
Chapter 2

**Nature and Origins of Criminal
History Records**

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Nature and Origins of Criminal History Records

Chapter Summary

Until the 1850's, criminal history records in the United States consisted largely of informal notes maintained by local police officers. Since that time, however, such records have become more formalized, centralized, widely used, and technology-based.

Originally, criminal history records were known as "rap sheets." The information they contained about subject individuals ranged from personal identifiers (e.g., height, weight, eye color, and/or identification numbers) to arrests (date, jurisdiction, and charges). Information contained in criminal history records also may include court disposition of charges, sentencing, incarceration, and the like. The actual content of criminal history files varies widely. The applicable laws, traditions, and management practices in a particular jurisdiction—as well as disparities in the completeness, timeliness, and/or accuracy of criminal history information submitted to State and Federal repositories—all contribute to variation in record content.

These records are still maintained in local police departments, as well as in central repositories established by the Federal Government and 49 of the 50 States. Since 1924, the Federal Bureau of Investigation (FBI) has maintained a national criminal history record repository in its Identification Division (known as Ident).

While police were the earliest users of criminal history records, such records now are used to varying degrees at all stages of the criminal justice process by prosecutors, public defenders, judges, probation officials, and the like.

The technology of criminal records has evolved from paper-and-pencil, to manual filing, to computerized information systems; and from rogues' galleries and daguerreotypes, to fingerprinting, to automated fingerprint classification and search systems.

Nature of Criminal History Records

Criminal history records exist on several levels. Criminal history information generally originates with criminal justice agencies directly involved with the processing of specific persons. For example, the police maintain records (known as blotters) on individuals arrested and the date, time, charges, and related information. Fingerprints are normally taken when a suspect is booked in order to establish *positive* identification. Police blotters are usually compiled chronologically. Likewise, the courts maintain records of the results of judicial proceedings compiled chronologically by

case or docket number, including the disposition and, if applicable, the charges of conviction and sentence imposed. Correctional agencies maintain records on individuals incarcerated, including intake information, facility assignment, and the like.

This study does not focus on the original records of law enforcement, judicial, correctional, and other criminal justice agencies (e.g., prosecutorial, parole/probation); rather it concentrates on the consolidation of this information in criminal history records organized by name

(and/or identification number) and maintained at the State and Federal levels. As will be discussed later, the Federal Government and all but one State maintain central criminal history record repositories. These repositories include both record information and related fingerprint data that are used (along with other personal descriptors) to make positive identification. The various levels of criminal history records are illustrated in figure 1.

These criminal history records originally were known as "rap sheets" and included primarily the subject's personal identifiers and arrest information. However, a broader definition of criminal history records has emerged. As currently defined in the Code of Federal Regulations, criminal history records include "information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrest, detentions, indictments, information, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision, and release."

Thus, the definition of criminal history records (although still frequently referred to as rap sheets) used in this study includes information concerning an individual's arrests for violation of criminal laws and the disposition of charges (including charges dropped, dismissed, or of which the subject is acquitted). For convicted individuals, criminal history records include information on sentencing, correctional supervision, and release. They also note the arresting jurisdiction and, where applicable, the correctional institution. Finally, these records include local, State, and/or Federal criminal identification numbers assigned to the individual involved, along with other personal identifiers (e.g., height, weight, and eye color). The records of repeat offenders contain criminal history information for each violation.

¹Title 28 Code of Federal Regulations, pt. 20, subpt. A.

The actual content of criminal history files varies widely, depending on the applicable laws, tradition, and management practices in a particular jurisdiction. For example, some States seal or purge information concerning arrests that do not result in a conviction.² Other States maintain such nonconviction information as a permanent part of the criminal history record.³ The many variations in State law that affect the content of criminal history records are reviewed in chapter 6. Also, as discussed in chapters 8 and 9, disposition reporting levels vary widely among the States.

