



Privacy, Technology and Criminal Justice Information
Public Attitudes Toward Uses of Criminal History Information
Summary of Survey Findings

Prepared for:

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and

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BACKGROUND AND PURPOSE

This report presents the findings of a telephone survey conducted in February and March 2000 among a national probability sample of 1030 adults 18 years of age and older, living in private households in the continental United States.

SEARCH, acting with Dr. Alan Westin, a well-respected expert on issues of privacy and the use of personal information, commissioned Opinion Research Corporation International (ORC International) to conduct this research. The primary purpose of the study is to assess public attitudes toward the availability and use of individuals' Criminal History records outside of the criminal justice system.

METHODOLOGY

This report presents the findings of a telephone survey conducted among a national probability sample of 1030 adults, comprised of 520 men and 510 women, 18 years of age and older, living in private households in the continental United States. Results based on the total population have a margin of sampling error of plus or minus three-percentage points at the 95% confidence level. Included in the Appendix, which follows the body of this report, are tables of sampling tolerances of survey results and a copy of the survey questionnaire.

As required by the Code of Standards of the Council of American Survey Research Organizations, we will maintain the anonymity of our respondents. No information will be released that in any way will reveal the identity of a respondent. ORC International has exercised its best efforts in the preparation of this information. In any event, ORC International assumes no responsibility for any use that is made of this information or any decisions based upon it.

METHODOLOGY (continued)

STUDY DESIGN

Dr. Westin, in consultation with SEARCH, provided the basic design for the research and for the survey instrument itself. ORC International, drawing on its six decades of experience in public opinion research, provided input on methodology and questionnaire design.

SAMPLING

Probability sampling techniques were employed in the selection of households for telephone interviewing. ORC International utilizes an unrestricted random sampling procedure that controls the amount of serial bias found in systematic sampling to generate its random-digit-dial sample. The sample was fully replicated and stratified by region. Only one interview is conducted per household. All sample numbers selected were subject to up to four attempts to complete an interview.

ORC International's national probability telephone sample is an efficient form of random-digit-dialing. The sample is designed to be a simple random sample of telephone households. Unlike published directories, ORC International's national probability telephone sample includes both unlisted numbers and numbers issued after publication of the directories. The following procedure was used to create the sample:

- ORC International has an annual license for GENESYS, a custom RDD sample generation system developed by Marketing Systems Groups.
- The methodology for generating random digit dialing (RDD) telephone samples in the GENESYS system provides for a single stage, EPSEM (Equal Probability of Selection Method) sample of residential telephone numbers. It is updated twice a year.
- When a national probability sample is needed, a random selection is made from approximately 40,000 exchanges in two million working banks.
- Each telephone number is transferred to a separate call record. The record shows the computer-generated telephone number to be called, as well as the county, state, and time zone into which the telephone number falls. Our computerized interviewing system (CATI) uses this information to keep track of regional quotas. The CATI interviewing program also keeps track of the disposition categories for each call attempt.

METHODOLOGY (continued)

DATA COLLECTION

Interviewing for this survey was completed during the period February 22-March 9, 2000. All data collection efforts took place at ORC International's Central Telephone Facilities in Tucson, Arizona and Tampa, Florida. All ORC International's interviewers complete an intensive training and test period. Additionally, they attend follow-up training classes that cover advanced screening techniques, in-depth probing and the art of refusal avoidance. Interviewers are continuously supervised, monitored and reviewed in order to maintain the highest quality interviewing standards.

All interviews were conducted using ORC International's computer assisted telephone interviewing (CATI) system. The system is state-of-the-art and offers several distinct advantages such as: full-screen control which allows multi-question screens, fully-programmable help and objection screens to aid interviewing, an extremely flexible telephone number management system and powerful data checking facilities. CATI ensures that interviews are conducted in the most efficient manner and allows interviewers easy response recording. This interviewing method also allows for the most accurate form of data entry by guiding the interviewer through the programmed question flow and by providing on-screen interviewer instructions.

WEIGHTING

Completed interviews were weighted by four variables: age, sex, geographic region, and race, to help ensure reliable and accurate representation of the total population, 18 years of age and older. The raw data were weighted by a proprietary program that automatically develops a weighting factor for each respondent. In this program, each respondent is assigned a single weight derived from the relationship between the actual proportion of the population with its specific combination of age, sex, geographic characteristics and race and the proportion in the sample. Proportional targets for the population were based on the 1998 Current Population Survey (U.S. Census Bureau). The tables included in this report show unweighted bases.

EXECUTIVE SUMMARY

OVERVIEW

There is substantial public (i.e., adult) support for making certain types of criminal justice records available outside the criminal justice system when there is a perceived rationale of public benefit and/or safety. Support declines noticeably when the goal is purely private. In general, American adults tend to favor making individual conviction records available to employers, governmental licensing agencies and other entities. They are far more reluctant, however, to support access to arrest only (or arrest without conviction) records.

GENERAL PRIVACY ISSUES

- ◆ Turning first to underlying attitudes toward privacy, the results indicate that the misuse of personal information is a major concern. Nearly all (90%) of adult Americans are concerned about the possible misuse of personal information, with 64% expressing a high level of concern (“very concerned”) and 25% saying they are “somewhat” or moderately concerned. Ten percent express either little or no concern about possible misuse of personal information.

- ◆ When asked if they have ever been a victim of an improper invasion of privacy by specific types of organizations, a total of 38% say that they have been victimized by at least one of the following:
 - a business collecting and using information (25%)
 - a charitable, political or non-profit organization (13%)
 - a law enforcement agency (12%)
 - a government tax, social service, welfare or license agency (10%)

- ◆ Fifty-two percent of adults believe that anyone’s credit reports or criminal conviction record (49%) may be purchased via the Internet. Approximately four-in-ten adults believe that they can obtain anyone’s social security number (42%), credit card number (39%) or arrest record (38%). Thirty-six percent believe that bank balances are for sale on line.

EXECUTIVE SUMMARY (continued)

ATTITUDES TOWARD THE CRIMINAL JUSTICE SYSTEM

- ◆ Thirteen percent of the adult public say that they “know a great deal” about the American Criminal Justice system – defined as the way police, prosecutors, courts and defense counsel work. Most adults (57%) report that “they know the basics.” The balance either “don’t know very much”(23%) or “don’t know anything at all” (6%).
- ◆ Overall, Americans give the criminal justice system fair grades in executing key functions.
 - Majorities rate the system as “very or somewhat effective” in:
 - Investigating and arresting persons suspected of committing crimes (79%)
 - Prosecuting accused persons (73%)
 - Reaching a just outcome in criminal trials (68%)
 - However, fewer than two out of ten rate the system as very effective in any of these areas and a substantial group of adults – approximately one-quarter of the population -- sees the criminal justice system as not very effective. About half (53%) give the system a very or somewhat effective rating in all three areas, 24% gave that rating in two areas, while another 24% said the system is very or somewhat effective in either only one (10%) or none (14%) of these areas.
- ◆ The proportions are similar when it comes to perceptions about how well the system respects the civil liberties and constitutional rights of suspects. Seventy percent say the system does either very well (24%) or somewhat well (46%), while about one-quarter say it doesn’t do very well (19%) or not well at all (8%).
- ◆ Six out of ten adults report having had their fingerprints taken for some sort of identification purpose, such as military service or a job application or government license. Most (87%) felt that the fingerprinting was an appropriate requirement.

EXECUTIVE SUMMARY (continued)

CRIMINAL HISTORY RECORDS

Conviction Records

- ◆ Americans view individuals' criminal history records as confidential information and favor some restriction in access.
 - 47% prefer what was labeled as a “partially open system” where only conviction records are freely available to everyone. Another 37% favor a restricted system, where access is limited only to selected users. Only 12% favor a completely open system – one with both arrest and conviction records freely available.
 - Most adults (90%) say that they prefer that state agencies do not use the Internet to post criminal history information that is already a matter of public record.
- ◆ A substantial majority of the public supports access to conviction records by various organizations outside the criminal justice system where there is some public safety and/or crime prevention interest. Where private interests are at stake, support for access to conviction records drops to about the 40% level.
 - Approximately 9 out of 10 adults would allow some access to conviction records by potential employers or to government occupational licensing agencies. However, a majority (11 out of 20) believes that right of access should be linked to whether the position involves sensitive work, such as handling money, dealing with children or serving as security guards.
 - Large majorities favor at least some access to conviction records for private organizations that work with children, like the Boy Scouts (88%), for the military to evaluate potential recruits (82%) and for insurance companies investigating fraud (76%). Support drops for reporters wanting to find out about political candidates (44%), banks deciding on personal loan applications (41%), individuals wanting to learn if a neighbor has any criminal record (38%), and companies that issue credit cards (38%).

EXECUTIVE SUMMARY (continued)

Arrest Records

- ◆ A large majority (66%) of Americans distinguish between access to conviction records and access to records of persons arrested but not convicted.
 - Approximately 3 out of 10 of adults would bar any access to arrest only records to any employer or governmental licensing agency. About one-half would allow limited access based on the sensitivity of the position, while only 15% would grant all employers or government licensing agencies access to arrest only records.
 - Turning to non-employment related entities, only when it comes to organizations that work with children does a majority (59%) favor any access to arrest records to organizations working with children. About half (49%) would allow the military to see arrest only records of potential recruits, and 45% would allow access to insurance companies investigating fraud. Fewer than one-quarter of adults favor access to arrest only records for reporters wanting to find out about political candidates (23%), banks deciding on personal loan applications (22%), individuals wanting to learn if a neighbor has any criminal record (23%), and companies that issue credit cards (21%).

