



Oregon State Police

Joint Ways & Means
Public Safety Sub-Committee
April 26, 2017

Presented by: Tom M. Worthy, Major Oregon State Police

Presentation Overview

1. FICS Program Performance
2. Program Funding History and Fees



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OSP CJIS Firearms Instant Check System (FICS)

Helpful Definitions

- **OSP** - The Oregon Department of State Police.
- **CJIS** - Oregon's Criminal Justice Information Services Division, also a Federal Program of the FBI.
- **FICS** - Oregon's Firearms Instant Check System, a program within Oregon State Police CJIS Division.
- **NICS** - National Instant Check System, The FBI Program responsible for conducting firearms background checks for federally licensed dealers in non-POC states.
- **POC State** – Point of Contact for federal Brady firearm checks where a state statute requires the background check to be conducted through a designated agency.
- **ABIS** - Automated Biometric Identification System, Oregon's fingerprint, palm print, and arrest photo repository. All Criminal history Records are based on a biometric, in this case a fingerprint.
- **CCH** - Oregon's Computerized Criminal History program. A program within OSP CJIS responsible for maintaining records of persons criminal history.
- **Core Services** - CJIS program areas that make up the repository infrastructure. Includes the CCH and ABIS program areas.
- **Pended Transaction** - A firearms Background check that can neither be approved or denied immediately, and requires further research to determine status. Often referred to as "delayed status"



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The FICS Program Statutory References:

- ORS 166.432 – Establishes OSP as a National Instant Check System Point of Contact (POC) for purposes of state and federal background checks on firearm transfers in Oregon.
- ORS 166.412 – Requires OSP to conduct background checks using CCH and other available information to determine:
 1. Denied: If the purchaser is disqualified, and if so, notify the dealer.
 2. Approved: If the purchaser is qualified, and if so, provide a unique approval number to the dealer.
 3. Pend: If unable to determine qualification or disqualification within 30 minutes, notify the dealer of an estimate of time to complete the background check.



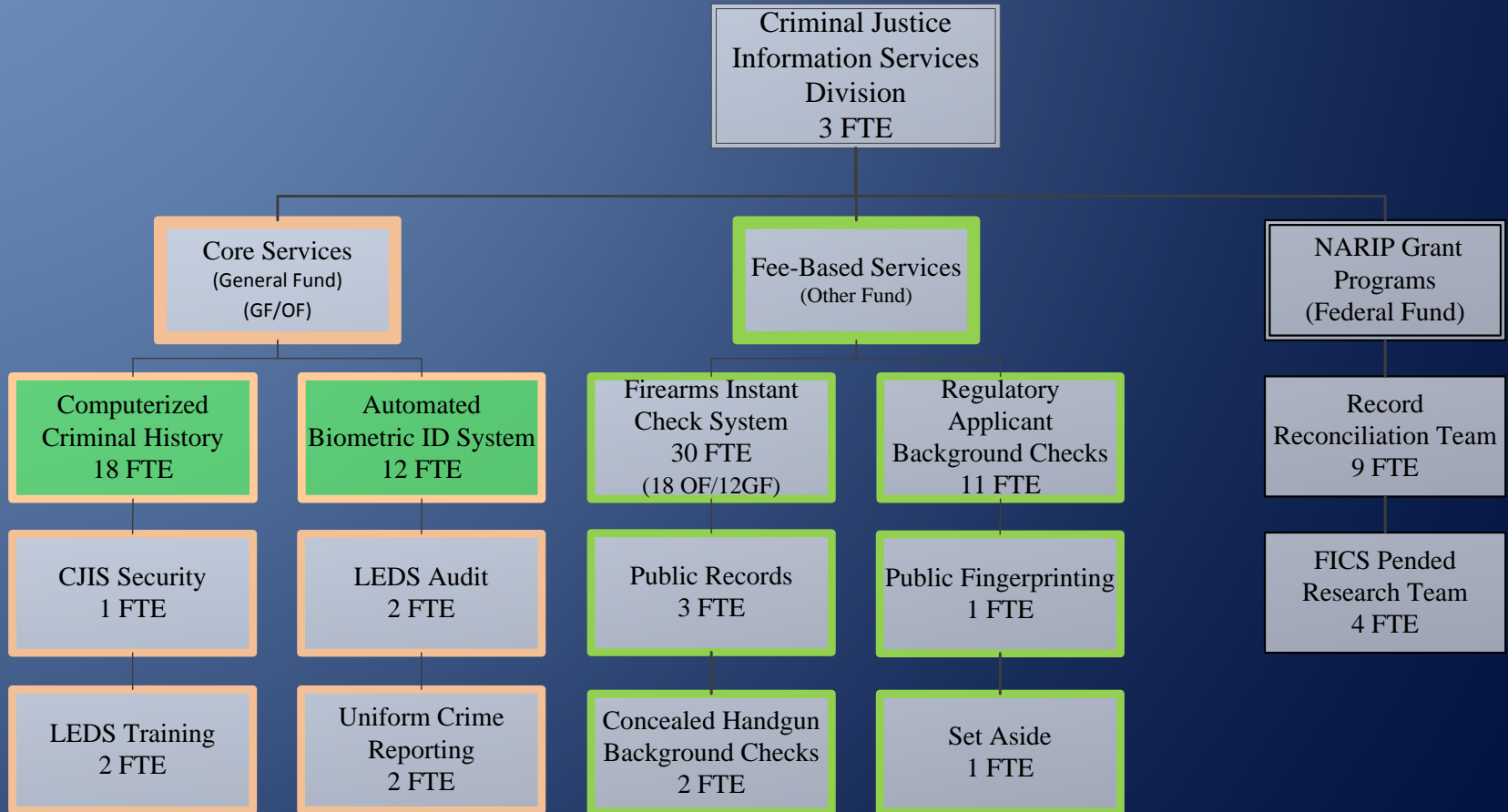
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Department Organization Chart



