records of state offenders. This effort has evolved into the present Triple I program.

The National Crime Information Center was chosen by the Department of Justice to develop and operate the new system. The Center is a national system of computers, communications lines, and personnel engaged in exchanging criminal justice information. It is operated by FBI personnel and managed jointly by the FBI and an Advisory Policy Board consisting of 20

state law enforcement officials; 6 appointees of the Director, FBI; and 4 representatives of national criminal justice professional associations. The Center was selected for the new system because of its existing computer and communications capabilities, which could be expanded to include criminal history records. The Center's initial efforts to operate the new system encountered many obstacles, which we have previously reported.¹ The Triple I system evolved from those initial efforts, and the Center began testing Triple I in 1981.

Triple I uses name and other identifiers, such as date of birth and social security number, to match an individual with a criminal history record. This information and the criminal history record can be electronically transferred, so that when the Triple I system contains a criminal history record, a requestor can obtain the record within minutes.

In the Triple I system, the states have the primary responsibility for maintaining and disseminating detailed criminal history records rather than centralizing that responsibility in the FBI's Identification Division. The National Crime Information Center maintains a computerized index indicating where the records are located; provides the requestor with an index record containing the location of the detailed record and individual identifying information; and notifies the appropriate state(s) or the FBI (which maintains and disseminates criminal histories for states not participating in Triple I and for federal offenders) when a record is requested. States usually respond to requests for records through a separate communications system called the National Law Enforcement Telecommunications System. States may send records which have not been automated (because of the age of the record or the extent of a state's automation) through the mail. The FBI's Identification Division responded to requests by mail at the time of our fieldwork, but FBI officials told us they plan to begin providing AIDS records by telecommunication in the near future. All criminal justice agencies in participating and nonparticipating states can request information from Triple I.

THE FBI PLANS TO MERGE
TRIPLE I AND AIDS INDEXES

Concurrent with the testing of the Triple I system, the FBI has continued to automate Identification Division operations. As a result, a computerized index of personal identifying information has also been developed in AIDS. To eliminate overlap and duplication of AIDS and Triple I indexes, FBI and National

¹The FBI Operates Two Computerized Criminal History Systems,
GGD-79-81, September 7, 1979.

Crime Information Center Advisory Policy Board officials agreed in October 1983 to merge the two. FBI officials told us that before the merger can take place, additional computer and telecommunications capability is needed. They plan to complete the acquisition and installation of this equipment and to merge the two indexes by 1988. Participating states will continue to maintain and disseminate individual criminal history records using Triple I and also will keep sending fingerprint cards to the FBI's Identification Division for continued updating of the records maintained there.

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Our observations regarding the status and implementation of Triple I are discussed in detail in appendix II. In summary, we observed that:

- Triple I has been tested three times since July 1981, with each successive test increasing in technical difficulty, and is still considered a test program by the Center and the FBI. However, the Triple I system is operational for criminal justice agencies in 16 states. FBI officials told us that 5 additional states will attempt to join Triple I in 1984, and that another 14 states have the capabilities permitting participation and have expressed interest in participating in Triple I, but have not yet committed to join Triple I.
- Participating state and federal officials told us Triple I is useful, effective, and desirable for criminal justice purposes.
- Startup costs were less than \$1 million for the FBI and averaged about \$36,000 for 11 of the 14 states participating at the time of our fieldwork. The FBI will not measure operating costs until final system requirements are established, but for the 10 participating states that reported, operating costs averaged about \$2,300 monthly. Some savings may also be realized.
- According to FBI officials continued Identification Division automation will be needed to provide better fingerprint identification services and to prepare for the Triple I merger.
- Differences in state laws for disseminating criminal history records to organizations outside the criminal justice system pose a barrier to fully shifting record-keeping responsibility from the FBI to the states, which

may limit the extent to which Triple I can be relied upon for disseminating records for employment and licensing purposes.

AGENCY COMMENTS AND OUR EVALUATION

The Department of Justice agreed with the contents of this report. (See app. III.) Department comments suggested several technical adjustments which we have included in the report where appropriate to improve its precision.

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As arranged with your office, we plan to make copies of this report available to others upon request.

Sincerely yours,

W. J. Anderson

William J. Anderson
Director

Comptroller General
May 23, 1983
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4. the potential use of III for employment and licensing purposes. Is this being considered? If so, what are the costs, as well as the advantages and disadvantages, problems and benefits of such use?