EXECUTIVE SUMMARY (continued)

FAIR INFORMATION PRACTICES

- ◆ The study reveals extremely strong support for the implementation of three “fair information practices” governing maintenance and use of criminal history records.
 - Eighty-nine percent of adults consider it very important to have a right to review their records, coupled with the right to have suspected errors investigated and, if indeed erroneous, corrected.
 - Seventy-four percent see it as very important that there be an impartial procedure to receive, investigate and resolve complaints concerning misuse of one’s criminal history records and/or the failure of the relevant agency to follow appropriate policies.
 - Fifty-five percent believe it very important that each person be informed when a criminal history record is created, how it will be used within the criminal justice system, and the policies governing the record’s availability outside the system.

THE ROLE OF THE PRIVATE SECTOR

- ◆ Most adults (85%) feel that commercial companies maintaining and distributing criminal history records should follow the same rules and procedures regarding fair information practices as would bind government criminal history agencies. One out of ten (11%) feel that “such rules are not important for private businesses.”
 - There is a high level of concern about the system of collection, maintenance and distribution of criminal history records by private companies. Asked which statement best reflects their own view:
 - Sixty-nine percent of the respondents choose “It worries me that this is being done by commercial organizations and I favor this being done only by the government.”
 - Twenty-two percent said their view is best reflected by the statement, “This commercial system provides relevant information from public record sources for many important business, social, and governmental purposes and is OK.”
 - Nine percent declined to choose between these two points of view.

EXECUTIVE SUMMARY (continued)

JUVENILES, EX-OFFENDERS AND FINGERPRINTING

- ◆ Opinion is divided when it comes to the access and publication of juvenile court records. About one-half of adults (53%) favor keeping disclosure restrictions, “because giving juvenile offenders the chance to overcome a bad record is a sound approach.” Four out of ten (40%) favor opening juvenile records to the same entities that have access to adult records, “since protecting society and the public should be the primary concern.”
- ◆ In the case of ex-offenders, the majority (52%) favors keeping criminal records available to employers and licensing agencies regardless of the length of time that has passed since the individual’s conviction or release. Forty-three percent believe access should not be granted if a person convicted of a crime serves his or her sentence and then does not violate the law for a period such as five years.
- ◆ Overall, American adults appear to consider fingerprinting for certain governmental purposes acceptable. However, once private sector entities require fingerprinting, attitudes become more ambiguous.
 - Approximately three-quarters of adults find fingerprinting “very acceptable” when a person is arrested (78%) and when someone is applying for a sensitive job, such as teacher, nursing home worker or security guard (77%). Ninety-four percent and 93% respectively think these practices are either very or somewhat acceptable.
 - Six out of ten think it a very acceptable practice to fingerprint welfare program recipients (62%) or to require a thumbprint on drivers’ licenses (60%), with 86% and 80% responding very or somewhat.
 - On the other hand, fewer than one-half of adults find it very acceptable to require fingerprints to cash a check (45%), buy an airline ticket (45%) or apply for a job (37%).

DETAILED FINDINGS

READING NOTES

The following pages present supporting tabulations of survey results. The data are percentaged vertically and, therefore, should be read from top-to-bottom. The total number of unweighted interviews appears at the top in parentheses. Percentages, however, are calculated on the weighted bases. Percentages may not add to 100% due to weighting factors, rounding or multiple responses. Where a double asterisk (**) appears, it signifies any value of less than one-half percent.

Comparisons of independent sub-groups have been made when those differences are mathematically significant. Significance testing is done to the 95% confidence level. Note that any statistical test becomes less reliable when the sample sizes are small. Even though the test mathematically can be performed on samples as low as thirty, sixty respondents is the reasonable lower bound on the size of the sample.

FOUNDATIONS

FOUNDATIONS

Privacy Concerns

- ◆ Nearly all (90%) of adult Americans are concerned about the possible misuse of personal information. Almost two-thirds (64%) say they are “very concerned,” while another one-quarter (25%) report being “somewhat” or moderately concerned. Ten percent express either little or no concern about possible misuse of personal information.
- ◆ There are some variations of the intensity of concern. Younger adults, whites, those who are more affluent and have college degrees are less likely to report that they have a high level (“very concerned”) about possible misuse of personal information.

FOUNDATIONS

Privacy Concerns

Q21 How concerned are you about the possible misuse of your personal information in America today? Are you . . .

(n) =	Total (1030) %
<i>Very/Somewhat concerned (net)</i>	90
Very concerned	64
Somewhat concerned	25
<i>Not very/Not concerned at all (net)</i>	10
Not very concerned	8
Not concerned at all	2
Don't know	1

(n) =	AGE		RACE		EDUCATION		HH INCOME	
	Under 65 (899) %	65 and older (124) %	White (836) %	African Amer. (102)* %	College Grad (366) %	Non- Grad (651) %	\$50K or higher (321) %	LT \$50K (516) %
<i>Very/Somewhat concerned (net)</i>	89	91	89	93	88	91	89	90
Very concerned	63	73 [^]	62	79 [^]	58	67 [^]	57	67 [^]
Somewhat concerned	27 [^]	18	28 [^]	14	30 [^]	23	32 [^]	22
<i>Not very/Not concerned at all (net)</i>	10	7	10	5	12	8	11	9

[^](^{^^}) = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

FOUNDATIONS

Experience with Invasions of Privacy

- ◆ The high level of concern about privacy invasion is not, however, totally based on personal experience. To the extent personal experience influences concerns, perceived privacy invasions by the private sector are most frequent.
- When asked if they have ever been a victim of an improper invasion of privacy by specific types of organizations, a total of 38% say that they have been victimized by at least one of four entities.
 - One-quarter (25%) of respondents said that they have been victimized by a business collecting and using information
 - 13% had been victimized by a charitable, political or non-profit organization
 - 12% by a law enforcement agency
 - 10% by a government tax, social service, welfare or license agency
- Not surprisingly, adults who have a high level of concern about the possible misuse of personal information are more likely to report having been victims of an invasion.

FOUNDATIONS

Experience with Invasions of Privacy

Q22 Have you personally ever been the victim of what you felt was an improper invasion of privacy by any of the following? (READ AND ROTATE ITEMS)

“Yes” summary

(n) =	TOTAL (1030) %	LEVEL OF CONCERN ABOUT MISUSE OF PERSONAL INFORMATION		
		High (666) %	Medium (261) %	Low (97)* %
<i>Any invasion (net)</i>	38	44 [^]	30	19
A business collecting and using information about you	25	30 ^{^^}	19 [^]	8
A charitable, political, or non-profit organization	13	15 [^]	12 [^]	4
A law enforcement agency	12	14	10	7
A government tax, social service, welfare, or license agency	10	12 ^{^^}	7	3

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

FOUNDATIONS

Experience with Invasions of Privacy (continued)

- ◆ African-Americans are nearly twice as likely to feel that they have been victimized by a law enforcement agency (21% vs. 11%).
- ◆ More men than women perceive that they have been a “privacy victim” of a law enforcement agency (16% vs. 9%).

FOUNDATIONS

Experience with Invasions of Privacy (continued)

Q22 Have you personally ever been the victim of what you felt was an improper invasion of privacy by any of the following? (READ AND ROTATE ITEMS)

“Yes” summary

(n) =	TOTAL (1030) %	GENDER		RACE	
		Male (520) %	Female (510) %	White (836) %	Afr. Amer. (102)* %
<i>Any invasion (net)</i>	38	43 [^]	34	37	45
A business collecting and using information about you	25	27	22	24	28
A charitable, political, or non-profit organization	13	16 [^]	11	13	14
A law enforcement agency	12	16 [^]	9	11	21 [^]
A government tax, social service, welfare, or license agency	10	12	8	9	14

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

FOUNDATIONS

Internet Usage

- ◆ 60% of adults report using the Internet from any location (home, work, school, or some other place).
 - In general, Internet users are more likely to be men, younger, upper income, white and college graduates.

FOUNDATIONS

Internet Usage

Q27 Do you use the Internet today from home, work, school, or any other place?

	TOTAL	GENDER		RACE		EDUCATION		
		Male	Female	White	African Amer.	College Grad	Some College	No College
(n) =	(1030)	(520)	(510)	(836)	(102)*	(366)	(241)	(410)
	%	%	%	%	%	%	%	%
YES	60	66^	54	61^	50	82^^	64^	39
NO	40	34	46^	39	49	18	36^	60^^
DON'T KNOW/REFUSED	**	1	**	**	1	0	0	1

	HH INCOME			AGE		
	LT \$25K	\$25K LT \$50K	\$50K or higher	18-34	35-54	55+
(n) =	(228)	(288)	(321)	(326)	(440)	(257)
	%	%	%	%	%	%
YES	32	59^	84^^	76^^	65^	33
NO	68^^	40^^	16	24	35^	66^^
DON'T KNOW/REFUSED	1	**	0	0	0	1

^(^) = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

** = Less than one-half of one percent

FOUNDATIONS

Perceptions of Personal Information Available on the Internet

- ◆ About one-half of adults believe that anyone's credit reports (52%) or criminal conviction record (49%) may be purchased via the Internet.
- ◆ Approximately four-in-ten adults believe that they can obtain anyone's social security number (42%), credit card number (39%) or arrest record (38%). Thirty-six percent believe that bank balances are for sale on line.
 - Internet users are significantly more likely than non-users to believe that it is true that credit reports (56% vs. 47%) and criminal conviction records (53% vs. 45%) are available online.

FOUNDATIONS

Perceptions of Personal Information Available on the Internet

Q20 For each of the following types of personal records, please indicate whether you think it is true or false that anyone using the Internet can PURCHASE this kind of record from PRIVATE SERVICES on any person they are interested in, for any purpose that they have in mind.