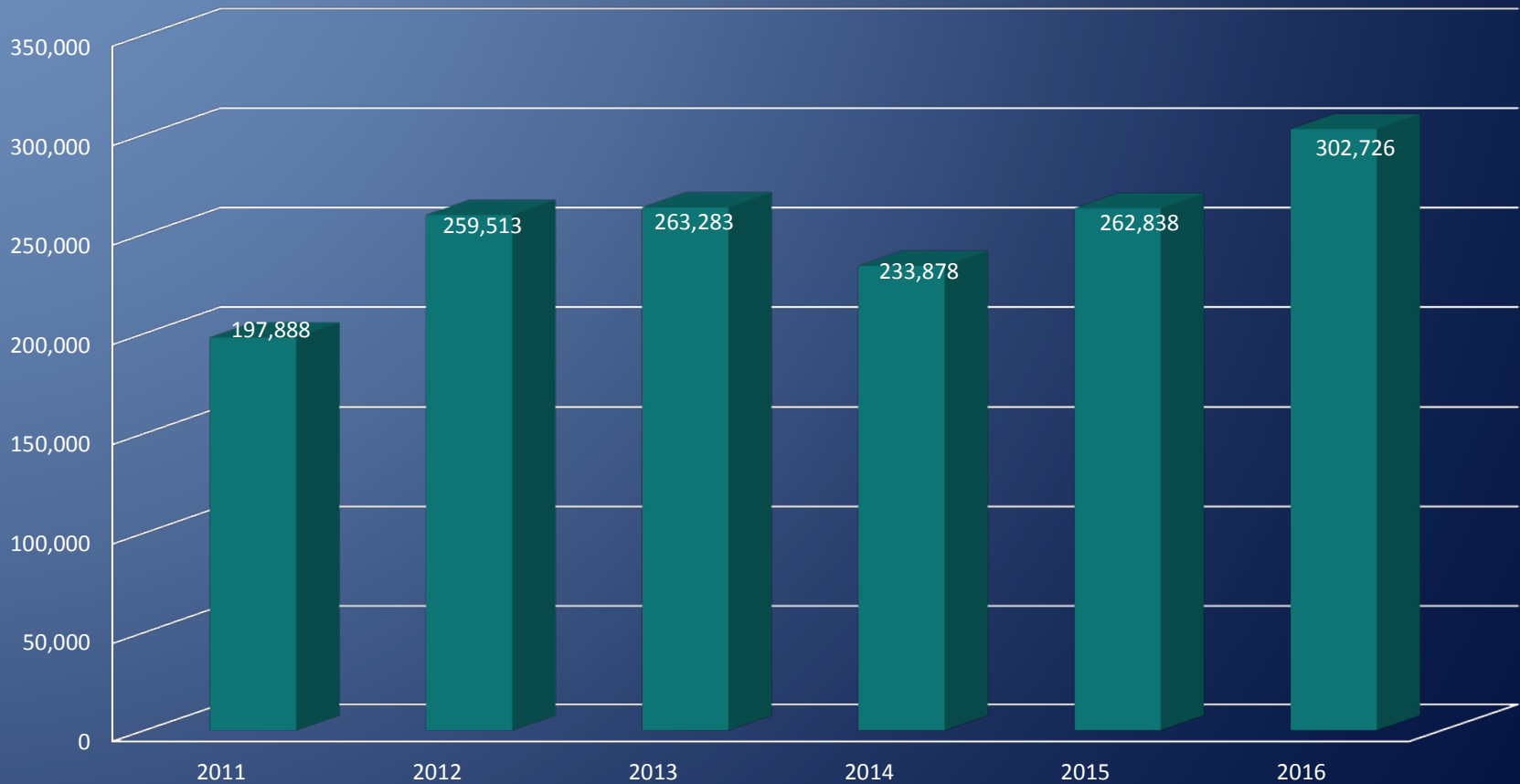
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CJIS Organization Chart



