

Analysis  
**Department of State Police**  
Criminal Background Check Improvement

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**Analyst:** Julie Neburka

**Request:** Approve the submission of a federal grant application to the US Department of Justice, Bureau of Justice Statistics for a National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) competitive grant program to improve the completeness, automation, and transmittal of records to state and federal systems used by the NICS system for firearm background checks.

**Analysis:** The NARIP grant provides funding to states to address the gap in information available to NICS about mental health adjudications, commitments, and other factors such as warrants, protective orders, convictions for misdemeanors involving domestic violence and stalking, or drug arrests and convictions that would prohibit a person from receiving or possessing a firearm. The Bureau of Justice Statistics (BJS) is prioritizing the use of grant funds awarded in 2020 for two purposes: 1) enhancing the completeness, automation, and transmittal of records to state and federal systems used by the NICS; and 2) improving the overall reporting to NICS of persons prohibited from possessing firearms for reasons related to domestic violence and mental health.

The Bureau of Justice Statistics has not yet identified the amount of funding that will be made available in this grant program, nor has it established the number of and amounts for grants that will be awarded. The Oregon State Police is developing a plan to use the grant funds, if awarded, to maintain and improve its criminal history database and to ensure that records are readily available for firearm transfer background checks. The agency has received this grant in ten of the past eleven years in amounts ranging from \$367,104 to \$2 million; past grant-funded activities have included record reconciliation projects to obtain missing or incomplete disposition records from Oregon courts and county district attorney case outcomes; record improvement efforts such as providing training to statewide partners for protective order and federal firearm prohibition entries; assisting local law enforcement agency partners with transitioning to automated reporting of arrest and final case outcomes; and assisting partner agencies with developing and implementing processes for improved data reporting on mental health adjudications and orders granting relief from firearms prohibition.

Grant applications are due by April 23, 2020, with two year awards effective October 1, 2020. There are no match requirements. If the grant is awarded, the agency shall return to the legislature with a full description of its grant proposal, and to request additional Federal Funds expenditure limitation and position authority, if needed.

**Legislative Fiscal Office Recommendation:** Approve the request.



February 14, 2020

The Honorable Senator Betsy Johnson, Co-Chair  
The Honorable Senator Elizabeth Steiner Hayward, Co-Chair  
The Honorable Representative Dan Rayfield, Co-Chair  
Joint Committee on Ways and Means  
900 Court Street NE  
H-178 State Capitol  
Salem, OR 97301-4048

Dear Co-Chairpersons:

### **Nature of the Request**

The Oregon State Police (OSP) respectfully requests permission to submit an application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS) for the FY 2020 National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) Competitive Grant. BJS is unable to estimate the number of awards to be made or the maximum amount to be awarded per state.

This grant provides funding to assist eligible states and federally recognized Indian tribal governments with improving the completeness, automation, and transmittal of records to state and federal systems used by the NICS. These records include criminal history data such as felony convictions, convictions for misdemeanors involving domestic violence and stalking, and drug offense arrests and convictions. Other priority records used by the NICS to determine if an individual is disqualified from possessing or receiving a firearm under federal law include protective orders, wanted persons and mental health adjudications.

BJS expects to make awards for a maximum of a 24-month period of performance, to begin on October 1, 2020. This grant does not require a match. The grant application deadline is April 23, 2020.

### **Agency Action**

This grant solicitation was posted on February 12, 2020. The agency is currently working on developing a grant proposal to help support projects that align with Oregon's goal of 1) maintaining the most complete and accurate criminal history database and 2) to ensure records are readily available for firearm transfer background checks in support of public safety nationwide. Historically, the agency has received NARIP grants in the range of \$367,000 to \$2 million. Funds have been used to further the goals of enhancing public safety through various activities such as the record reconciliation project to obtain missing or incomplete disposition

records from Oregon courts and county district attorney case outcomes; and record improvement efforts, including providing training to statewide partners for protective order and federal firearm prohibition entries; assist agencies with transitioning to automated reporting of arrest and final case outcomes; assist partner agencies with the development and implementation of processes for improved data reporting; and establishing a method for reporting mental health adjudications, as well as orders granting relief from firearms prohibition.

The grant does not require a match. If this grant is awarded, OSP may need to request position authority and an increase in its Federal Fund limitation for both the 2019-21 and 2021-23 biennia in a future meeting of the Legislative Assembly.

### **Action Requested**

Approve OSP's request to apply for the FY 2020 National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) Competitive Grant through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

### **Legislation Affected**

None

Thank you for your consideration of this request.

Sincerely,



Travis Hampton  
Superintendent  
Oregon State Police

cc: Constantin Severe, Governor's Office  
Michelle Lisper, Dept. of Administrative Services - Chief Financial Office  
Julie Neburka, Legislative Fiscal Office  
Terri Davie, OSP Deputy Superintendent  
Traci Cooper, OSP Chief Financial Officer