I hope this letter provides sufficient guidance to your efforts. If you need additional information regarding the Subcommittee's concerns, please do not hesitate to contact me. I look forward to receiving the results of your study.

Sincerely,



Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

DE:cld

cc: William H. Webster

OBSERVATIONS ON THE FBI'S CRIMINAL
HISTORY INFORMATION SYSTEMS

OBJECTIVES, SCOPE, AND METHODOLOGY

At the request of the Chairman, Subcommittee on Civil and Constitutional Rights, House Judiciary Committee (see app. I), we examined: (1) the status of the Federal Bureau of Investigation's (FBI) Interstate Identification Index (Triple I); (2) the views of state and local law enforcement officials as to the utility, effectiveness, and desirability of Triple I; (3) the costs to implement and operate Triple I; (4) the potential effect of Triple I on the FBI's plans for automating its other criminal history information system; and (5) the potential for using Triple I to provide criminal history records to organizations outside the criminal justice system, such as state licensing boards, banks, and school systems.

As agreed with the subcommittee, we did not examine the accuracy of criminal history records or privacy-related issues, such as the type of information disseminated outside the criminal justice system and individual rights for records review. These issues were discussed by the Office of Technology Assessment in its October 1982 report An Assessment of Alternatives for a National Computerized Criminal History System. Also, FBI officials told us some of these issues would be addressed in considering the potential use of Triple I by agencies outside the criminal justice system.

Our work was performed at FBI headquarters in Washington, D. C., and state and local criminal justice agencies in California, Florida, North Carolina, Pennsylvania, and Virginia, (which are Triple I participants), and Maryland, Massachusetts, and Rhode Island (which are not Triple I participants). We selected these states judgmentally to include those with varying numbers of criminal history records and varying extent of experience in the Triple I testing. We also included states that the FBI considered least likely to participate in Triple I and states that were conveniently located to minimize travel costs.

We interviewed officials in each state who were responsible for state criminal history records and management of Triple I activities. During our visits to participating states, we also interviewed randomly selected local users of Triple I, including police departments, state and local prosecuting attorney offices, and a probation/parole office. We obtained the views of officials from interested private organizations, including the American Civil Liberties Union, the National Association for the Advancement of Colored People, and Search, Inc.--a criminal justice research firm. We attended four meetings of the National

Crime Information Center's Advisory Policy Board subcommittee on Triple I and two meetings of the Advisory Policy Board. During these meetings we obtained additional views from officials of states we did not visit. Because the states we visited and the other officials we interviewed were selected judgmentally, the results of our interviews can not be statistically projected nationally.

Our fieldwork was performed from June through December 1983 in accordance with generally accepted government auditing standards.

THE FBI OPERATES TWO CRIMINAL HISTORY INFORMATION SYSTEMS

When a person is arrested, seeks a sensitive job with employers such as banks or government agencies, or seeks a government license for activities such as liquor sales, the arresting agency, potential employer, or licensing agency often must determine whether that person has a previous criminal history. The FBI's Identification Division traditionally has been the primary source of this information. More recently, a new system is being tested to provide criminal history records to requesting agencies faster and to shift the primary recordkeeping responsibility to the states. This system, called Triple I, is operated by the FBI in conjunction with the states through the National Crime Information Center. The two systems have operated in cooperation with each other since 1981, but the FBI plans to merge their name indexes in 1988.

Uses of criminal history records

Criminal history records are used by all levels of government, all sectors of the criminal justice community, and increasingly by agencies outside the criminal justice community. Sharing these records across jurisdictional boundaries is essential because of the number of repeat criminal offenders and the mobility of criminals. Traditional manual recordkeeping systems presented problems in sharing the records that have led to the use of automated recordkeeping systems.

Criminal history records provide information on arrests and dispositions for individuals fingerprinted in the criminal justice system. Federal, state, and local criminal justice agencies routinely use these records in the performance of their duties. Police and investigators use the data in developing leads, and prosecutors use it in making criminal charge decisions. Courts use it in bail and sentencing decisions, and parole boards use it in making decisions about offender participation in various institutional or release programs. Criminal history records are also used for employment and licensing

purposes. Organizations requiring criminal history checks for employment include federal, state, and local government agencies; federally chartered or insured financial institutions; and the securities and commodities industries. Though varying greatly, state laws require identification checks to obtain licenses in such areas as gambling, liquor sales, hand guns, school bus driving, and private security services. The FBI receives over 6 million requests for criminal history records checks annually. These are divided almost equally between criminal justice purposes on the one hand and employment and licensing purposes on the other.