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FICS Total Transactions by Year



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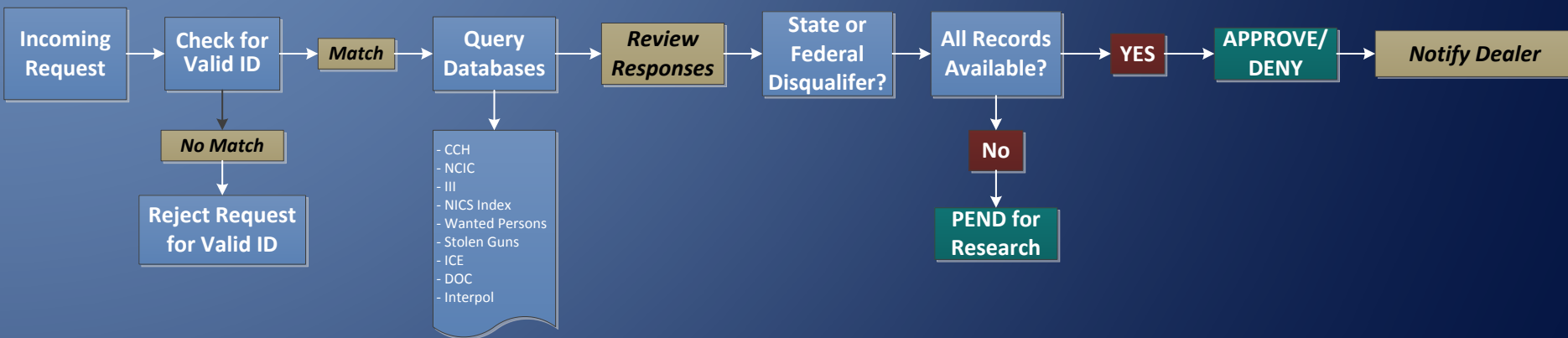
FICS Transaction Outcomes by Year

Transaction Count: Pended – Denied - Approved



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FICS Immediate Approved or Denied Transactions Flowchart