“True” summary

(n) =	TOTAL (1030) %	USE THE INTERNET	
		Yes (630) %	No (397) %
Anyone's credit bureau report	52	56 [^]	47
Anyone's criminal conviction record	49	53 [^]	45
Anyone's Social Security number	42	44	38
Anyone's credit card numbers	39	39	40
Anyone's arrest record even if not convicted	38	39	36
Anyone's bank checking account balance	36	36	35

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems

- ◆ Seven percent report that they have had some sort of legal training and/or exposure (lawyers, work for a law firm or legal department or have had some sort of legal training). Nine percent of adults report that they work or have worked for some sort of criminal justice agency – including police, prosecutors, courts or a corrections agency.
 - Nearly half (48%) of those with legal training work or have worked for some sort of criminal justice agency.

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems

Q26 Are you a lawyer, do you work for a law firm or legal department, or have you had legal training?

(n) =	TOTAL (1030) %
YES	7
NO	93
DON'T KNOW/REFUSED	**

Q25 Do you now work or have you ever worked for any kind of criminal justice agency, such as the police, prosecutors' offices, courts, or corrections agency?

(n) =	TOTAL (1030) %	LAW TRAINED (70)* %
YES	9	48
NO	91	52
DON'T KNOW/REFUSED	**	0

* = Small Base

** = Less than one-half of one percent

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems (continued)

- ◆ Seven percent -- 16% of those working for a criminal justice agency and 17% of those with legal training -- have ever personally sought the criminal conviction records of someone else, excluding inquiries made as part of their employment.
- ◆ One out of 10 report having been ever arrested for a criminal offense (other than driving convictions) – 57% of them admit to being convicted.

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems (continued)

Q28 Have you personally ever sought to obtain the criminal conviction record about another person, for any reason, apart from any such inquiry in your duties at work?

(n) =	TOTAL (1030) %	LAW TRAINED (70)* %	WORK(ED) IN CRIM. JUSTICE AGENCY (98)* %
YES	7	17	16
NO	93	83	84
DON'T KNOW/REFUSED	**	0	0

Q29 Have you ever been arrested for a criminal offense, other than driving violations?

(n) =	TOTAL (1030) %
YES	10
NO	90
DON'T KNOW/REFUSED	1

Q30 Were you convicted for that offense or not?
Base = Have been arrested for a criminal offense

(n) =	TOTAL (101) %
YES	57
NO	41
DON'T KNOW/REFUSED	3

* = Small Base

** = Less than one-half of one percent

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems (continued)

- ◆ Six out of ten adults report having had their fingerprints taken for some sort of identification purpose, such as military service or a job application or government license.
 - Most (87%) felt that the fingerprinting was an appropriate requirement.

FOUNDATIONS

Experience with the American Legal and Criminal Justice Systems (continued)

Q23 Have you ever had your fingerprints taken, for example for military service, applying for a job or a government license, or for any other identification purpose?

(n) =	TOTAL (1030) %
YES	61
NO	38
DON'T KNOW/REFUSED	1

Q24 Did you feel that doing this was an appropriate requirement or not an appropriate requirement?

Base = Ever had fingerprints taken for military service, applying for a job or a government license, or for any other identification purpose

(n) =	TOTAL (631) %
APPROPRIATE	87
NOT APPROPRIATE	12
DON'T KNOW/REFUSED	1

FOUNDATIONS

Knowledge of the Criminal Justice System

- ◆ Thirteen percent say that they “know a great deal” about the American Criminal Justice system – defined as the way police, prosecutors, courts and defense counsel work. Most adults (57%) report that “they know the basics.” The balance either “don’t know very much (23%) or “don’t know anything at all” (6%).
 - Men claim to be more knowledgeable than do women, with 17% of men asserting a high degree of knowledge as compared to 9% of women.
 - While age, education and income clearly have a relationship to knowledge about the system, it is interesting that the primary difference lies between the proportions claiming “average” knowledge – “knowing the basics” -- and those claiming little or no knowledge.

FOUNDATIONS

Knowledge of the Criminal Justice System

Q1 How much do you know about the American system of criminal justice – the way police, prosecutors, courts, and defense counsel work? Would you say you know a great deal, know the basics, don't know very much, or don't know about this area at all?

(n) =	TOTAL (1030) %	GENDER	
		Male (520) %	Female (510) %
<i>Know a great deal/just the basics (net)</i>	70	79^	62
Know a great deal	13	17^	9
Know the basics	57	62^	53
<i>Don't know very much/don't know at all (net)</i>	30	21	38^
Don't know very much	23	16	30^
Don't know about this area at all	6	5	8
Don't know	**	**	**

(n) =	HH INCOME			AGE			EDUCATION			
	LT \$25K (228) %	LT \$50K (288) %	or \$50K higher (321) %	18-34 (326) %	35-54 (440) %	55+ (257) %	College Grad (366) %	Some College (241) %	HS Grad (326) %	HS Inc. (84)* %
<i>Know a great deal/just the basics (net)</i>	58	69^	81^^	72^	75^	62	81^^	76^^	61^	47
Know a great deal	12	12	13	14	14	11	17^	12	9	13
Know the basics	46	56^	68^^	58^	61^	51	64^^	64^^	52^	34
<i>Don't know very much/don't know at all (net)</i>	41^^	31^	19	28	25	38^	19	24	38^	53^^

^(^^) = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

** = Less than one-half of one percent

FOUNDATIONS

Attitudes toward the Criminal Justice System

- ◆ Overall, Americans give the criminal justice system fair grades in executing key functions.
 - Majorities rate the system as “very or somewhat effective” in:
 - Investigating and arresting persons suspected of committing crimes (79%)
 - Prosecuting accused persons (73%)
 - Reaching a just outcome in criminal trials (68%)
 - Fewer than two out of ten rate the system as very effective in any of these areas.
- ◆ A substantial group of adults – approximately one-quarter of the population -- sees the criminal justice system as not very or not effective at all.
 - About half (53%) give the system a very or somewhat effective rating in all three areas, 24% gave that rating in two areas, while another 24% said the system is very or somewhat effective in either only one (10%) or none (14%) of these areas.

FOUNDATIONS

Attitudes toward the Criminal Justice System

Q2 From what you have read or heard, or any personal experiences, how effective do you think the overall American criminal justice system is in each of the following areas? Do you think it is very effective, somewhat effective, not very effective, or not effective at all?

(n) = (1030)

In investigating and arresting persons suspected of committing crimes		In prosecuting accused persons		In reaching just outcomes at criminal trials	
	%		%		%
<i>Very/Somewhat effective (net)</i>	79	<i>Very/Somewhat effective (net)</i>	73	<i>Very/Somewhat effective (net)</i>	68
Very effective	18	Very effective	15	Very effective	13
Somewhat effective	61	Somewhat effective	58	Somewhat effective	55
<i>Not very/Not effective at all (net)</i>	18	<i>Not very/Not effective at all (net)</i>	24	<i>Not very/Not effective at all (net)</i>	28
Not very effective	14	Not very effective	19	Not very effective	22
Not effective at all	4	Not effective at all	5	Not effective at all	5
Don't know	3	Don't know	4	Don't know	5

Overall view of effectiveness of criminal justice system

	%
High (all three elements very/somewhat effective)	53
Moderate (two out of three elements very/somewhat effective)	24
Low (one or none of the three elements very/somewhat effective)	24

FOUNDATIONS

Attitudes toward the Criminal Justice System (continued)

- ◆ As the accompanying table illustrates, race and education tend to impact one's views on the effectiveness of the criminal justice system.

FOUNDATIONS

Attitudes toward the Criminal Justice System (continued)

Q2 From what you have read or heard, or any personal experiences, how effective do you think the overall American criminal justice system is in each of the following areas? Do you think it is very effective, somewhat effective, not very effective, or not effective at all?

Very/Somewhat effective summary

	RACE		EDUCATION	
	White (836) %	African Amer. (102)* %	No Coll. (410) %	Some Coll. (607) %
In investigating and arresting persons suspected of committing crimes	82 [^]	65	72	85 [^]
In prosecuting accused persons	74	66	69	76 [^]
In reaching just outcomes at criminal trials	69	65	64	70

Overall view of effectiveness of criminal justice system

	RACE		EDUCATION	
	White (836) %	African Amer. (102)* %	No Coll. (410) %	Some Coll. (607) %
High (all three elements very/somewhat effective)	55	45	50	55
Moderate (two out of three elements very/somewhat effective)	24	21	20	27 [^]
Low (one or none of the three elements very/somewhat effective)	24	34 [^]	30 [^]	187

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

FOUNDATIONS

Attitudes toward the Criminal Justice System (continued)

- ◆ The proportions are similar when it comes to perceptions about how well the system respects the civil liberties and constitutional rights of suspects.
 - Seventy percent say the system does either very well (24%) or somewhat well (46%), while about one-quarter say it doesn't do very well (19%) or not well at all (8%)
 - Race (most notably), income and education influence views of how well rights and liberties are respected.

FOUNDATIONS

Attitudes toward the Criminal Justice System (continued)

Q3 How well do you think the criminal justice system as a whole respects the civil liberties or constitutional rights of persons who become involved as suspects? Would you say very well, somewhat well, not very well or not well at all?