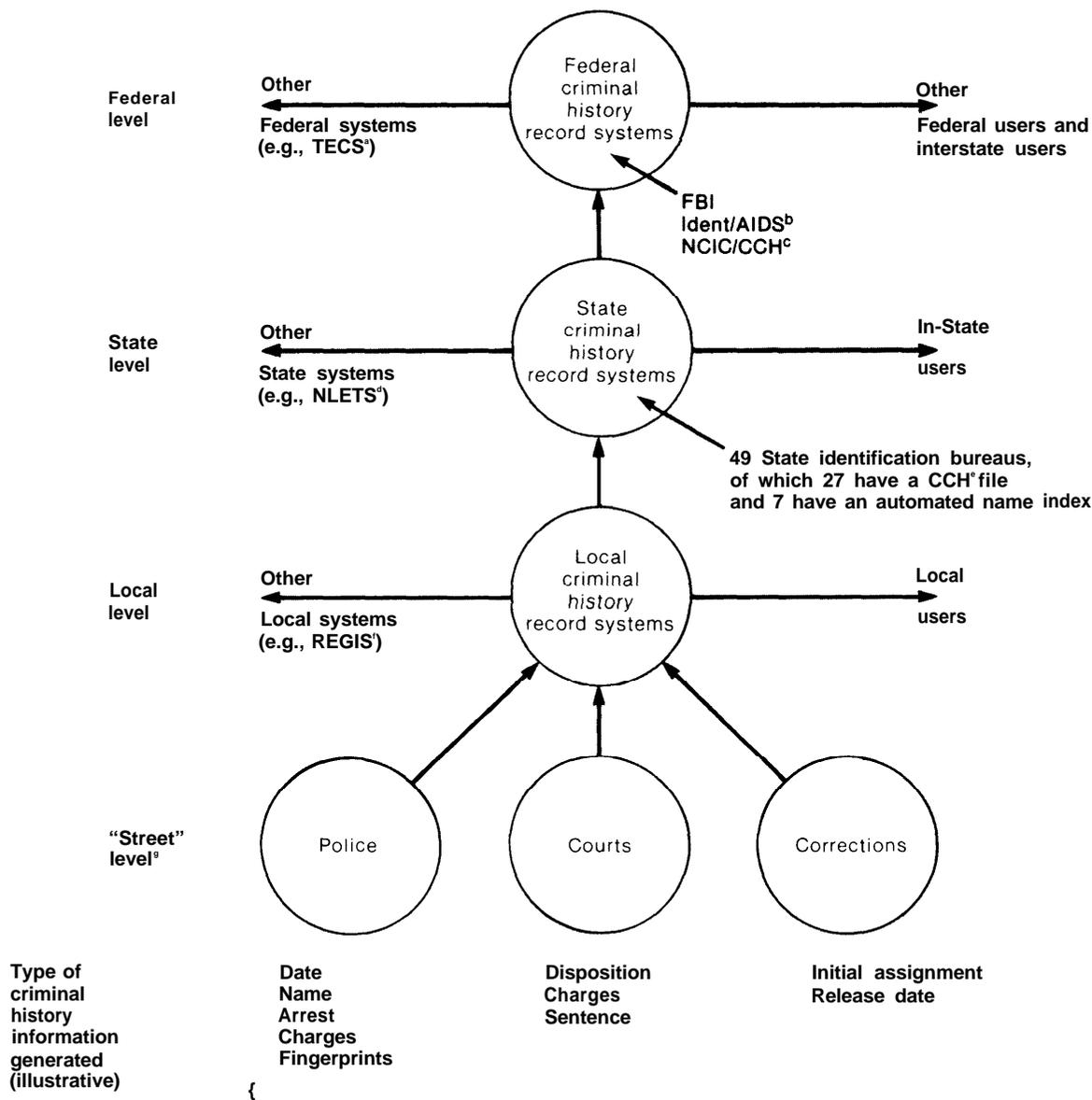
At the Federal level, the FBI has developed a standard format for criminal history records in Ident and in the computerized criminal history (CCH) file of the National Crime Information Center (NCIC). The Ident and CCH criminal history record formats are illustrated in figures 2 and 3. The Ident manual records currently are being converted to an automated format called the Automated Identification Division System, illustrated in figure 4. The content of the Ident and CCH records also varies widely, largely due to disparities in the completeness, timeliness, and/or accuracy of criminal history information provided to the FBI by Federal, State, and local criminal justice agencies.

²"The South Carolina statute is an example of an especially strong automatic purging procedure. The South Carolina Code (S. Carolina Code sec. 17-1-40) requires agencies to automatically purge arrest records upon notification that charges were dropped or that the subject was acquitted." SEARCH Group, Inc. *Sealing and Purging of Criminal History Record Information*, technical report No. 27, Sacramento, Calif., April 1981, p. 13.