The FBI estimates that about 65 percent of all persons arrested have been arrested previously, and that about 33 percent have criminal records in more than one state. Thus, determining the complete criminal history for many people requires obtaining criminal history records from more than one jurisdiction. To be most useful, these records must be delivered in a timely manner to the requestor--whether a criminal justice agency, an employer, or a licensing agency.

Until the 1960s, federal, state, and local governments used manual recordkeeping systems to create and maintain criminal history records and sent the records to requestors by mail. As the number of requests for records and the number of records increased, delays occurred in obtaining and updating the records. Because of these delays, federal funds were made available to states to begin automating their criminal history recordkeeping systems. At about the same time the FBI began automating its criminal history records.

The FBI's Identification Division
has traditionally provided
criminal history information

Although most states have identification bureaus, their records generally concern only criminal activities that have occurred within their states. The FBI's Identification Division was established in 1924 to be the Nation's central repository and clearinghouse for the storage and dissemination of identification and criminal history information. Through a single check with this unit, inquiring organizations can usually determine whether an individual has a criminal record anywhere in the United States. The Identification Division collects criminal history information from state and local law enforcement agencies, maintains the information, and provides it upon request to authorized agencies. During the early 1970s the FBI began automating this process to reduce costs, improve record search accuracy, and reduce processing time. The automated part of

Identification Division operations is called the Automated Identification Division System (AIDS). The next phase of the automation process, which will combine many previously automated segments into a comprehensive system, is scheduled for completion in 1988.

Individuals are associated with their criminal history records by personal identifying information, such as name, date of birth, sex, race, height, weight, social security number, and fingerprints. Fingerprints provide positive identification, and the Identification Division uses them in responding to requests for criminal history records. The Division's primary mission is to receive, process, and respond to fingerprint identification requests submitted by authorized organizations. These include criminal justice agencies, such as police, courts, and parole officials; and other agencies, such as financial institutions and state and local employment offices. Requests are submitted in the form of cards containing an individual's fingerprints and other identifying information, such as name, social security number, height, and weight. Once identified, if the individual has a criminal record, the FBI sends a copy of his or her criminal history, called a "rap sheet," to the requesting organization. The FBI received about 6.3 million fingerprint cards during fiscal year 1983. Card processing is complex, involving both manual and automated operations. To determine whether an individual has an existing criminal record, each incoming fingerprint card must be checked against a file which contains over 22 million individual criminal records.

Traditionally, the work of the Division has been highly labor intensive, currently employing about 3,000 people. During the last 10 years the Division's processing time for information requests increased because of personnel cuts and increasing workloads. For example, processing time for fingerprint identification requests increased from about 12 workdays in 1977 to about 25 workdays by 1981. This processing time did not include the period the fingerprint card and FBI response was being transmitted in the mail or between local agencies. However, as discussed below, changes in FBI operating procedures have reduced the processing time for fingerprint identification requests to an average of about 11 workdays during July and August 1984.

FBI officials told us that delays in processing criminal history information requests have bad effects on the requesting organizations. For example, fugitives from justice are released by law enforcement authorities before their true identities are determined; criminal investigations are delayed; prosecutorial, judicial, penal, and parole/probation actions are hampered and delayed; and employment and licensing activities are delayed with resulting hardships on employers and licensing agencies, as

well as the applicants. The FBI has improved service by charging a user fee to agencies outside the criminal justice system and then using the fees collected to hire additional staff, improving productivity by using flexitime, increasing grade levels, using part-time positions, and automating its operations. FBI officials told us that they believe further automation of the identification and recordkeeping process will be the most effective long-term solution to providing better service.

Triple I provides fast responses
and decentralizes records

In the late 1960s, in order to improve the response time to requests for criminal history information, several states began a cooperative federally funded effort to demonstrate the feasibility of computerizing the interchange of criminal history records. These states also wanted to make the states, rather than the FBI, primarily responsible for maintaining the records on state offenders. This effort has evolved into the present Triple I program.

The evolution to Triple I
has been a slow process

The late 1960s cooperative state effort to demonstrate the feasibility of computerizing the interchange of criminal histories began under a federally funded project called System for Electronic Analysis and Retrieval of Criminal Histories (SEARCH). SEARCH proved that it was feasible to use a computerized message switching system to interchange criminal history records. However, the concept could not be immediately applied because most states lacked the computer and recordkeeping capability to participate. Thus, a system called the Computerized Criminal History Program was developed beginning in 1971 using a central computer system to maintain and disseminate detailed criminal history records.