(n) =	(1030)
	%
<i>Very/Somewhat well (net)</i>	70
Very well	24
Somewhat well	46
<i>Not very/Not well at all (net)</i>	26
Not very well	19
Not well at all	8
Don't know	4

(n) =	RACE		HH INCOME		EDUCATION	
	White (836) %	African Amer. (102)* %	LT \$50K (516) %	\$50K or higher (321) %	No Coll. (410) %	Some Coll. (607) %
Very/Somewhat well (net)	74^	46	67	77^	66	73^
Not very/Not well at all (net)	23	52^	30^	21	29	25
Don't Know	4	2	3	3	6^	2

^(^)= Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

**ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION
OUTSIDE THE CRIMINAL JUSTICE SYSTEM**

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Awareness and General Attitudes

- ◆ Slightly fewer than half of adults (45%) say that they have read or heard about the criminal history records system.
- ◆ Overall, Americans view government criminal history records as confidential information and favor some restriction.
 - When given a choice of three systems, 47% prefer what was labeled as a “partially open system” where conviction records are freely available to everyone. Another 37% favor a restricted system, where access is limited only to selected users.
 - Only 12% favor a completely open system – one with both arrest and conviction records freely available.
- ◆ Race and education appear to be significant demographic factors in determining attitudes insofar as preference for a partially open system (open access to conviction records) versus a selected user system.
 - Whites favor a partially open system over one limited to select users by 49% to 35%, while African-American respondents favor the selected user system by a similar margin 47% to 35%.
 - Those with at least a high school diploma favor the partially open system, while those who did not complete high school favor a selected user system by 48% to 30%.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Awareness and General Attitudes

Q4 Government agencies collect and store the criminal history records of persons arrested, prosecuted, and convicted or acquitted in the state and federal criminal justice systems. They store these records in computerized record systems. Police, prosecutors, defense counsel, and court officers use these records to carry out their missions. Have you read or heard about this criminal history record system?

(n) = (1030)	%
YES	45
NO	54
DON'T KNOW/REFUSED	1

Q5 Under American law and practice, government criminal history records are made available to some government and private users outside the criminal justice system. Please listen to three different policies for making such government records available and indicate which ONE you would prefer.

(n) =	TOTAL (1030) %	RACE		EDUCATION			
		White (836) %	African Amer. (102)* %	College Grad (366) %	Some College (241) %	HS Grad (326) %	HS Inc. (84)* %
A COMPLETELY OPEN SYSTEM, where anyone can obtain either the conviction or the arrest-without-conviction record about an individual, because such broad access helps protect society	12	12	11	9	13	12	18 [^]
A PARTIALLY OPEN SYSTEM, where anyone can obtain CONVICTION records but NOT records of arrests WITHOUT CONVICTIONS, because persons not convicted are presumed innocent in our constitutional system	47	49 [^]	35	52 [^]	49 [^]	45 [^]	30
A system OPEN ONLY TO SELECTED USERS for either conviction or non-conviction records, such as employers or government licensing authorities, because society feels certain users have a valid need but others do not have a valid need	37	35	47 [^]	37	35	36	48 [^]
DON'T KNOW/NONE OF THESE	4	4	7	2	3	7 [^]	4

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

** = Less than one-half of one percent

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to conviction records

- ◆ While most adults would allow some employer access to the conviction records of job applicants, a majority (55%) believes that right of access should be linked to whether the position involves sensitive work, such as handling money, dealing with children or serving as security guards. Four out of 10 (40%) would grant access to all employers, regardless of the position, while only 1 out of 20 (4%) would bar all employer access.
- ◆ Attitudes are similar when it comes to government occupational licensing agencies having access to conviction records. A majority (57%) believes that access should be limited to occupations involving sensitive work and 35% would grant access to all agencies. Again, only 4% would prohibit access to all occupational licensing agencies.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to conviction records

- Q6 How do you feel about EMPLOYERS being able to obtain from government agencies the conviction records of persons applying to them for jobs? Do you feel ALL employers should be able to get such records, NO employers should be able to get these, or it should DEPEND ON WHETHER THE JOB INVOLVES SENSITIVE WORK such as handling money, dealing with children, or serving as security guards?
- Q7 How do you feel about GOVERNMENT AGENCIES THAT ISSUE OCCUPATIONAL LICENSES obtaining CONVICTION records from the record agencies? Do you feel that ALL license agencies should have access, NONE should have access, or it should DEPEND ON WHETHER THE LICENSE WILL BE FOR JOBS INVOLVING SENSITIVE WORK?

(n) = (1030)	<u>EMPLOYERS</u>	<u>GOVERNMENT OCCUPATIONAL LICENSES AGENCIES</u>
	%	%
All	40	35
None	4	4
Depends on job	55	57
Don't know	1	3

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to conviction records (Continued)

- ◆ As the accompanying tables illustrate, most likely to favor blanket access to either employers or licensing agencies are those 25 years old and older, whites, individuals in more affluent households, those with at least some college, those who feel the criminal justice system respects civil rights, and those who report never having been arrested.

◆ ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION Access By Employers and Government Licensing Agencies

Access to conviction records (Continued)

Q6 How do you feel about EMPLOYERS being able to obtain from government agencies the conviction records of persons applying to them for jobs? Do you feel ALL employers should be able to get such records, NO employers should be able to get these, or it should DEPEND ON WHETHER THE JOB INVOLVES SENSITIVE WORK such as handling money, dealing with children, or serving as security guards?

Q7 How do you feel about GOVERNMENT AGENCIES THAT ISSUE OCCUPATIONAL LICENSES obtaining CONVICTION records from the record agencies? Do you feel that ALL license agencies should have access, NONE should have access, or it should DEPEND ON WHETHER THE LICENSE WILL BE FOR JOBS INVOLVING SENSITIVE WORK?

EMPLOYERS	AGE		RACE		EDUCATION		HH INCOME		CIVIL RIGHTS		ARRESTED	
	Under 25	25 and older	White	African Amer.	No Coll.	Some Coll.	LT \$50K	\$50K or higher	Re-spcts	Not Respt	Yes	No
(n) =	(111)	(912)	(836)	(102)*	(410)	(607)	(516)	(321)	(726)	(268)	(101)*	(923)
	%	%	%	%	%	%	%	%	%	%	%	%
All	29	41 [^]	43 [^]	27	33	45 [^]	35	47 [^]	43 [^]	34	30	41 [^]
None	2	4	4	6	5	3	5	3	4	5	6	4
Depends on job	69 [^]	53	53	65 [^]	60 [^]	51	59 [^]	50	53	60	62	54
Don't know	0	1	1	2	2	*	1	**	1	1	2	1

LISC. AGENCIES	AGE		RACE		EDUCATION		HH INCOME		CIVIL RIGHTS		ARRESTED	
	Under 25	25 and older	White	African Amer.	No Coll.	Some Coll.	LT \$50K	\$50K or higher	Re-spcts	Not Respt	Yes	No
(n) =	(111)	(912)	(836)	(102)*	(410)	(607)	(516)	(321)	(726)	(268)	(101)*	(923)
	%	%	%	%	%	%	%	%	%	%	%	%
All	21	37	38 [^]	21	26	41	30	43 [^]	39 [^]	27	29	36
None	4	4	4	8 [^]	6	3	5	4	3	8 [^]	9 [^]	4
Depends on job	71 [^]	55	56	68 [^]	63	53	61 [^]	52	55	64 [^]	60	57
Don't know	4	4	3	3	5	2	4	1	3	2	2	3

[^](^{^^}) = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

** = Less than one-half of one percent

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to arrest only records

- ◆ A large majority of Americans distinguish between access to conviction records and access to records of persons arrested but not convicted.
 - Sixty-six percent say that they would take a different position regarding access to arrest records than they do conviction records.
 - While there is some fluctuation among demographic groups examined, that fluctuation lies only in the strength of the majority, ranging from a low of 60% among those who did not attend college and a high of 73% among residents of the Northeast.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to arrest only records

Q9 Now, please think about government records of persons ARRESTED BUT NOT CONVICTED. Would you take the SAME position on groups having access to those records as you just did for CONVICTION records, or would you take some DIFFERENT positions as to records of ARRESTS WITHOUT CONVICTIONS?

(n) =	TOTAL (1030) %	NO COLLEGE (410) %	NORTH EAST (201) %
Same position	29	34	24
Different positions	66	60	73
Don't know	4	6	3

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to arrest only records (continued)

- ◆ The shift in opinion when it comes to arrest only records is clearly in favor of less access. Approximately 3 out of 10 adults would bar any access to arrest only records to any employer or governmental licensing agency.
- ◆ About one-half would allow limited access based on the sensitivity of the position, while only 15% would grant all employers or government licensing agencies access to arrest only records.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access By Employers and Government Licensing Agencies

Access to arrest only records (continued)

- Q10 How do you feel about EMPLOYERS being able to obtain from government agencies the arrest without conviction records of persons applying to them for jobs? Do you feel ALL employers should be able to get such records, NO employers should be able to get these, or it should DEPEND ON WHETHER THE JOB INVOLVES SENSITIVE WORK such as handling money, dealing with children, or serving as security guards? (Asked of those stating that they would take a different view of arrest records. Results combined with those saying they view access to conviction and arrest records the same.)
- Q11 How do you feel about GOVERNMENT AGENCIES THAT ISSUE OCCUPATIONAL LICENSES obtaining the arrest without conviction records from the record agencies? Do you feel that ALL license agencies should have access, NONE should have access, or it should DEPEND ON WHETHER THE LICENSE WILL BE FOR JOBS INVOLVING SENSITIVE WORK? (Asked of those stating that they would take a different view of arrest records. Results combined with those saying they view access to conviction and arrest records the same.)