³As defined in 28 CFR 20.3(k), nonconviction information means "arrest information without disposition if an interval of one year has elapsed from the date of arrest and no active prosecution of the charge is pending; or information disclosing that the police have elected not to refer a matter to a prosecutor, or that a prosecutor has elected not to commence criminal proceedings, or that proceedings have been indefinitely postponed, as well as all acquittals and all dismissals."

⁴See SEARCH, *Sealing and Purging*, op. cit., pp. 13-16, for discussion of variations in State law on sealing and purging.

Figure 1.—Overview of Criminal History Records System



NOTES:
^aTECS = Treasury Enforcement Communication System.
^bIdent/AIDS = Manual and Automated Identification Division System records (including fingerprints) maintained by the FBI's Identification Division.
^cNCIC/CCH = FBI's National Crime Information Center computerized criminal history records.
^dNLETS = National Law Enforcement Telecommunications System.
^eCCH = Computerized Criminal History.
^fREGIS = Regional governmental information systems which frequently transmit criminal history information (as in the St. Louis, Missouri region).
^gMay also include prosecution files and records maintained by pretrial diversion and probation/parole agencies.

SOURCE Off Ice of Technology Assessment adapted from Sarwar A Kashmeri, "REJIS-A New Concept for Regional Criminal Justice Agencies In LEAA, Proceedings of the Second International Symposium on Criminal Justice Information and Statistics Systems, Washington, D.C., 1974, p 380

Figure 2.—Facsimile of Manual Ident Rap Sheet

UNITED STATES DEPARTMENT OF JUSTICE 3-15-79 125
 FEDERAL BUREAU OF INVESTIGATION
 IDENTIFICATION DIVISION
 WASHINGTON, D.C. 20531

Use of the following FBI record, NUMBER 000 000 A, is REGULATED BY LAW. It is furnished FOR OFFICIAL USE ONLY and should ONLY BE USED FOR PURPOSE REQUESTED. When further explanation of arrest charge or disposition is needed, communicate directly with the agency that contributed the fingerprint.

CONTRIBUTOR OF FINGERPRINTS	Name And Number	Arrested OR Received	CHARGE	DISPOSITION
PD Peoria IL	John Lee Doe 34653	8-12-74	OMVWI	charge dismissed 12-18-74
PD Daytona Beach FL	John Doe ID- 104200 SID FL4261893	4-21-75	shoplifting	4-29-75 Sent susp 30 days
so Ore Con IL	John L Doe	5-2-76	burglar y 2 counts	6-10-76 1 yr IL Dept of Corrections
Rec & Class Ctr Joliet IL	John Lee Doe C61778	4-1-76	burglary	1 yr
PD Peoria IL	John L Doe 34653	8-3-78	theft	9-1-78 1 yr 6 mos to 4 yr. 6 mos guilty IL Dept of Corrections
Rec & Class Ctr Joliet IL	John Doe C61778	9-29-78	theft	1 yr 6 mos to 4 yr 6 mos
(Source: Provided by Identification Division, Federal Bureau of Investigation, July 1979)		SUBJECTS CRIMINAL ALSO RECORDED IN FILE a1 Bureau of investigation		HISTORY NCIC-CCH

SOURCE Provided by Identification Division, Federal Bureau of Investigation, July 1979

Figure 3.—Facsimile of CCH Record and Explanation
Sample Response CCH Summary Record (QH)