In the Computerized Criminal History program, states sent their detailed criminal history records to the Center to be maintained in and disseminated from a central storage file. This concept was nearly the same as that for the FBI's Identification Division. The major differences were that records were automated and could be sent by telecommunication in the Computerized Criminal History program and states updated their records rather than the FBI. The centralized storage used in the Computerized Criminal History program was done as an interim measure because, according to the National Crime Information Center Advisory Policy Board, all states did not have automated systems from the beginning. It would take time for states to

establish identification bureaus and to develop fingerprint identification capability, information flow, and computer systems capability.

State participation in the Computerized Criminal History program was low and unsteady. At most, 15 states were entering records, and by late 1979 only 8 states were participating. We have previously reported on the issues hindering the program which included disagreement about the desirability of the FBI providing message switching, indecision regarding the program's future effect on privacy and related rights, and the potential high costs of state participation.¹ Because of the low level of state participation, the Advisory Policy Board in 1978 proposed a revised system which is similar to the original SEARCH concept. This revised system, the present Triple I, uses a decentralized recordkeeping concept. It began testing and development in 1981.

The Triple I concept assumed that all state offender criminal history records would be stored in the states, that a central computer would maintain an index of abbreviated summary data on arrested individuals, and that a message switching capability would allow for the exchange of the detailed records by telecommunications rather than by mail. The central computer capability for such a system already existed in the National Crime Information Center. The Center is a nationwide criminal justice information exchange system which is headquartered in the FBI, operated by FBI personnel, and managed jointly by the FBI and an Advisory Policy Board. The Board, which consists of 20 state law enforcement officials; 6 appointees of the Director, FBI; and 4 representatives of national criminal justice professional associations,² provides a forum for states to recommend policy involving Center operations to the Director. As of June 1983, the Center had 13 files containing about 15 million records involving stolen items (such as cars), wanted persons, and missing persons. The Center was chosen to operate the new criminal history system because its system of computers and communication lines could be expanded to include criminal history information.

¹The FBI Operates Two Computerized Criminal History Systems,
GGD-79-81, September 7, 1979.

²The four associations are the International Association of Chiefs of Police, National Sheriffs Association, American Correctional Association, and National District Attorneys Association.

Triple I provides records quickly

Triple I can determine whether a record is on file that matches inquiry data and, if so, can electronically transfer the record to the authorized requestor in a timely manner. Because of the electronic response capability, when a record is contained in the Triple I system a requestor usually can obtain it within minutes.

In order to exchange records through Triple I, various state computer terminals have been interfaced with the National Crime Information Center and the National Law Enforcement Telecommunications System, Inc.³ Inquiries of Triple I and record requests are processed by the National Crime Information Center computer which maintains a computerized index indicating where the detailed criminal history is maintained, provides personal descriptive data, and is capable of notifying the appropriate Triple I participating state(s) or the FBI (for federal and nonparticipating state criminal histories) when a record is requested. States usually respond to the requests for records through the National Law Enforcement Telecommunication System. States may send through the mail records which have not been automated (because of the age of the record or the extent of a state's automation). Records of state offenders that are not maintained by participating states and federal and nonparticipating state records were provided by the FBI's Identification Division through the mail at the time of our fieldwork. FBI officials told us they plan to begin providing records by telecommunications in the near future. All criminal justice agencies, including those in both participating and nonparticipating states, can request information from Triple I, provided the state has signed an information access agreement with the Center.

Triple I does not provide the positive fingerprint identification available through the FBI's Identification Division. Authorized requesting agencies (presently limited to criminal justice agencies only) make inquiries on the basis of an individual's name and numeric identifiers, such as date of birth and social security number, to determine if a criminal history is part of Triple I. If a positive response is received, the inquiring agency can decide, from the summary index information provided by the National Crime Information Center, whether (1) the record belongs to the individual and (2) the entire record should be requested. If no positive response is provided or the individual denies the record is his, a subsequent search can be

³This is a nonprofit corporation which operates a computerized message switching network linking local, state, and federal criminal justice agencies.

conducted on the basis of the individual's fingerprints. This search would be done by the FBI's Identification Division.