(n) = (1030)	EMPLOYERS		GOVERNMENT OCCUPATIONAL LICENSES AGENCIES	
	Conviction %	Arrest w/o Conviction %	Conviction %	Arrest w/o conviction %
All	40	15	35	15
None	4	31	4	29
Depends on job	55	49	57	50
Don't know	1	5	3	6

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access to Criminal History Records by Organizations Other Than Employers and Licensing Agencies

- ◆ Substantial majorities favor at least some access to conviction records for private organizations that work with children, like the Boy Scouts (88%), for the military to evaluate potential recruits (82%) and for insurance companies investigating fraud (76%).
 - Support drops below a majority however for reporters wanting to find out about political candidates (44%), banks deciding on personal loan applications (41%), individuals wanting to learn if a neighbor has any criminal record (38%), and companies that issue credit cards (38%).
- ◆ When the subject turns to arrest only records, however, support for access again plummets. Only when the interests of children are involved does a majority (59%) favor access. About half (49%) would allow the military to see arrest only records of potential recruits, and 45% would allow access to insurance companies investigating fraud.
 - Fewer than one-quarter of adults favor access to arrest only records for reporters wanting to find out about political candidates (23%), banks deciding on personal loan applications (22%), individuals wanting to learn if a neighbor has any criminal record (23%), and companies that issue credit cards (21%).

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Access to Criminal History Records by Organizations Other Than Employers and Licensing Agencies

- Q8 Here are some other groups that might want to get CONVICTION records. For each, would you favor them having access or not? (READ AND ROTATE ITEMS)
- Q12 Here are some other groups that might want to get ARREST WITHOUT CONVICTION records. For each, would you favor them having access or not? (READ AND ROTATE ITEMS) (Asked of those stating that they would take a different view of arrest records. Results combined with those saying they view access to conviction and arrest records the same.)

FAVOR GROUP HAVING ACCESS SUMMARY

(n) = (1030)

	RECORD TYPE	
	CONVICTION %	ARREST (W/0 CONVICTION) %
Private organizations like the Boy Scouts, that work with children	88	59
The military services, in screening persons seeking to enlist	82	49
Insurance companies investigating claims for possible fraud	76	45
Reporters wanting to find out about political candidates	44	23
Banks deciding on personal loan applications	41	22
Individuals wanting to learn if a neighbor has any criminal record	38	23
Companies that issue credit cards	38	21

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Fair Information Practices

- ◆ The study reveals extremely strong support for the implementation of three “fair information practices” governing maintenance and use of criminal history records.
 - Nearly nine out of ten (89%) adults consider it very important to have a right to review their records, coupled with the right to have suspected errors investigated and, if indeed erroneous, corrected.
 - Approximately three-quarters (74%) see it as very important that there be an impartial procedure to receive, investigate and resolve complaints concerning misuse of one’s criminal history records and/or the failure of the relevant agency to follow appropriate policies.
 - Over one-half (55%) believe it very important that each person be informed when a criminal history record is created, how it will be used within the criminal justice system, and the policies governing the record’s availability outside the system.¹
 - Ninety percent or more consider each of these practices to be either very or somewhat important.

¹ One should be cautious in interpreting the relatively low level of support as lessening the importance of making individuals aware of the policy(ies) governing record use and availability outside the criminal justice system. In light of the higher support for an impartial review system to investigate and correct the improper use of records, a reasonable conclusion is that some respondents focused more on the first two components of this practice which relate to creation of records and their use within the criminal justice system.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Fair Information Practices

Q13 Here are some policies that could be set to protect individual rights of persons having a criminal history record in government files. For each of these, indicate whether you think requiring such a policy is very important, somewhat important, not too important, or not important at all.

(n) = (1030)	VERY IMPORTANT %	VERY OR SOMEWHAT IMPORTANT %
Each person would have the right to see his or her record, and to have items felt to be incorrect re-checked by the record-keeping agency and corrected if in error	89	98
An impartial procedure would be available for receiving, investigating and resolving complaints by individuals about misuse of their records or failure to follow agency policies	74	94
Each person would be informed when a record is created, what the record is, how it will be used inside the criminal justice system, and what policies will be followed in making the record available outside the criminal justice system	55	90

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Use and Distribution of Criminal Justice Records by Commercial Enterprises and Other Organizations

- ◆ A majority of adults are concerned about the system of collection, maintenance and distribution of criminal history records by private companies and would prefer that the government maintain such a system.
 - Asked which statement best reflects their own view:
 - Sixty-nine percent of the respondents chose, “It worries me that this is being done by commercial organizations and I favor this being done only by the government.”
 - Twenty-two percent said their view is best reflected by the statement, “This commercial system provides relevant information from public record sources for many important business, social, and governmental purposes and is OK.”
 - Nine percent declined to choose between these two points of view.
 - Once again, while there are some differences among demographic groups that rise to the level of statistical significance, those differences tend to be small and at least partially attributable to variations in the proportions of those unable to choose between the two alternatives. Two of the more notable variations – between men and women and between Whites and African Americans are illustrated in the following table.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Use and Distribution of Criminal Justice Records by Commercial Enterprises and Other Organizations

Q14 Turning from government record systems to the private sector, there are private companies that collect reports of arrests and trial outcomes from newspaper stories and from various public records, such as criminal court files. These companies sell this information to private parties such as private employers, insurance companies investigating fraud, or lawyers checking out parties or witnesses in civil litigation. The companies also provide criminal history reports to government licensing agencies, government employers, and other government agencies. Which ONE of the following judgments about this system of private information suppliers of criminal history records would you agree with MOST? (READ LIST)

	TOTAL (1030) %	GENDER		RACE	
		Male (520) %	Female (510) %	White (836) %	African Amer. (102)* %
It worries me that this is being done by commercial organizations and I favor this being done only by the government	69	64	74 [^]	69	69
This commercial system provides relevant information from public record sources for many important business, social, and governmental purposes and is OK	22	25 [^]	19	23 [^]	13
Don't know/none of these	9	11	7	8	17 [^]

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level
 * = Small Base

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Use and Distribution of Criminal Justice Records by Commercial Enterprises and Other Organizations (continued)

- ◆ Eighty-five percent of adults feel that commercial companies maintaining and distributing criminal history records should follow the same rules and procedures regarding fair information practices as would bind government criminal history agencies.
- ◆ One out of ten (11%) feel that “such rules are not important for private businesses.”
- ◆ Again, the few demographic differences that exist tend to be small. In this instance, two of the starkest differences (illustrated below) are between Internet users and non-users and (again) between Whites and African-Americans.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Use and Distribution of Criminal Justice Records by Commercial Enterprises and Other Organizations (continued)

Q15 Do you feel that these commercial companies should follow the SAME rules and procedures for giving individuals they report on fair information and fair procedure practices that government criminal history agencies follow, or do you think such rules are NOT IMPORTANT where private businesses are involved?

(n) =	TOTAL (1030) %	INTERNET		RACE	
		Use (630) %	Don't Use (397) %	White (836) %	African Amer. (102)* %
Commercial companies follow the same rules and procedures as government agencies	85	90 [^]	78	87 [^]	74
Such rules are not important for private businesses	11	8	15 [^]	9	19 [^]
Don't know	4	2	7 [^]	4	7

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Juvenile Records

- ◆ Opinion is more closely divided when it comes to the access and publication of juvenile court records. About one-half of adults (53%) favor keeping disclosure restrictions, “because giving juvenile offenders the chance to overcome a bad record is a sound approach.” Four-out-of ten (40%) favor opening juvenile records to the same entities that have access to adult records, “since protecting society and the public should be the primary concern.”
- ◆ Differences based on education, race, perceptions of the system’s respect for civil rights and employment with the criminal justice system appear to affect views on juvenile records.
 - Individuals with at least some college are more likely to favor keeping restricted access than those who have not attended (56% vs. 50%). In addition, African Americans are more likely than whites to favor restrictions (69% vs. 51%).
 - Similarly, individuals who have ever worked for a criminal justice agency and those who feel the criminal justice system does not do well when it comes to respecting the civil rights of suspects are more likely to favor the current policy of keeping juvenile records confidential (64% and 59% respectively).

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Juvenile Records

Q16 Today, many states limit the availability of records about juveniles charged and processed in juvenile courts, for example not allowing access to employers, government licensing agencies, or military enlistment offices. This is based on a judgment that juveniles should be given an opportunity to overcome youthful criminal behavior. Out of concern over current juvenile crimes, some people would open juvenile records to greater access. Please listen to the following two policies and indicate which ONE you think would be BEST.

	TOTAL (1030) %	EDUCATION		RACE	
		No Coll. (410) %	Some Coll. (607) %	White (836) %	African Amer. (102)* %
(n) =					
Keep restrictions on disclosure of juvenile court records, because giving juvenile offenders the chance to overcome a bad record is a sound approach	53	50	56 [^]	51	69 [^]
Open juvenile records to the same government and private organizations that can get adult criminal records, since protecting society and the public should be the primary concern	40	44 [^]	37	43 [^]	22
Don't know/None of these	6	6	7	6	8
		CIVIL RIGHTS		WORK(ED) IN CRIM. JUSTICE AGENCY	
		Re- spcts (726) %	Not Respect (268) %	Yes (98)* %	No (930) %
(n) =					
Keep restrictions on disclosure of juvenile court records, because giving juvenile offenders the chance to overcome a bad record is a sound approach	51	59 [^]		64 [^]	52
Open juvenile records to the same government and private organizations that can get adult criminal records, since protecting society and the public should be the primary concern	43 [^]	35		32	41
Don't know/None of these	6	5		4	7

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Sealing the Records of Ex-Offenders

- ◆ While a small majority favors sealed juvenile records, a comparable proportion (52%) favors keeping criminal records available to employers and licensing agencies regardless of the length of time that has passed since the individuals conviction or release. Forty-three percent believe access should not be granted if a person convicted of a crime serves his or her sentence and then does not violate the law for a period such as five years.
 - In this case, some of the differences among sub-groups that do arise reverse the order of preference. Favoring sealed records are majorities of African-Americans (60%), of those ever arrested (55%) and of those who feel the criminal justice system does not respect Civil Rights (52%).
 - In addition, those residing in less affluent households (under \$50,000 annual income) are evenly split, with 48% favoring sealing the records of ex-offenders and 47% favoring continued access.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Sealing the Records of Ex-Offenders

Q17 Some people believe that if a person convicted of a crime serves his or her sentence and then does not violate the law for a period such as five years, government record agencies SHOULD NOT make that criminal record available to employers or licensing agencies. Other people believe employers and government licensing agencies SHOULD HAVE access to such government records, and be able to consider the fact of a conviction in the hiring or licensing process. Overall, which of these two approaches do you prefer?