5 4001HEADERXXXX01234
6 MD1012600
7 NCIC SUMMARY MULTIPLE STATE FBI/835172KII 03/01/77
8 EH DOE, JOHN M W NH DoB/120345 HGT/511
9 WGT/165 EYE/BRO HAI/BLK SKN/LBR SMT/TAT L ARM
10 SOC/375125249 MNU/AS-375125249 FPC/121011C0141159TTTCI13
11 Comment /EPILEPTIS TAT IS ARROW THRU HEART
12 ADDITIONAL IDENTIFIERS -
13 4002 HEADERXXXX01234
14 MD1012600
15 SID/MD34567812
16 DOB/011147 031147 031149
17 SMT/CRIP L HND CON LENSES DENT UP LO
18 SOC/421381928 382411221 120551394
19 MNU/MC-1428316 VA-C1234567
20 AKA/DOE, JOHN J/HENRY, JOHN/JOHN, HENRY
21 DLU/602876
22 TOTAL ARRESTS - 2
23 4003HEADERXXXX01234
24 MD1012600
25 CHARGES CONVICTIONS OFFENSE
26 1 1 ASSAULT
27 1 1 DANGEROUS DRUGS
28 1 0 ATTEMPT SEX OFFENSES
29 LAST ARREST STATUS (INCLUDED ABOVE) -
30 012074 MDBPDOOOO BALTIMORE CITY PD MD
31 COURT STATUS (INCLUDED ABOVE)-
32 32 MD SUP CT NO 1 BALTIMORE
33 400HEADERXXXX01234
34 MD1012600
35 01 3603 ATTEMPTED HOMOSEXUAL ACT WITH Boy--
CONVICTED
36 DISP DATE/020274 CONFINE/6M
37 02 1314 AGGRAV ASSLT-GUN--CONVICTED
38 DISP DATE/020274 CONFINE/6M
39 CC
40 APPEAL DATE030274
41 SUPP COURT STATUS-
42 01 ACQUITTED
43 CUSTODY STATUS
44 4L05HEADERXXXX01234
45 MD1012600
46 MDO02035C HOUSE OF CORRECTION JESSUP MD 030374
RECEIVED
47 MDO02035C HOUSE OF CORRECTION JESSUP MD 090374
DISCHARGED
48 END
49 BASED ON NAME CHECK

Figure 4.—Facsimile of AIDS Record

UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 IDENTIFICATION DIVISION
 WASHINGTON, D.C. 20537

Use of the following FBI record, NUMBER 000 000 N 1 is REGULATED BY LAW. It is furnished for OFFICIAL USE ONLY and should ONLY BE USED FOR PURPOSE REQUESTED. When further explanation of arrest charge, or disposition is needed, communicate directly with the agency that contributed the fingerprints.

Contributor of Identifier (ORI) Name Case Number (OCA)	Subject: Name State Number (SID)	Arrested or Received	C - Charge D - Disposition
NATIONAL CRIME INFORMATION CENTER FGPT . CLASS ,	DOE , JOHN LEE	08/ 1 2/74	16 13 13 CC 08 16 11 10 C C-O MVW I D-CHARGE D I S M I S S E D- 12 / 1 8 / 7
IL0720700 PD PEORIA , I L 34653	DOE , JOHN FL4261893	04/2 1 /75	C - SHOPLIFTING D- CON V I C T E D -04 / 29 / 75 SENT SUSP-30D
110640100 PO DAYTONA BEACH, FL 1D-104 200	DOE , JOHN L	0 5/0 2/7 6	C-BURGLARY- 2 COUNTS D-CONV I C T E D 06 / 10 / 76 CONFINEMENT- 1Y IL DEPT OF CORRECTIONS
IL071 0000 SO OREGON , I L	DOE , JOHN LEE	0 7/0 1/76	C- BURGLARY D- CONVICTED- CONFINEMENT 1Y
IL0990 15 c RECLASS CTR JOL I ET C61 770	DOE , JOHN L	0 8/0 3/7 8	C - THEFT D- CONVICTED- 09/01/75 CONF IN EMENT -1 Y 6M-4 Y 6M GUILTY IL DEPT OF CORRECTIONS
IL07207 00 PD PEORIA , I L 34653	DOE , JOHN	09/2 9/70	C-T HEFT D- CON V I C T E D - CONF I N E M E N T -1 Y 6 M- 4 Y 6 M
IL 09901 5C REC LCLASS CTR JOL I ET C61778			

4C

SOURCE. Provided by the Identification Division Federal Bureau of Investigation, July 1979

Origins of Criminal History Records

Until the mid-1850's, criminal history records in the United States consisted largely of informal, anecdotal notes maintained by local police officers. However, as the larger cities in the Northeast such as Boston and New York created formal police departments, the

city police began to centralize records—primarily rap sheets—and establish more consistent reporting formats.

