

## NBCP and FBI Rap Back Status May 2017

**Summary:** In response to a query issued by the National Forum for Background Checks, Forum representatives from 14 current and graduated NBCP States provided information regarding the status of their program's implementation of FBI's NGI Rap back capability, which was made available to non-criminal justice State applicant programs in September 2014. Three states indicated they expect to have FBI rap back service by the end of 2018 (FL, MI, & OK). Three other states indicated they are in the active planning and preparation phase (MO, OR, & WV). The common barriers to implementation were identified as 1) insufficient IT Capability within the State CJIS Agency, and 2) opposition to adoption of State legislation to authorize latent fingerprint matching.

State	State Rap Back	FBI Implemented	Actively Working (Est. Time)	Planning/Preparing	Barrier	Text of Response
AK	Yes	No	No	No	Unknown	Alaska currently does not have FBI rap back in place and is not currently working on it.
CA	Yes	No Response				NO RESPONSE
CT	Yes <sup>1</sup>	No	No	No	Unknown	CT does not have FBI Rap Back in effect. The State Agency is not currently working to implement it.
DC	No	No	No	No	No rap back	DC does not have a rap back program at this time.
DE	Yes	No Response				NO RESPONSE
FL	Yes	No	Yes (mid-late 2018)		FBI testing	Florida does not have FBI rap back, but is working towards it. However, the state law enforcement agency is running into system testing issues with the FBI. Once they solve that and conduct a pilot program with FDLE employees, then the health clearinghouse will be brought on, but that will probably not be until at least a year from now, best case scenario.
GA	No	No	No	No	No legislative authority	Georgia does not have Rap Back authority in legislation in any governmental agency.
KS	No	No Response				NO RESPONSE
KY	Yes	No	No	No	State CJIS capability	Kentucky has State Rap Back operational but does not have FBI Rap Back. At this time, the Agency does not have plans for FBI Rap Back. Our statutes and regulations allow for it, but the Kentucky State Police do not have the ability to do it at this time.
ME	No <sup>2</sup>	No	No	No	Unknown	Maine doesn't have FBI rap back and is not currently working towards it.

State	State Rap Back	FBI Implemented	Actively Working (Est. Time)	Planning/Preparing	Barrier	Text of Response
MI	Yes	No	Yes (end of 2018)		State CJIS IT Capability	Michigan does not yet have federal rap back in place, as equipment in use is not compatible with the FBI systems at the moment. The CJIS agency (Michigan State Police) is procuring compatible equipment and they expect rap back to be implemented within 18 months.
MO	No	No	No	Yes	No legislative authority	The Missouri State Highway Patrol is still waiting for authorizing legislation to implement rap back. The State Agency estimates that it will be at least calendar year 2018, as the 2017 session ended early this month. That may be an optimistic estimate.
NM	Yes	No Response				NO RESPONSE
NV	No	No	No	No	Unknown	Nevada does not have federal rap back in place and is not currently working on it. Currently the State is working on developing and implementing a state rap back.
OH	Yes <sup>3</sup>	No	No	No	No authority for latent fingerprint matching	Ohio does not have FBI rap back in effect. They are not currently working to implement FBI rap back, because it would require a change in state law to allow matching fingerprints against unsolved criminal cases. The State CJIS Agency has had preliminary discussions, but has no projected implementation date. Although other States may be testing FBI rap back, at this time Ohio will continue to use state rap back only.
OK	Yes	No	Yes (late 2017)			Legislation was passed this session for universal rap back and goes into effect 11/1/2017. The upgraded State AFIS is set to “go live” the first week of August. Once that happens, and is operationally tested, the Oklahoma SBI will be ready. The OK SBI will not be able to fully implement until 11/1 due to the legislation’s effective date. There will be a state User’s group meeting in the next few months of our Non-CJ agencies and discuss this process and the SBI requirements. Separately, the State Agency has developed plans with Innovative Architects to integrate OK-SCREEN (the core system) so that there is system-to-system notification of state and federal rap-back and State Agency staff will have access through OK-SCREEN to the CHRI using two-factor authentication. In the interim, they will use email notification.

State	State Rap Back	FBI Implemented	Actively Working (Est. Time)	Planning/Preparing	Barrier	Text of Response
OR	No <sup>2</sup>	No	No	Yes	State CJIS IT capability	Much like the others, Oregon does not have it and is not currently working on it. That being said, the State CJIS Agency is working on the IT to support it, but that is primarily through a project that the State Agency could possibly benefit from in the future.
WV	Yes	No	No	Yes	State CJIS IT Capability	WV does not have federal rap back because the current CJIS system did not meet the requirements. The State Police is awaiting the new system to be delivered (hopefully this summer). Once that is in place the WVSP will explore the possibility of FBI rap back. At this time there is no timetable.
<b>Summary</b>	11 Yes	None	3 (FL, MI & OK) (End 2018)	3 (MO, OR & WV)	State CJIS IT Capability and legislation to authorize latent print matching	

- 1) Connecticut has a method to monitor ongoing criminal history, but it is not fingerprint based.
- 2) In Maine and Oregon, the State Long Term Care agency had planned to implement rap back; however, rap back has not been authorized in State Statute at this time.
- 3) In Ohio rap back is voluntary by employer, and many employers do not subscribe. The State Long Term Care agency does not monitor rap back enrollments or activity.