March 2017

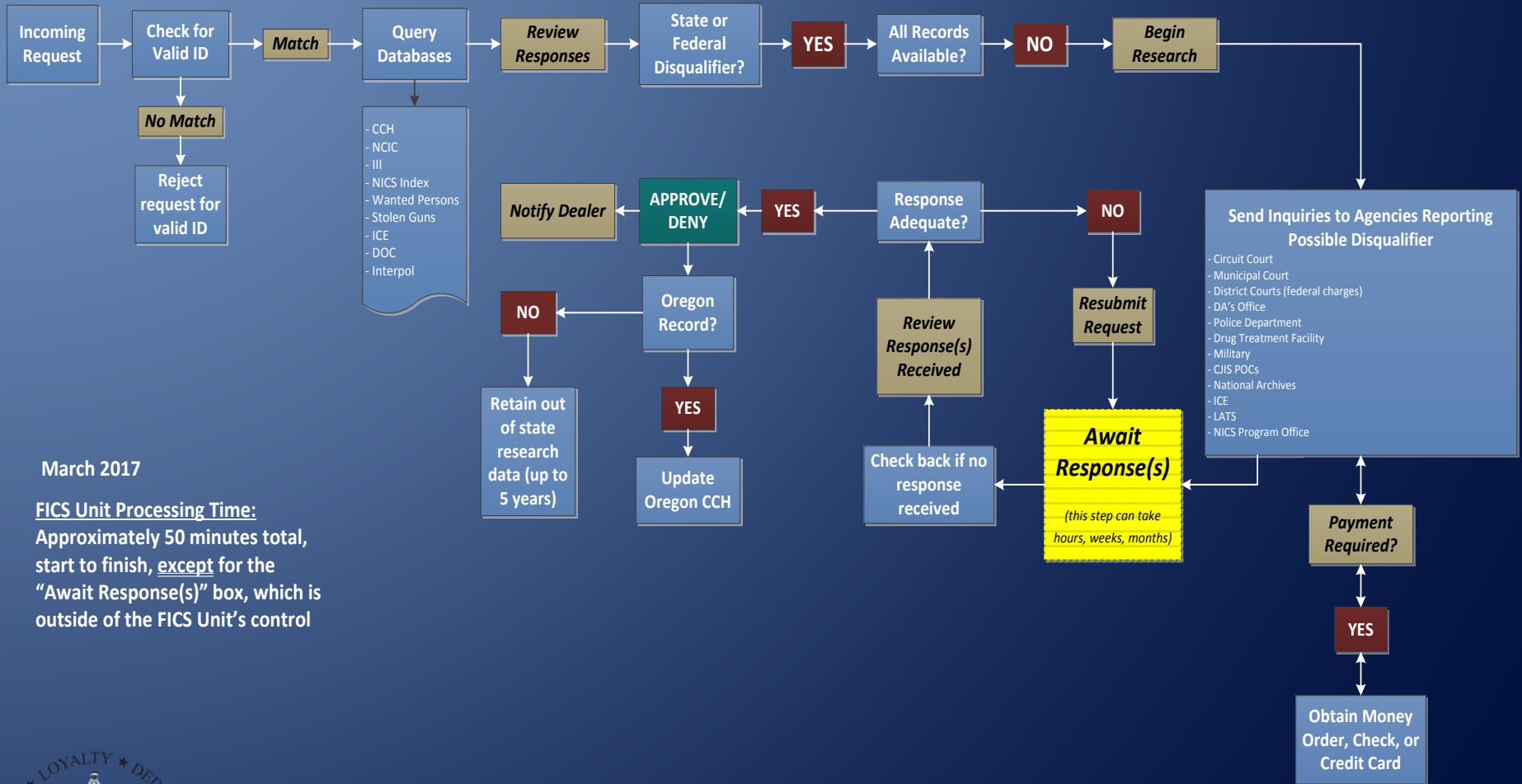
FICS Unit Processing Time:

Approximately 3-10 minutes total, start to finish



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FICS Pended Transactions Flowchart



