

Culture Clash

Why is more research not being done with criminal history data?

Major Points

- Criminal history records are under-utilized for research purpose
- Differentiating research users—academic/policy
- What are the sources of under-utilization?
- What can be done about it?
- Who will do it?

Indicators of Under-utilization for Research Purposes

- Utilized less than they could be.
 - Criminal History Record Information (CHRI) are not easy to get.
 - Research dominated by a group of talented, but repeat actors.
- Utilized less than they should be
 - Massive investments made to build this data system
 - Data relevant to some of the most central issues in Criminology and Criminal Justice

Defining and Differentiating Research Use

- Research uses the CHR to identify patterns in the data that inform policy making and theory building.
- There is a blurry line between policy and theoretically relevant research, especially in the area of methodological research.
- The problem of under-utilization is different in these spheres largely because of the organizational affiliation of those doing the work.
- Any proposed solutions to under-utilization will probably affect these groups differently.

Sources of Under-utilization

- Access—researchers are prohibited from accessing the data or requirements for access are too high or access takes too long.
- Data difficult to use—data not documented, data are not standardized, the data are not structured, data cannot be easily expanded (linkage)
- Data are of unknown quality and without an error profile

Problems of Access

- Prohibition
 - The FBI Triple “I” data is only accessible to law enforcement.
 - Triple I is advantageous because it includes all of the state CHRI data while states only include records submitted from their state.
 - Point estimates are affected by whether State or Triple III data are used, but we do not know if analyses are similarly affected.
 - States are more accommodating to non-law enforcement entities
- Duration—time to process application is variable and long
 - Average time in MD 12-15 months and maximum over 3 years
 - Repeat actors get shorter times—is it trust or familiarity—kid who do you know
 - Prestigious actors get shorter times
- Ignorance—potential applicants do not know where to go what is required

Data Difficult to Use

- Documentation that describes how the data were generated and what they mean is not readily available.
- Standardization of the data across states important for cross-state comparisons which is a valuable source for testing policies.
- Unstructured data needs to be structured and this is difficult and time consuming

Data of unknown quality

- Data and especially court data are missing and the extent of missing data should be identified.
- Changes or differences in laws and procedures affecting CHR data should be identified or removed from the data.
 - Expungement will potentially remove offense from the data
 - Decriminalization can also influence accuracy of records
 - Procedural differences—parole violations and new offenses
- Methodological work should be done to estimate the impact of procedural changes on analytical uses of the data.

Culture Clash

- Operational uses of CHR are primary.
- Operational uses emphasize information on individuals, incidents, confidentiality, accuracy and timeliness.
- Research uses emphasize patterns in the aggregate, timeliness is not always important and accuracy is defined entirely differently.
- These differences in purpose and values lead to different procedures for ensuring data quality and especially accuracy and confidentiality.
 - Audit standards versus affects on co-variance and measures of central tendency.
 - Protection by restricting usage not altering data
- These differences in procedures reduces the availability and suitability of operational data for research uses.

What to do about barriers to research use of CHRs?

- Facilitating Access
 - Rethinking access to Triple I—using a SLEDS model.
 - Creating data centers for policy analysis
 - Putting sunshine on the access application process
 - Educating the applicant population
- Making it easier to use correctly.
 - Structuring unstructured data—charges and dispositions
 - Documenting the data generation process
 - Documenting changes in data generation process
 - Not just changes in the capture of crime legally defined --expungement
 - But changes in crime behaviorally defined—decriminalization
 - Texas and Florida's handling of offense by persons on supervision

Rethinking Access to Triple III

- Restricting access to Triple III is designed to limit potential of breeches of confidentiality.
- Are there other ways to accomplish the same objective without restricting access?
- State Longitudinal Educational Data System (SLEDS) as a model.
 - Linked educational outcome data with labor force participation
 - Anonymize data and make it available for research
- Do same for CHRI?
 - Link to sentencing, release, supervision, employment, and income and anonymize the linked data (synthetic data)
 - Create standing data sets and provide linkage to specific populations

Data Centers for Policy Analysis

- State agencies are allowed recurring access to CHR data for analyses in close support of state agencies policy and practice.
- Solves the access problem and allows for timely use of the data but only for state employees and not others.
- Third party distribution of the data is not possible
- This approach takes various forms
 - Alaska—SAC and university use data for policy analysis
 - Maryland—repeated use of SAC sub-contractor

Monitoring the application process

- The application process could be more transparent.
- Report on the outcome of state equivalent of FOIA applications is reported annually.
- Same could be done to provide more accurate data on accessibility and the duration of the application process.

Educating Applicants on Process

- Many potential applicants simply do not know what to do or where to go to obtain that information.
- If this were assembled in one place, it may speed up the application process and increase the people who make application.
- States could put this on their websites, but it may be easier to do this centrally.
- Participate in professional meetings of disciplines to show case the data and the application process.

Making Data Easier to Use

- Documentation of the Data Generation Process and Contextual Changes in Law and Process
- Linking data relevant to crime and recidivism with CHR data in a secure and anonymized environment.

How will it be done and who will do it?

- Conduct methodological research on CHR that can guide efforts to encourage appropriate usage.
- Build criminal history record data center to acquire, curate and link CHR
- Work with JRSA to build state analysis centers with continuous access to CHR.
- Incentivize independent researcher to use the data with small grants.

Conduct Methodological Research

- Compare the effects of using state repository as opposed to Triple II data.
- Assessing the effects of changes in procedures and laws on result
- Assessing the effectiveness of data acquisition processes.
- Assessing data quality

Build CHRI Data Center

- Engage in Data Curation—documentation of data generation, identify changes in law and practice that influence data, application information.
- Build Data Bases for Use and Redistribution
 - Pulling CHRI for lists of individuals
 - Redistribute anonymized criminal histories linked to other data
- SEARCH has begun this effort and it is well positioned to continue and expand it.
- Conduct outreach to potential users.
- Is this at the state level or Triple III?
- Choice between technical proficiency and substantive familiarity.

Develop State Analyses Center

- Provide State Statistical Analysis Centers (SAC) with copies of criminal history data bases.
- For use in policy analyses done in close support with agency decision making in the state.
- This will not do much for academic users, but could help state and local agencies use the data.

Small Grant program focused on CHRI

- SACS are awarded funds for analysis on specific problems or themes and one of these themes could be CHRI use or problems for which CHRI is the only logical choice of data.
- The National Institute of Justice (NIJ) has an interest in promoting the use of CHRI data and the building of infra-structure that facilitates its use.

Conclusion

- All of the steps outlined in this presentation have the potential to increase the use of CHRI data for research purposes.
- Many are easily done and not expensive.
- The largest departure from current practice is the creation of a national data center for CHRI with Search at its hub.
- This will require that the practitioner culture accept the importance of research and the viability of accepted methods for ensuring confidentiality within the research culture.
- SEARCH can be an important actor in this cross-cultural conversation. They give researchers “some one to know”.