

U.S. Department of Justice
Tribal Consultation on Data Relevancy and Access to Data

Framing Paper

Savanna's Act (the Act) directs the Department of Justice (DOJ), in cooperation with the Department of the Interior (DOI), to conduct formal Tribal consultations on how to further improve Tribal data relevance and access to databases. DOJ is also directed to confer with Tribal organizations and urban Indian organizations on how to further improve American Indian and Alaska Native data relevance and access to databases.

The Act specifies that DOJ seek Tribal feedback on the following databases:

- (A) the National Crime Information Center database;
- (B) the Combined DNA Index System;
- (C) the Next Generation Identification System; and
- (D) any other database relevant to responding to cases of missing or murdered Indians, including that under the Violent Criminal Apprehension Program and the National Missing and Unidentified Persons System.

The **National Crime Information Center (NCIC)** is managed by the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Division and serves as a repository of data that Tribal, State, Local, and Federal law enforcement agencies submit. NCIC is a database designed to assist authorized criminal justice agencies in locating missing persons, apprehending fugitives, confirming domestic violence protection orders, and identifying stolen property. NCIC protects law enforcement officers by providing critical criminal justice information. Tribal law enforcement is not required to submit information to NCIC; participation by Tribal agencies is at the discretion of each Tribe. Tribal access to NCIC either occurs through the relevant state CJIS Systems Agency (CSA) or through DOJ's Tribal Access Program (TAP).

The **National Incident-Based Reporting System (NIBRS)** is managed by the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program and provides critical statistical information about crimes. The FBI has transitioned from the Summary Reporting System (SRS) collection of the FBI UCR Program to focus on the rich details that data collected through NIBRS. Often, confusion arises about the difference between SRS and UCR because, historically, the two terms have been incorrectly used interchangeably. SRS is the only part of

the FBI UCR Program that has been phased out. Other UCR data collections such as Law Enforcement Officers Killed and Assaulted will continue.

NIBRS captures details on each single crime incident including race and other information on both offenders and victims, relationships between victims and offenders, and property involved in crimes. NIBRS goes much deeper than the prior SRS reporting because of its ability to provide circumstances and context for crimes like location, time of day, and whether the incident was cleared. Tribal access to NIBRS occurs through either the BIA Office of Justice Services, the relevant state CSA, direct reporting to FBI CJIS, or the NIBRS Collection Application (NCA). The NCA is a solution to enable tribal agencies to submit NIBRS data to the FBI UCR Program free via the Law Enforcement Enterprise Portal.

The **Combined DNA Index System (CODIS)** is managed by FBI Laboratory Services Division and supports a network of DNA databases, which are used for forensic purposes to solve crimes as well as assist with investigations involving missing and unidentified individuals. One part of CODIS is the National DNA Index System (NDIS) which contains profiles contributed by federal, state, and local participating forensic laboratories. Tribal law enforcement agencies access CODIS indirectly through either the FBI or through a state or local NDIS participating laboratory.

The **Next General Identification System (NGI)** is managed by FBI CJIS and provides for fingerprint-based identification services for law enforcement and criminal justice users. The NGI System allows criminal justice agencies to submit fingerprints and to contribute criminal history information such as arrests and convictions. The NGI System provides for the identification of fingerprints obtained at crime scenes during investigations. The NGI System is also used by noncriminal justice agencies to obtain criminal history information for authorized background check purposes. Through the Deceased Persons Identification Services, law enforcement agencies, medical examiners' offices, and coroners' offices may submit fingerprints of known and unknown deceased persons for identification in active and cold cases. Tribal access to the NGI System for criminal justice purposes occurs either through the relevant state CSA or through DOJ TAP. Tribal access to the NGI System for noncriminal justice purposes occurs either through the relevant state CSA, DOJ TAP, hard-card submissions to the FBI's CJIS Division, or through an FBI-approved Channeler. Tribal access to the Deceased Persons Identification Services occurs through these existing methods or via email to the FBI's Special Processing Center at DPIServices@fbi.gov.

The **Violent Criminal Apprehension Program (ViCAP)** is managed by the FBI and serves as a repository for investigative information related to certain crimes involving missing persons, homicides, sexual assaults, and unidentified human remains. It is available to law enforcement agencies via the FBI CJIS Law Enforcement Enterprise Portal (LEEP) which Tribal law

enforcement can access either directly through a LEEP account from FBI CJIS or through DOJ TAP.

The **National Missing and Unidentified Persons System (NamUs)**, managed by the National Institute of Justice (NIJ), is a national information clearinghouse and resource center for missing, unidentified, and unclaimed person cases across the United States. It is used by families of missing persons, medical examiners, coroners, and law enforcement agencies. NamUs is designed to provide services and information to family members and support law enforcement activities. The databases housed in NamUs are connected for automatic case comparisons, thus expanding the power of NamUs to also make associations between missing and unidentified persons. Missing person records can be entered into NamUs by anyone, including the general public; however, all cases are verified with the appropriate law enforcement agency prior to publication in NamUs. Tribal members and Tribal law enforcement agencies may also access NamUs directly and free of charge.

Following are some specific questions for consideration in advance of our consultation sessions. These questions are not intended to limit feedback; although Savanna's Act focuses on data relevancy and access, DOJ welcomes broader input.

- Does your Tribe have access to the abovementioned databases?
- Does your Tribe make use of these databases?
- Are the databases easy to access?
- Is the information in any of these databases helpful in decision making or public safety activities?
 - What changes would better support decision making or public safety activities?
- Is there data you don't have access to that you need?
- Is there relevant information that you need that is not available through any of the databases listed above?