	TOTAL	HH INCOME		RACE	
		LT \$50K	\$50K or higher	White	African Amer.
(n) =	(1030)	(516)	(321)	(836)	(102)*
	%	%	%	%	%
Should not make criminal records available after period of time	43	48 [^]	37	40	60 [^]
Should make criminal records available	52	47	58 [^]	55 [^]	33
Don't know	6	5	5	5	7

	TOTAL	CIVIL RIGHTS		ARRESTED	
		Re-spcts	Not Respect	Yes	No
(n) =	(726)	(268)	(268)	(101)*	(923)
	%	%	%	%	%
Should not make criminal records available after period of time	39	52 [^]	55 [^]	41	41
Should make criminal records available	55 [^]	43	38	53 [^]	53 [^]
Don't know	5	5	7	5	5

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Uses Of Fingerprinting

- ◆ Overall, American adults appear to consider fingerprinting for certain governmental purposes acceptable. However, once private sector entities require fingerprinting, attitudes become more ambiguous.
 - Approximately three-quarters of adults find fingerprinting “very acceptable” when a person is arrested (78%) and when someone is applying for a sensitive job, such as teacher, nursing home worker or security guard (77%). Ninety-four percent and 93% respectively think these practices are either very or somewhat acceptable.
 - Six out of ten think it a very acceptable practice to fingerprint welfare program recipients (62%) or to require a thumbprint on drivers’ licenses (60%), with 86% and 80% responding very or somewhat.
 - On the other hand, fewer than one-half of adults find it very acceptable to require fingerprints to cash a check (45%), buy an airline ticket (45%) or apply for a job (37%).
- ◆ There appears to be no significant difference in attitudes based on whether or not someone has been fingerprinted.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Uses Of Fingerprinting

Q18 Identifying a person accurately is a major concern in many areas of life today. In each of the following situations, how acceptable is it to you that persons be required to give their FINGERPRINTS? Is it very acceptable, somewhat acceptable, not very acceptable, or not acceptable at all?

(N) = (1030)	<u>VERY ACCEPTABLE</u> %	<u>VERY /SOMEWHAT ACCEPTABLE</u> %	<u>NOT VERY/ NOT AT ALL ACCEPTABLE</u> %
When individuals are arrested for a criminal offense, so that a check can be made against criminal history and wanted persons records	78	94	4
When applying for a government license for sensitive jobs, such as teachers, nursing home workers, or security guards	77	93	6
For government welfare program recipients, to detect double registrations or ineligible persons	62	86	12
To put a thumbprint on drivers' licenses, to make successful counterfeiting of drivers licenses more difficult	60	80	18
To cash a check, to help reduce check-cashing fraud	45	71	27
When buying an airline ticket, because of terrorism threats	45	70	27
When applying for a job, so that the employer could check for a criminal history record	37	68	31

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Uses Of Fingerprinting (continued)

- ◆ As the following tables illustrate, women tend to be more favorable toward fingerprinting requirements. Similarly, the acceptability of fingerprinting appears to increase with age.
- ◆ African Americans are far less inclined to see fingerprinting as very acceptable in the context of government welfare programs (47% vs. 64% among whites), but are more likely to see the requirement as very acceptable step to reduce check cashing fraud (57% vs. 44%).

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Uses Of Fingerprinting (continued)

Q18 Identifying a person accurately is a major concern in many areas of life today. In each of the following situations, how acceptable is it to you that persons be required to give their FINGERPRINTS? Is it very acceptable, somewhat acceptable, not very acceptable, or not acceptable at all?

VERY ACCEPTABLE SUMMARY

(n) =	GENDER		AGE		
	Male (520) %	Female (510) %	18-34 (326) %	35-54 (440) %	55+ (257) %
When individuals are arrested for a criminal offense, so that a check can be made against criminal history and wanted persons records	77	79	75	79	79
When applying for a government license for sensitive jobs, such as teachers, nursing home workers, or security guards	71	81 [^]	76	76	79
For government welfare program recipients, to detect double registrations or ineligible persons	59	65	58	63	66 [^]
To put a thumbprint on drivers' licenses, to make successful counterfeiting of drivers licenses more difficult	55	65 [^]	53	61 [^]	68 [^]
To cash a check, to help reduce check-cashing fraud	42	49 [^]	42	44	52 [^]
When buying an airline ticket, because of terrorism threats	40	50 [^]	36	46 [^]	56 ^{^^}
When applying for a job, so that the employer could check for a criminal history record	32	41 [^]	30	34	49 ^{^^}

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

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ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Uses Of Fingerprinting (continued)

Q18 Identifying a person accurately is a major concern in many areas of life today. In each of the following situations, how acceptable is it to you that persons be required to give their FINGERPRINTS? Is it very acceptable, somewhat acceptable, not very acceptable, or not acceptable at all?

VERY ACCEPTABLE SUMMARY

(n) =	RACE	
	White (836) %	Afr.- Amer. (102)* %
When individuals are arrested for a criminal offense, so that a check can be made against criminal history and wanted persons records	79 [^]	70
When applying for a government license for sensitive jobs, such as teachers, nursing home workers, or security guards	77	78
For government welfare program recipients, to detect double registrations or ineligible persons	64 [^]	47
To put a thumbprint on drivers' licenses, to make successful counterfeiting of drivers licenses more difficult	60	66
To cash a check, to help reduce check-cashing fraud	44	57 [^]
When buying an airline ticket, because of terrorism threats	45	50
When applying for a job, so that the employer could check for a criminal history record	37	35

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Posting Of Information on the Internet

- ◆ Most adults (90%) say that they prefer that state agencies do not use the Internet to post criminal history information that is already a matter of public record.
- ◆ There is no indication that attitudes toward Internet posting will substantially change in the near future. Even among younger adults (under 35), current Internet users and those with a low concern about the misuse of personal information, opposition exceeds 80%.

ATTITUDES TOWARD USES OF CRIMINAL HISTORY RECORDS INFORMATION

Posting Of Information on the Internet

Q19 Some people believe that state government agencies that maintain criminal history records that are open to the general public under their state law should post these on the Internet, so that anyone who wanted to could check whether someone had such a record. Other people feel that even though such records could be obtained by applying to the government record agency for a copy, it isn't a good idea to put all those records on the Internet for anyone to obtain. Which would you prefer: state agencies putting all these records on the Internet or not doing that?

(n) =	TOTAL (1030) %	AGE			INTERNET		LEVEL OF CONCERN ABOUT MISUSE OF PERSONAL INFORMATION		
		18-34 (326) %	35-54 (440) %	55+ (257) %	Use (630) %	Don't Use (397) %	High (666) %	Med. (261) %	Low (97)* %
Putting records on the Internet	9	13^^	8^	4	11^	5	7	11	15^
Not putting records on the Internet	90	87	90	94^	88	93^	92^^	88	82
Don't know	1	**	1	3	1	2	1	2	3^

^(^^) = Significantly higher than corresponding column(s) at the 95% confidence level

* = Small Base

** = Less than one-half of one percent

**SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF
CRIMINAL HISTORY RECORDS**

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

- ◆ The survey instrument was designed to capture demographic, experiential and attitudinal characteristics that were thought likely to have an impact on or a relationship to respondents' views on the use of criminal history records outside the Criminal Justice system. Throughout the detailed findings are references to key differences where those differences are statistically significant at the 95% confidence level.² In many cases, differences either do not exist or were marginal.³ However, a few patterns do emerge.
 - Attitudes toward access to criminal history records tend to correlate somewhat to age, income, education and race.
 - Younger adults, those with less education, and those in lower income households tend to favor less access to criminal history records.
 - African Americans often demonstrate a greater preference for less access compared to those who identified themselves as White.
 - In terms of attitudes, the perception of how well the Criminal Justice system respects the Civil Rights of suspects and the general level of concern about the misuse of personal information also shows some correlation with attitudes toward criminal history information.
 - Those who feel the system does not respect Civil Rights very well and those who have a high level of concern about the misuse of personal information tend to show greater likelihood of preference for restrictions on access to criminal history information.
- ◆ The following tables summarize the experiential, attitudinal and demographic factors examined.

² Please see the appendix for notes on significance testing between independent sub-groups.

³ Several groupings that would self-evidently seem to have a bearing on attitudes (e.g., legal and/or criminal justice experience, whether the individual was ever arrested, etc.) yielded unweighted base sizes below 100. At that level, differences need to be extremely great. Accordingly, these groups are infrequently cited herein.

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

Experience/Attitudinal Summary

The following tables summarize the experience and attitudinal factors examined.