The Center and FBI officials have described Triple I as a test program since 1981. A third test of Triple I was completed in June 1983. Despite its official designation as a test program, Triple I is currently operational and in use by criminal justice agencies. It has not been tested for use by agencies outside the criminal justice system. The Identification Division continues to respond to information requests from those agencies and from criminal justice agencies that need positive fingerprint identifications. FBI and Advisory Policy Board officials have agreed to merge the two systems when AIDS achieves the necessary computer and telecommunications capabilities.

Merger planned in 1988

Continued automation of Identification Division operations led to the development of an automated index of personal identifying information in AIDS which contained similar information to the automated index in Triple I. To eliminate this overlap and duplication, FBI and National Crime Information Center Advisory Policy Board officials agreed in October 1983 to merge the two indexes. FBI officials told us that before the merger can take place, additional computer and telecommunication capability is needed. They said they plan to complete the acquisition and installation of this equipment and to merge the two indexes by 1988. Triple I index functions have been incorporated into the design specifications for this phase of the Identification Division's automation process, which is called AIDS III.

Until the indexes are merged, the National Crime Information Center will continue to operate the Triple I index. When the merger is completed, FBI officials told us they will consult with the Advisory Policy Board on any changes to the combined index that would affect Triple I operations.

WIDE ACCEPTANCE OF TRIPLE I BY CRIMINAL JUSTICE USERS

Tests of Triple I for criminal justice purposes have found the system to be feasible and practicable for criminal justice purposes and have demonstrated that useful information can be provided quickly. Every participating state official we interviewed supported the concept. Despite its official designation as a test program, Triple I is an operational system for criminal justice purposes. As of September 1, 1984, 16 states were participating in Triple I, and further expansion is expected.

Tests of Triple I have
been successful

A phased testing approach has been used to determine the feasibility and practicability of using the system. During the last 2 years, Triple I has been tested three times, with each successive test increasing in technical difficulty. Our evaluation of the test results and discussions with officials from the criminal justice community involved with the tests indicate that the tests have been successful.

The first of the three tests occurred from July through September, 1981. About 484,000 Florida criminal history records were involved. Florida was selected as the test state because it had a relatively large number of automated criminal history records and was willing to commit resources to the project. An evaluation committee consisting of FBI and state criminal justice officials and officials of other interested parties, including the American Civil Liberties Union and the National Association for the Advancement of Colored People, found that while some minor technical problems occurred during the test, none were serious. They recommended that the test be expanded to include other states. A user survey conducted by the FBI and reviewed by the Advisory Policy Board found that the inquiring criminal justice agencies liked the system. The test also received favorable endorsements from the Attorney General's Task Force on Violent Crime and the Subcommittee on Civil and Constitutional Rights, House Committee on the Judiciary. However, the evaluation committee's report also noted that the Triple I subcommittee of the Advisory Policy Board and the Congress expressed concern regarding how the system could be used by agencies outside the criminal justice community for employment and licensing purposes and suggested that this issue should be addressed. The system has not yet been tested for this purpose.

The second test involved about 1.26 million records from Florida, Michigan, North Carolina, South Carolina, Texas, and Virginia. These records were for individuals who had only been arrested in one of those states. The test was conducted during February and March 1982. No major technical problems were encountered, and the user satisfaction survey results were again favorable. The Advisory Policy Board's evaluation report concluded that the test was considered an unqualified success. The report noted a need for additional policies and procedures to allow record exchange for employment and licensing purposes. It said that this matter needs to be addressed before the complete Triple I concept can be implemented nationally.

The third and most recent test was conducted during May and June 1983. Fourteen states participated, and about eight million criminal history records were involved. This test included

both multistate and single state offenders and was also considered a success by the evaluation committee. Federal, state, and local criminal justice agencies, except Kansas, were able to access the system. Kansas agencies were unable to access the system because the state had not signed a management control agreement with the Center.⁴ Officials from the five participating states we visited--users of the system and managers of state criminal history records--all supported the program without exception.

We discussed the uses and benefits of Triple I with representatives of seven state identification bureaus, three police departments, three state attorneys offices, and a probation office. All of these officials told us that the quick access to criminal history information provided by Triple I had a positive effect on their operation and all expressed the desire to see state participation expanded. Investigators and state attorneys offices provided the most enthusiastic responses. They told us that they usually had been able to obtain local criminal history records in sufficient time, but Triple I provided their first opportunity to have almost immediate access to a national check. Responses received during the latest user acceptance survey support these observations. About 74 percent of the respondents indicated that the intended use of the record obtained was for a criminal investigation. The next two highest uses were presentence investigations and bail/bond determinations--about 7 and 5 percent respectively.