March 2017

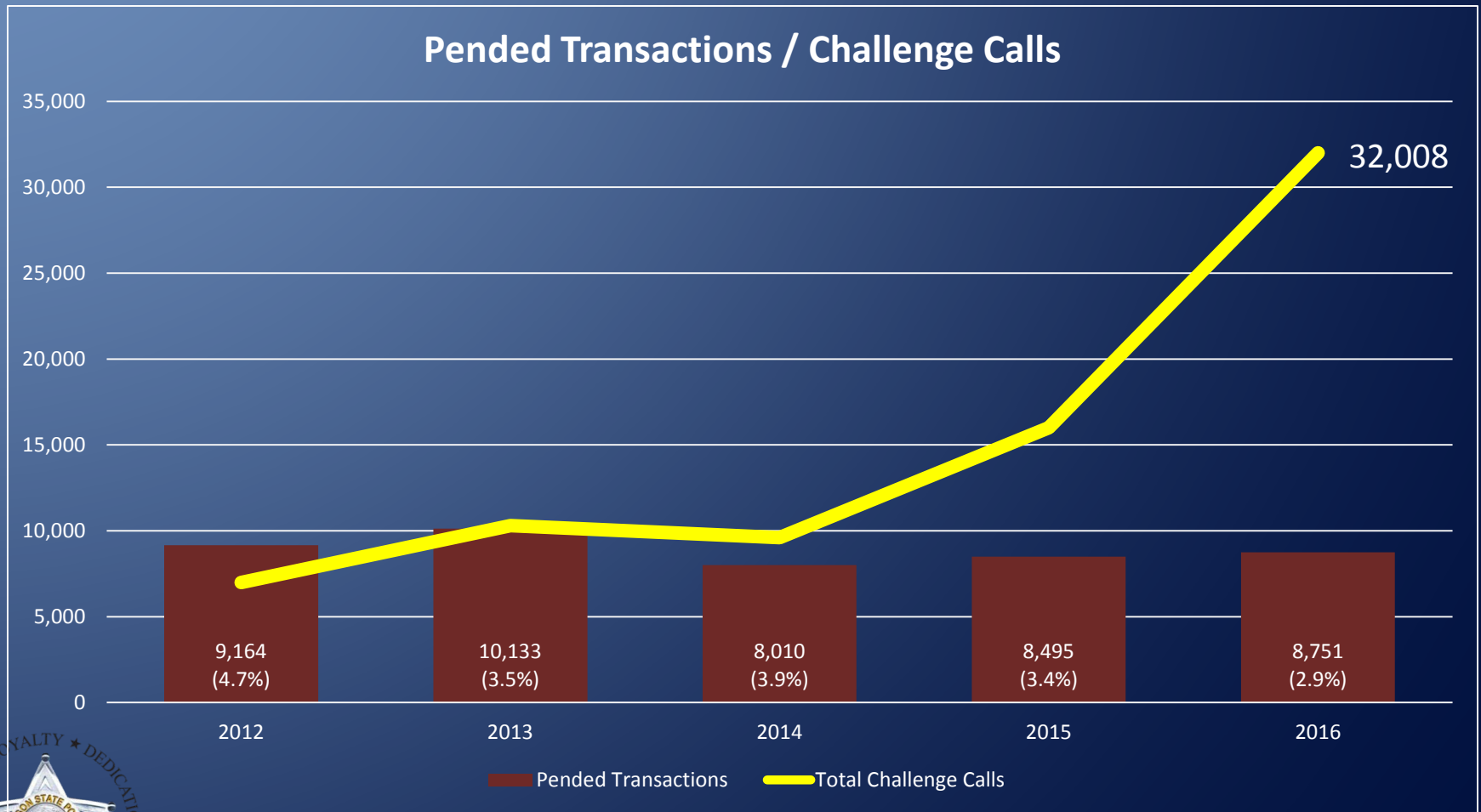
FICS Unit Processing Time:

Approximately 50 minutes total, start to finish, except for the "Await Response(s)" box, which is outside of the FICS Unit's control



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Pended Backgrounds and Challenge Calls



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Recent Volume Trends

	January Total Transactions	February Total Transactions	March Total Transactions
2016	25,242	27,684	25,799
2017	19,280	26,464	29,252
Percent Change	Down 23.62%	Down 4.41%	Up 13.38%



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FICS Program Performance Improvement

Since Adding 12 FTE (effective May 2016)