(n)=	TOTAL (1030) %	GENDER		AGE						RACE	
		Male (520) %	Female (510) %	18-24 (111) %	25-34 (215) %	35-44 (224) %	45-54 (216) %	55-64 (133) %	65+ (124) %	White (836) %	Afr. Amer. (102)* %
KNOWLEDGE OF CRIMINAL JUSTICE SYSTEM											
High	13	17 [^]	9	11	15	13	15	13	9	14	7
Moderate	57	62 [^]	53	57	59	63 [^]	57 [^]	62 [^]	43	59 [^]	44
Low	30	21	38 [^]	31	26	23	27	24	48 [^]	27	47 [^]
OVERALL EFFECTIVENESS OF CRIMINAL JUSTICE SYSTEM											
High	53	52	54	56	53	54	53	58	45	55	45
Moderate	24	25	23	29	25	22	23	21	22	24	21
Low	24	23	24	14	22	24	25	20	32	22	34 [^]
SYSTEM RESPECTS CIVIL RIGHTS											
Respects	70	70	70	71	72	68	70	75	64	74 [^]	46
Doesn't Respect	26	27	26	27	26	28	25	22	29	23	52 [^]
LEVEL OF CONCERN ABOUT MISUSE OF PERSONAL INFO											
High	64	61	67	57	64	60	65	69	73 [^]	62	79 [^]
Moderate	25	27	24	27	26	30 [^]	26	24	18	28 [^]	14
Low	10	11	8	16 [^]	9	10	9	7	7	10	5

^{^(^)} = Significantly higher than corresponding column(s) at the 95% confidence level

Categories may not add to 100% due to either rounding or the option to decline to respond to some questions.

* = Small base

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

Experience/Attitudinal Summary (continued)

(n)=	TOTAL (1030) %	GENDER		AGE						RACE	
		Male (520) %	Female (510) %	18-24 (111) %	25-34 (215) %	35-44 (224) %	45-54 (216) %	55-64 (133) %	65+ (124)	White (836) %	Afr. Amer. (102)* %
PRIVACY VICTIM OF LAW ENFORCEMENT											
Yes	12	16 [^]	9	23 ^{^^}	13 [^]	15 [^]	11 [^]	8	3	11	21 [^]
No	87	83	90 [^]	77	87 [^]	84	88 [^]	90 [^]	94 [^]	88 [^]	78
EVER BEEN FINGERPRINTED											
Yes	61	72 [^]	51	58	63	63	60	56	64	60	67
No	38	27	48 [^]	42	36	37	37	43	35	39	32
WORK(ED) FOR CRIMINAL JUSTICE AGENCY											
Yes	9	12 [^]	7	3	13 [^]	10 [^]	13 [^]	7	6	10	4
No	91	88	93 [^]	97 [^]	87	90	87	93	93	90	94
LAW TRAINED											
Yes	7	8	6	6	8	8	5	6	8	7 [^]	2
No	93	92	94	94	92	92	95	94	91	93	97
EVER ARRESTED											
Yes	10	15 [^]	5	15 [^]	14 [^]	15 [^]	5	5	2	9	16 [^]
No	90	84	95 [^]	85	86	85	94 [^]	95 [^]	98 [^]	91 [^]	83

[^](^{^^}) = Significantly higher than corresponding column(s) at the 95% confidence level

Categories may not add to 100% due to either rounding or the option to decline to respond to some questions.

* = Small base

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

Experience/Attitudinal Summary (continued)

(n)=	TOTAL (1030) %	HH INCOME					EDUCATION			
		LT \$15K (102)* %	\$15K-LT \$25K (126) %	\$25K LT \$35K (144) %	\$35K LT \$50K (144) %	\$50K or Higher (321) %	HS Inc. (84)* %	HS Grad (326) %	Some Coll. (241) %	College Grad (366) %
KNOWLEDGE OF CRIMINAL JUSTICE SYSTEM										
High	13	11	14	14	11	13	13	9	12	17^
Moderate	57	49	43	51	62^	68^^	34	52^	64^^	64^^
Low	30	39^	43^	35^	27^	19	53^^	38^	24	19
OVERALL EFFECTIVENESS OF CRIMINAL JUSTICE SYSTEM										
High	53	51	56	49	52	59	43	52	54	57
Moderate	24	17	19	30	26	23	24	18	28^	26^
Low	24	32	25	21	22	17	33	30^	19	17
SYSTEM RESPECTS CIVIL RIGHTS										
Respects	70	61	68	71	66	77^	57	68	70^	76^
Doesn't Respect	26	33	28	24	33	21	35^	27	28	22
LEVEL OF CONCERN ABOUT MISUSE OF PERSONAL INFO										
High	64	72^	69^	65	63	57	68	66^	70^	58
Moderate	25	15	23	24	27^	32^	20	25	23	30
Low	10	9	7	11	10	11	10	8	8	12

^(^)= Significantly higher than corresponding column(s) at the 95% confidence level

Categories may not add to 100% due to either rounding or the option to decline to respond to some questions.

* = Small base

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

Experience/Attitudinal Summary (continued)

(n)=		TOTAL (1030) %	HH INCOME					EDUCATION			
			LT \$15K (102)* %	\$15K-LT \$25K (126) %	\$25K LT \$35K (144) %	\$35K LT \$50K (144) %	\$50K or Higher (321) %	HS Inc. (84)* %	HS Grad (326) %	Some Coll. (241) %	College Grad (366) %
	PRIVACY VICTIM OF LAW ENFORCEMENT										
	Yes	12	19^	9	14	20^	9	18^	12	17^	8
	No	87	78	88	84	80	91^	79	86	82	92^
	EVER BEEN FINGERPRINTED										
	Yes	61	54	57	63	66	63	64	56	65	62
	No	38	44	43	37	34	36	34	43^	34	36
	WORK(ED) FOR CRIMINAL JUSTICE AGENCY										
	Yes	9	3	4	8	10^	13^	3	6	11^	13^
	No	91	96^	96^	92	90	87	96^	94^	89	87
	LAW TRAINED										
	Yes	7	2	2	5	7	9^	1	2	7^	13^^
	No	93	96	98^	95	93	91	97	98^	93^	87
	EVER ARRESTED										
	Yes	10	21^	12	7	12	8	19^	10	11^	6
	No	90	77	88^	93^	88^	92^	80^	89^	89	93^

^(^)= Significantly higher than corresponding column(s) at the 95% confidence level

Categories may not add to 100% due to either rounding or the option to decline to respond to some questions.

* = Small base

SUMMARY OF FACTORS INFLUENCING ATTITUDES TOWARD THE USE OF CRIMINAL HISTORY RECORDS

Demographic Profile

The following table summarizes the demographic factors examined

(n) = (1030)

	%		%
GENDER		HOUSEHOLD INCOME	
Male	48	Less than \$25,000	24
Female	52	\$25,000 to less than \$50,000	28
		\$50,000 or higher	30
AGE		EDUCATION	
18-24	13	High School Incomplete	9
25-34	20	High School Graduate	32
35-44	22	Some College	23
45-54	17	College Graduate	34
55-64	11		
65 and older	16	GEOGRAPHIC REGION	
RACE/ETHNICITY		Northeast	20
White	83	North Central (Mid-West)	23
Black/African American	12	South	36
Asian/Asian American	1	West	22
Some other race	4		
Hispanic household (any race)	7		
INTERNET			
Users	60		
Non-Users	40		

Categories may not add to 100% due to either rounding or the option to decline to respond to some questions.

APPENDIX

FEBRUARY 22, 2000

PRIVACY & CRIMINAL JUSTICE

32632

Reliability Of Survey Percentages

Results of any sample are subject to sampling variation. The magnitude of the variation is measurable and is affected by the number of interviews and the level of the percentages expressing the results.

The table below shows the possible sample variation that applies to percentage results reported herein. The chances are 95 in 100 that a survey result does not vary, plus or minus, by more than the indicated number of percentage points from the result that would be obtained if interviews had been conducted with all persons in the universe represented by the sample.

Size of Sample on Which Survey Results Are Based	<u>Approximate Sampling Tolerances Applicable to Percentages At or Near These Levels</u>			
	<u>10% or 90%</u>	<u>20% or 80%</u>	<u>30% or 70%</u>	<u>40% or 60%</u>
1,000 interviews	2%	2%	3%	3%
500 interviews	3%	4%	4%	4%
250 interviews	4%	5%	6%	6%
100 interviews	6%	8%	9%	10%

Additional Sampling Tolerances for Samples of 1,000 Interviews

<u>9% or 91%</u> 2%	<u>8% or 92%</u> 2%	<u>7% or 93%</u> 2%	<u>6% or 94%</u> 1%	<u>5% or 95%</u> 1%
<u>4% or 96%</u> 1%	<u>3% or 97%</u> 1%	<u>2% or 98%</u> 1%	<u>1% or 99%</u> .2%	

Sampling Tolerances When Comparing Two Samples

Tolerances are also involved in the comparison of results from independent parts of the sample. A difference, in other words, must be of at least a certain number of percentage points to be considered statistically significant – that is not due to random chance. The table below is a guide to the sampling tolerances in percentage points applicable to such comparisons, based on a 95% confidence level.

Size of Samples Compared	Differences Required for Significance At or Near These Percentage Levels			
	10% or 90%	20% or 80%	30% or 70%	40% or 60%
1,000 and 1,000	3%	4%	4%	4%
1,000 and 500	3%	4%	5%	5%
1,000 and 250	4%	6%	6%	7%
1,000 and 100	6%	8%	9%	10%
500 and 500	4%	5%	6%	6%
500 and 250	5%	6%	7%	7%
500 and 100	6%	9%	10%	11%
250 and 250	5%	7%	8%	9%
250 and 100	7%	9%	11%	11%
100 and 100	8%	11%	13%	14%

S

MONTH DAY, 2000
709??