State and local officials told us the Triple I system's lack of positive identification (which the Identification Division provides through fingerprint checks) was not a major problem. They said most people with criminal records admitted to that fact when confronted with information received from Triple I and told that the FBI could make a positive identification through fingerprint comparisons if necessary. The user satisfaction survey showed that telecommunicated records generally were received within 15 minutes of a request and mailed records within 6 days. Delays caused by the records being mailed were not a problem according to some state officials, because the record requestor already had received the index record and knew the individual had a criminal history record. However, other state officials were unhappy with the delays. Accordingly, the Advisory Policy Board recommended that the FBI's AIDS records be made available through the National Crime Information Center telecommunications network rather than through the mail.

⁴Kansas officials signed an agreement on July 30, 1984, and are now authorized Triple I access.

Expansion of the Triple I underway

At the time of our fieldwork, 14 states were participating in the testing of Triple I. As of September 1, 1984, 16 states were participating. FBI officials told us that another 19 states both have the potential and have expressed the interest to participate. Five of these states have agreed to attempt participation by the end of 1984. The participation of these 35 states would represent more than 90 percent of all the arrests in the U.S. based on the number of fingerprints submitted to the FBI. The remaining 15 states are less likely to participate in the immediate future because of several considerations. These include: (1) the existence of a state criminal history record repository, (2) the number of state criminal history records, (3) the extent to which state records are automated, (4) the accuracy of state records, and (5) the state's desire to assume from the FBI the responsibility for record storage and dissemination.

The FBI's estimate of state capability to participate in Triple I is supported by an Office of Technology Assessment study issued in 1982, An Assessment of Alternatives For A National Computerized Criminal History System. This report stated that as of August 1982, 27 states had computerized criminal history files, 7 had an automated name index, and 16 had a completely manual system.⁵ Ten of the 16 manual states were in the process of implementing an automated index and 2 were developing a computerized file.

TRIPLE I COSTS HAVE BEEN LOW

The FBI and participating states have used existing identification systems to develop and implement Triple I, so costs have been low. At the time of our fieldwork, participants in the three Triple I tests had reported that start-up and operational costs for Triple I had caused them no problems. FBI officials told us they plan to conduct a detailed cost and benefit study at a later date.

FBI costs have been less than \$1 million

FBI officials estimated that start-up costs for Triple I were about \$914,000. About \$580,000 (64 percent) was for personnel-related costs associated with research and design, software development, program management, and conferences with

⁵One of the states, Nevada, did not have an Identification Bureau.

representatives of state and local law enforcement agencies. This amount included \$95,000 to incorporate Triple I requirements into the specifications for AIDS III. The remaining \$334,000 (36 percent) purchased computer equipment at the National Crime Information Center specifically for Triple I, including 16 storage units and 2 controllers. The FBI plans additional expenditures of about \$200,000 to enable it to transmit criminal history records through communications lines rather than sending them by mail, and \$69,000 for studies of the potential use of Triple I by agencies outside the criminal justice system. Maintenance of the purchased equipment at the time of our review had been about \$1,300 a month. The FBI has not estimated its operating costs because, according to FBI officials, accurate estimates could not be made until final system requirements have been established.

The interface of FBI and participating states' automated criminal history information systems resulting from Triple I has created some savings for the FBI. For example, before Triple I, states were notified by mail of the creation of a new FBI number for an offender. This procedure is now accomplished automatically for states participating in Triple I. FBI officials estimate that each automatic transaction saves about 4 cents. During fiscal year 1983, 819,000 new FBI numbers were issued. At this rate the potential savings to the FBI from participation by all 50 states in Triple I would be about \$33,000 a year. Savings also result from the elimination of duplicate records in FBI files. When states ask the FBI for a fingerprint identification, two FBI records may be created for the same individual. Specifically, a new record is created for an individual when the FBI cannot match the incoming arrest fingerprint card with a previous fingerprint record. If that individual already had an FBI record, a second FBI record would be created. When states begin to participate in the Triple I system, the FBI and state records files are matched by computer and duplicate records are eliminated. The FBI has not determined its savings from this change.