At the same time, city police needed more reliable ways to identify suspects and crimi-

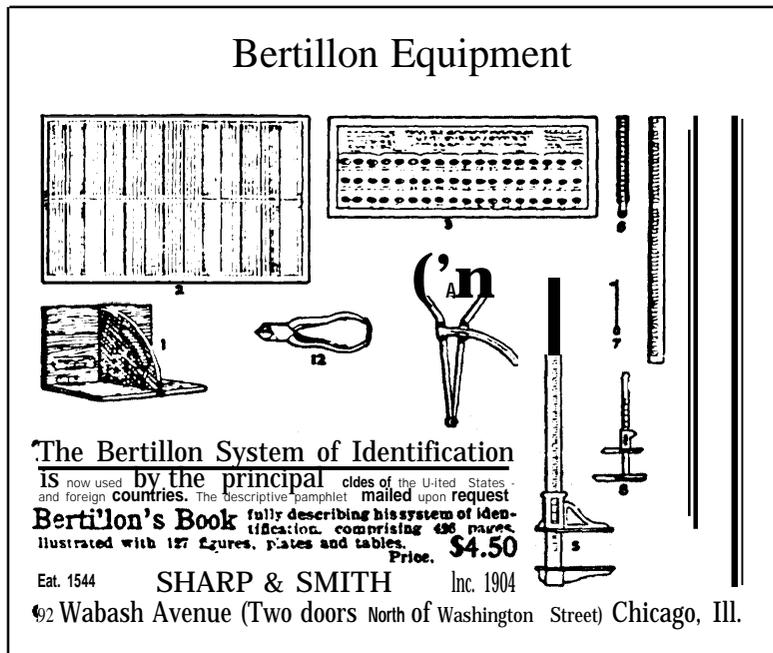
nals. In the mid-19th century, the police first established *rogues' galleries* and used daguerreotypes to identify criminals. In the 1880's, these methods were supplemented by the Bertillon system of identification, which used body measurements, standardized photographs, notations of skin color and markings, and thumbline impressions, as shown in figure 5. In the early 1900's, fingerprinting evolved as the most reliable identification system; it remains the basic underpinning of criminal history records at all levels of government.

Also in the late 19th and early 20th centuries, the increased mobility of criminals fostered by the railroad and automobile expanded the need for sharing of criminal history records among different jurisdictions. The National Chiefs of Police Union, later to become the International Association of Chiefs of Police (IACP), was among the first to support a more formal institutionalized means for exchanging

records. Partly because the States had not yet developed a statewide role in criminal justice recordkeeping, IACP supported a national bureau of criminal identification, and even maintained a prototype bureau itself for several years. In 1923, at the urging of IACP among others, IACP bureau files, along with the Federal criminal identification files (maintained at the Federal prison in Leavenworth, Kans.), were transferred to the U.S. Department of Justice (DOJ). Congress created the Identification Division in 1924, and passed legislation in 1929 making Ident a permanent part of the FBI within DOJ.

By the 1940's, most of the States had developed State bureaus of identification, and the basic framework for State and Federal repositories of criminal identification and arrest records had taken shape. By 1949, 32 States had established identification bureaus, and as of September 1981, 49 of the 50 States had a

Figure 5.—Bertillon Equipment



SOURCE Reproduced from *Identification Wanted* Development of the American Criminal Identification System 1893-1933, International Association of Chiefs of Police, Police Management and Operations Divisions, Gaithersburg, Md., 1977

State identification bureau established by law.⁵

While the early use of rap sheets was primarily by the police, by the 1960's and 1970's criminal history records were increasingly viewed as important at all stages of the criminal justice process. Thus, the needs of prosecutors, public defenders, judges, magistrates,

⁵Nevada is the one State without a State identification bureau. Based on September 1981 survey conducted by NCIC staff. See NCIC staff paper prepared for the Nov. 3-4, 1981, meeting of the NCIC Advisory Policy Board Subcommittee on the Interstate Identification Index, Topic #6, pp. 1-2.

and probation and correctional officials were all considered along with those of police and investigatory officers.⁶

⁶For a detailed discussion of the criminal identification system, see Donald C. Dilworth, *Identification Wanted: Development of the American Criminal Identification System 1893-1943*, International Association of Chiefs of Police, Gaithersburg, Md., 1977. Also see Donald A. Marchand, et al., *A History and Background Assessment of the National Crime Information Center and Computerized Criminal History Program*, Bureau of Governmental Research and Service, University of South Carolina, June 1979, Section I, "Law Enforcement Record-Keeping in the United States: 1850's-1950's," pp. 6-37.