Performance Metric	December 2015	As of March 1, 2017	As of April 1, 2017
Incoming Transaction wait Time- Web (Before staff pick up the request)	20 Minutes	10 Minutes	9 Minutes
Incoming Transaction Wait time- Phone (Before staff pick up the request)	11 Minutes	6 Minutes	5 Minutes
Challenge Call Turnaround (Return Call)	18 Days	1 Day or Less	1 Day or Less
Pended Transaction Backlog	2,600	1,400	1,109
Pended to Completed* within 3 Days *completed means approved, denied or cancelled	37%	49%	54%



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CJIS Funding Structure

CJIS Program Funding is complex and has been raised as a concern by some stakeholders. To understand CJIS, FICS and Core services (ABIS and CCH) funding stream and strategy, you have to look backwards several biennia and follow the money.



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2009 Legislative Session

- 2009 Legislative Session, HB 5037 pg. 7, Budget Report Summary:
 - The legislature approved Package 813 to shift funding for the Identification Services Section from the General Fund to fee based Other Funds. The fund shift totaled \$4.6 M with the following instructions:
 - *“The agency is instructed to review the current fees for the ID Services Section and report back in 2011. The review must include the estimate of what a specific fee must be to support its share of costs for the total programs.”*



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Fees Review

Program Area	2011 Fees	Fee Structure in 2011 GBB Recommendation	Current Fee Structure Including Partial Allocation to Core Services
FICS (Fee Set in Law)	\$10	\$25 (Never Implemented)	\$10
Set Aside (Fee Set in Law)	\$80	\$112 (Never Implemented)	\$80
Clearinghouse	\$52	\$45 (Never Implemented)	\$10
Regulatory	\$28	\$28 (Never Implemented)	\$28
Open Records	\$10	\$14 (Never Implemented)	\$10
Public Fingerprinting	\$20	\$26 (Never Implemented)	\$20
CHL Checks (Fee Set in Law)	\$15	\$28 (Never Implemented)	\$15
Copy of Own Record	\$33	\$32 (Never Implemented)	\$33

Note: In OSP's 11-13 Legislatively Adopted Budget, \$3M General Fund was added to avoid fee increases that were recommended in the 2011 Governor's Budget.



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Customers Served by Program

CJIS Program Area	15-17 Projected Checks	Services or Customer Examples
FICS	539,847	Name based National Background Checks for Federally Licensed Firearms Dealers and Public
Set Aside	4,523	Public, Legal Community
Clearinghouse	7,842	Organizations not regulated by the state IE: Church Groups, Boys and Girls Clubs etc. Coordinated with DHS.
Regulatory	238,847	Non Criminal Justice Designated State agencies IE: Teacher Certifications, Elder Care Providers, Licensed Nurses and more.
Open Records	64,248	Public, Employers, Landlords and more.
Public Fingerprinting	8,810	Public
CHL Checks	71,717	Fingerprint checks for Sheriffs issuing Concealed Handgun licenses. County Sheriffs on behalf of the Public.
Copy of Own Record	7,381	Public



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2011 Legislative Session

- 2011 Legislative Session, SB 5537 pg. 8, Budget Report Summary:
 - The legislature recommended revisions to package 109 that added \$3M of General Fund for CJIS to eliminate the need for a fee increase. The subcommittee recognized the potential need for a fee increase in 2013-2015.
 - No fee increase, no General Fund increase occurred due to increased transaction revenue.



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2011 Legislative Session

- OSP's \$7.4M GF budget request for "Core Services" (ABIS and CCH) was not approved in the Governors Recommended Budget.
- The GRB recommended raising some fees to continue to fund Core Services from Other Fund revenue.
- OSP's 11-13 Legislatively approved budget ultimately did include \$3M GF to prevent fee increases.
- With these adjustments, about \$4.4M for Core Services was left to be funded by Other Fund Fee programs, which represents the current funding status.



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FICS Unit Administrative Costs

- FICS portion of the agency administrative costs is projected to be \$155,917 for the 2015-17 Biennium.
 - Agency administration covers FICS overhead costs such as
 - Human Resources
 - Information Technology
 - Procurement
 - Facilities
 - Accounting
 - Payroll
 - Budget



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Thank You



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