A further savings may result when the FBI begins to automatically transmit its records by telecommunication to requesting agencies rather than mailing them. FBI officials estimate that this will save about 29 cents for each record sent. The FBI has not estimated the extent of this saving. On the basis of the number of records mailed during the latest 2-month test of Triple I, the FBI's savings would have been about \$7,600 for the 2 months.

Costs to participating states
have been low

Eleven of the 14 states that were participating in Triple I at the time of our fieldwork reported average start-up costs of about \$36,000, ranging from about \$3,000 to about \$78,000. These costs were mostly personnel related and included no equipment purchases. The other three states included New York, which had the highest start-up costs of \$199,000; Wyoming, which reported virtually no start-up costs; and Georgia, which did not report its costs. New York's costs were higher than other states because it designed a more elaborate system needing more programming. Wyoming was already in the process of system development for an automated records program. It incorporated the design specifications for Triple I into its development process and thus incurred virtually no additional cost for Triple I. Average monthly operating costs for the 10 states reporting were about \$2,300. In a survey of all the participating states, the Triple I subcommittee of the Advisory Policy Board found no dissatisfaction with the costs to participate.

The participating states have also realized savings through Triple I from elimination of (1) manual file updates to record new FBI numbers and (2) duplicate files. None of these states had formally estimated actual dollar amounts of these savings, but some state officials informally estimated that these savings would offset their start-up costs after about 2 years of operation. FBI officials told us they plan to conduct a detailed cost and benefit analysis for both the FBI and participating states at a later date.

Costs to future participants
should be similar

Costs to implement Triple I for the 2 states that have joined the program since our fieldwork and for the 19 states that have indicated interest in joining depend on the extent of automated recordkeeping that already exists in those states. FBI officials told us that the costs for those states to participate should be similar to those reported by the present participants. For states with no automation, participation in Triple I would be much more expensive and does not appear feasible, except possibly where the file size is extremely small or where the state decides to automate its criminal history recordkeeping for its own internal benefit.

EFFECTS OF DECENTRALIZING RECORDS
THROUGH TRIPLE I ON FBI
AUTOMATION PLANS

One of the objectives of the Triple I program is the decentralization of criminal history recordkeeping responsibility to the states. This would shift the responsibility for maintaining and disseminating state criminal history records from the FBI to the states and could reduce the FBI's recordkeeping responsibilities and workload to some extent. FBI officials told us that reducing their responsibility in this way would not affect the need for further automation of Identification Division functions because the Division will continue to maintain recordkeeping responsibility for nonparticipating states and federal records as well as its responsibility for fingerprint identification. We did not evaluate the effect that a reduction in workload due to decentralization would have on the FBI's automation plans because of uncertainty regarding the feasibility and extent of decentralization. However, the following factors are likely to affect the FBI's automation plans.

The functions of the Triple I index have been incorporated into the functional design and specifications for the FBI's next phase of automation of its identification activities (AIDS III). FBI officials stated that without the continued automation of AIDS, it would be impossible to merge Triple I and AIDS and still maintain the level of service required by users of both systems. The Identification Division will have the following duties and responsibilities for Triple I: (1) determine which arrestees are first offenders, (2) issue FBI numbers, (3) establish Triple I index records, (4) determine multistate offenders, (5) maintain criminal history records of federal offenders, and (6) act as the surrogate for nonparticipating states.

Decentralizing criminal history recordkeeping responsibility to the states will change the way information flows from the states to the FBI. Participating states will submit arrest fingerprint cards to the FBI only on arrestees they are unable to identify from their state files. This is expected to primarily involve first offenders. FBI officials estimate that criminal fingerprint card volume reductions, on the basis of 50-state participation, would be about 40 percent. The actual volume reduction, however, will be affected by the number of states participating, the location (state) of crimes, and the level of crime. For example, the recent reduction in the volume of serious crime may eventually cause fingerprint card submissions to be reduced. FBI officials told us, however, that thus

far criminal fingerprint card submissions have increased despite the decreasing crime rate, because the number of arrests have increased.

FBI officials told us that even with reduced recordkeeping responsibility, further automation of FBI recordkeeping will still be needed. As mentioned earlier, FBI officials told us they do not expect all states to participate in Triple I and in records decentralization within the foreseeable future. Therefore, the FBI would continue to maintain and disseminate the records for nonparticipating states and federal offenders. In addition, the FBI will maintain the national fingerprint file and perform fingerprint identification activities. FBI officials also told us that work volume could increase in the future because of new legislative identification requirements such as those contained in proposed immigration legislation. If enacted, this legislation would require the FBI to respond to requests from the Immigration and Naturalization Service to identify and check the criminal histories of illegal immigrants granted amnesty under the law. The number of identification checks required is unknown but could be several million. These officials also said that a decrease in their recordkeeping workload would not necessarily reduce the costs to automate, because the extent of automation needed and the costs involved are only partly affected by the volume of work. We have previously reported on the benefits such automation can achieve⁶.

DIFFERENCES IN STATE LAWS REGARD-
ING NONCRIMINAL JUSTICE USERS
MAY LIMIT DECENTRALIZATION

At the time of our fieldwork, only criminal justice agencies had access to Triple I records. The need for access by other agency users presents problems which have yet to be resolved. These problems are presently under study. Until the use of the system by these other agencies is resolved, complete decentralization of criminal history records is not practical.

The use of the FBI's identification services was originally limited to criminal justice system organizations (such as police, prosecutors, judges, or corrections and parole/probation officers.) However, over time, the federal government and states have passed laws requiring identification checks for certain types of employment and licenses, and the FBI's identification services have been made available to a variety of organizations outside the criminal justice system. As discussed previously, these organizations include federal, state, and

⁶Faster Processing of DOD Personnel Security Clearances Could Avoid Millions in Losses, GAO/GGD-81-105, September 15, 1981.

local government entities; federally chartered or insured financial institutions; and the securities and commodities industries. The FBI provides criminal history information from its files when federal and state laws mandate a national check. About 20,000 criminal justice and other organizations can query the FBI's fingerprint records.

Under existing procedures, arrest and disposition data is provided to the FBI from state or local criminal justice agencies. The data provided becomes the property of the federal government and is disseminated to all authorized users under one set of rules. If these records were decentralized, the FBI would only disseminate criminal history data for federal offenders and for individuals in states which are not participating in Triple I. Participating states would disseminate their own criminal history information according to varying state laws.

No states encounter legal problems disseminating their criminal history records to criminal justice agencies. However, state laws vary concerning disseminating records for noncriminal justice purposes, such as employment and licensing. In some states, payment of processing fees is all that is required to determine whether a record exists and to obtain a copy. Other states restrict access to their records. For example, Massachusetts weighs the right to privacy against the public interest in releasing a record. According to a Massachusetts state official, information on an applicant to a nuclear power plant facility that would likely be released to a state nuclear licensing agency would not be released to a licensing agency regarding an applicant for a taxicab license. In the latter case, Massachusetts would respond to the inquiring agency that the agency was not authorized to receive information from Massachusetts records.

The five participating states we visited, the National Crime Information Center's Advisory Policy Board, and the FBI recognized these problems. The officials we interviewed from these groups suggested some potential solutions to these problems but told us their ideas were not fully developed, had not been studied, and had not been formally proposed. The FBI has awarded two contracts to study the issues and help devise a workable solution. One study focuses on federal needs and the other on state and local needs. The FBI and the Advisory Policy Board plan to wait until the studies have been completed and analyzed before taking any action to decentralize criminal history recordkeeping or to test Triple I for use by agencies outside the criminal justice system. FBI officials expect the studies to be completed about late 1984. Until this issue is

resolved, a completely decentralized criminal history information system cannot be achieved without reducing the current level of services provided nationwide.



U.S. Department of Justice

September 17, 1984

Washington, D.C. 20530

Mr. William J. Anderson
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Anderson:

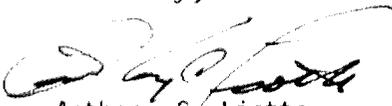
This letter responds to your request to the Attorney General for the comments of the Department of Justice (Department) on your draft report entitled "Observations on the FBI's Interstate Identification Index."

The Department has reviewed the General Accounting Office (GAO) report, and with the exception of the technical and factual clarifications we have noted on the enclosed copy of the draft report, we generally agree with the overall observations regarding the implementation and status of the Interstate Identification Index (Triple I).

The notations on the enclosed draft report are intended to provide the latest update on implementation of Triple I, improve the technical accuracy of some statements made in the report, and clarify any statements which we believe might otherwise be misinterpreted. It is our hope that the notations will be of assistance in finalizing the report.

Should you have any questions concerning the updated information or suggested notations made on the draft report, please feel free to contact me.

Sincerely,



Anthony C. Liotta
Assistant Attorney General
for Administration

Enclosure (See GAO note.)

GAO note: We did not reproduce the enclosure.

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