- 3 -

QUESTIONNAIRE

BALLOT #
TELEPHONE #
STATE
COUNTY
METRO
SURVEY # (LAST 3 DIGITS)
CALL

TELEPHONE NUMBER: () _____ TIME ENDED: _____

TIME STARTED: _____

349-352

LENGTH: _____ (MINUTES)

SEX OF RESPONDENT:

DATE: _____

372 1 MALE

INTERVIEWER: _____

2 FEMALE

I.D.: _____

Hello, I'm ___ calling from Opinion Research Corporation International of Princeton, New Jersey. We're conducting a national survey of people's opinions on privacy and criminal justice and would like to have your household participate. We are not selling any products or services. We are only asking your opinions.

Now, may I please speak to a (male/female) 18 years of age or older who lives in this household?

First of all . . .

Q1 How much do you know about the American system of criminal justice – the way police, prosecutors, courts, and defense counsel work? Would you say you know a great deal, know the basics, don't know very much, or don't know about this area at all?

- 1 KNOW A GREAT DEAL
- 2 KNOW THE BASICS
- 3 DON'T KNOW VERY MUCH
- 4 DON'T KNOW ABOUT THIS AREA AT ALL
- 5 DON'T KNOW

Q2 From what you have read or heard, or any personal experiences, how effective do you think the overall American criminal justice system is in each of the following areas? Do you think it is very effective, somewhat effective, not very effective, or not effective at all? (READ LIST)

- 1 Very effective
- 2 Somewhat effective
- 3 Not very effective
- 4 Not effective at all
- 5 DON'T KNOW

In investigating and arresting persons suspected of committing crimes
In prosecuting accused persons
In reaching just outcomes at criminal trials

Q3 How well do you think the criminal justice system as a whole respects the civil liberties or constitutional rights of persons who become involved as suspects? Would you say . . . (READ LIST)

- 1 Very well
- 2 Somewhat well
- 3 Not very well
- 4 Not well at all
- 5 DON'T KNOW

Q4 Government agencies collect and store the criminal history records of persons arrested, prosecuted, and convicted or acquitted in the state and federal criminal justice systems. They store these records in computerized record systems. Police, prosecutors, defense counsel, and court officers use these records to carry out their missions. Have you read or heard about this criminal history record system?

- 1 YES
- 2 NO
- 3 DON'T KNOW

Q5 Under American law and practice, government criminal history records are made available to some government and private users outside the criminal justice system. Please listen to three different policies for making such government records available and indicate which ONE you would prefer. (READ ENTIRE LIST BEFORE RECORDING ONE ANSWER)

- 1 A COMPLETELY OPEN SYSTEM, where anyone can obtain either the conviction or the arrest-without-conviction record about an individual, because such broad access helps protect society
- 2 A PARTIALLY OPEN SYSTEM, where anyone can obtain CONVICTION records but NOT records of arrests WITHOUT CONVICTIONS, because persons not convicted are presumed innocent in our constitutional system
- 3 A system OPEN ONLY TO SELECTED USERS for either conviction or non-conviction records, such as employers or government licensing authorities, because society feels certain users have a valid need but others do not have a valid need
- 4 DON'T KNOW/NONE OF THESE

Regardless of the view you just expressed, we'd like to explore some issues of criminal history record use in greater detail, starting with CONVICTION records.

Q6 How do you feel about EMPLOYERS being able to obtain from government agencies the conviction records of persons applying to them for jobs? Do you feel ALL employers should be able to get such records, NO employers should be able to get these, or it should DEPEND ON WHETHER THE JOB INVOLVES SENSITIVE WORK such as handling money, dealing with children, or serving as security guards?

- 1 ALL
- 2 NONE
- 3 DEPENDS ON JOB
- 4 DON'T KNOW

Q7 How do you feel about GOVERNMENT AGENCIES THAT ISSUE OCCUPATIONAL LICENSES obtaining CONVICTION records from the record agencies? Do you feel that ALL license agencies should have access, NONE should have access, or it should DEPEND ON WHETHER THE LICENSE WILL BE FOR JOBS INVOLVING SENSITIVE WORK?

- 1 ALL
- 2 NONE
- 3 DEPENDS ON JOB
- 4 DON'T KNOW

Q8 Here are some other groups that might want to get CONVICTION records. For each, would you favor them having access or not? (READ AND ROTATE ITEMS)

- 1 Favor groups having access to CONVICTION records
- 2 Do not favor groups having access to CONVICTION records
- 3 DON'T KNOW

Banks deciding on personal loan applications
Reporters wanting to find out about political candidates
Individuals wanting to learn if a neighbor has any criminal record
Insurance companies investigating claims for possible fraud
Private organizations like the Boy Scouts, that work with children
The military services, in screening persons seeking to enlist
Companies that issue credit cards

Q9 Now, please think about government records of persons ARRESTED BUT NOT CONVICTED. Would you take the SAME position on groups having access to those records as you just did for CONVICTION records, or would you take some DIFFERENT positions as to records of ARRESTS WITHOUT CONVICTIONS?

- 1 SAME POSITION -->SKIP TO Q13
- 2 DIFFERENT POSITIONS -->CONTINUE
- 3 DON'T KNOW -->SKIP TO Q13

Q10 How do you feel about EMPLOYERS being able to obtain from government agencies the arrest without conviction records of persons applying to them for jobs? Do you feel ALL employers should be able to get such records, NO employers should be able to get these, or it should DEPEND ON WHETHER THE JOB INVOLVES SENSITIVE WORK such as handling money, dealing with children, or serving as security guards?

- 1 ALL
- 2 NONE
- 3 DEPENDS ON JOB
- 4 DON'T KNOW

Q11 How do you feel about GOVERNMENT AGENCIES THAT ISSUE OCCUPATIONAL LICENSES obtaining the arrest without conviction records from the record agencies? Do you feel that ALL license agencies should have access, NONE should have access, or it should DEPEND ON WHETHER THE LICENSE WILL BE FOR JOBS INVOLVING SENSITIVE WORK?

- 1 ALL
- 2 NONE
- 3 DEPENDS ON JOB

4 DON'T KNOW

Q12 Here are some other groups that might want to get ARREST WITHOUT CONVICTION records. For each, would you favor them having access or not? (READ AND ROTATE ITEMS)

- 1 Favor groups having access to ARREST WITHOUT CONVICTION records
- 2 Do not favor groups having access to ARREST WITHOUT CONVICTION records
- 3 DON'T KNOW

Banks deciding on personal loan applications
Reporters wanting to find out about political candidates
Individuals wanting to learn if a neighbor has any criminal record
Insurance companies investigating claims for possible fraud
Private organizations like the Boy Scouts, that work with children
The military services, in screening persons seeking to enlist
Companies that issue credit cards

(ASK EVERYONE)

Q13 Here are some policies that could be set to protect individual rights of persons having a criminal history record in government files. For each of these, indicate whether you think requiring such a policy is very important, somewhat important, not too important, or not important at all. (READ LIST)

- 1 Very important
- 2 Somewhat important
- 3 Not too important
- 4 Not important at all
- 5 DON'T KNOW

Each person would be informed when a record is created what the record is, how it will be used inside the criminal justice system, and what policies will be followed in making the record available outside the criminal justice system
Each person would have the right to see his or her record, and to have items felt to be incorrect re-checked by the record-keeping agency and corrected if in error
An impartial procedure would be available for receiving, investigating and resolving complaints by individuals about misuse of their records or failure to follow agency policies

Q14 Turning from government record systems to the private sector, there are private companies that collect reports of arrests and trial outcomes from newspaper stories and from various public records, such as criminal court files. These companies sell this information to private parties such as private employers, insurance companies investigating fraud, or lawyers checking out parties or witnesses in civil litigation. The companies also provide criminal history reports to government licensing agencies, government employers, and other government agencies. Which ONE of the following judgments about this system of private information suppliers of criminal history records would you agree with MOST? (READ LIST)

- 1 This commercial system provides relevant information from public record sources for many important business, social, and governmental purposes and is OK
- 2 It worries me that this is being done by commercial organizations and I favor this being done only by the government
- 3 DON'T KNOW/NONE OF THESE

Q15 Do you feel that these commercial companies should follow the SAME rules and procedures for giving individuals they report on fair information and fair procedure practices that government criminal history agencies follow, or do you think such rules are NOT IMPORTANT where private businesses are involved?

- 1 COMMERCIAL COMPANIES FOLLOW THE SAME RULES AND PROCEDURES AS GOVERNMENT AGENCIES
- 2 SUCH RULES ARE NOT IMPORTANT FOR PRIVATE BUSINESSES
- 3 DON'T KNOW

Q16 Today, many states limit the availability of records about juveniles charged and processed in juvenile courts, for example not allowing access to employers, government licensing agencies, or military enlistment offices. This is based on a judgment that juveniles should be given an opportunity to overcome youthful criminal behavior. Out of concern over current juvenile crimes, some people would open juvenile records to greater access. Please listen to the following two policies and indicate which ONE you think would be BEST. (READ LIST)

- 1 Keep restrictions on disclosure of juvenile court records, because giving juvenile offenders the chance to overcome a bad record is a sound approach
- 2 Open juvenile records to the same government and private organizations that can get adult criminal records, since protecting society and the public should be the primary concern
- 3 DON'T KNOW/NONE OF THESE

Q17 Some people believe that if a person convicted of a crime serves his or her sentence and then does not violate the law for a period such as five years, government record agencies SHOULD NOT make that criminal record available to employers or licensing agencies.

Other people believe employers and government licensing agencies SHOULD HAVE access to such government records, and be able to consider the fact of a conviction in the hiring or licensing process.

Overall, which of these two approaches do you prefer?

- 1 SHOULD NOT MAKE CRIMINAL RECORDS AVAILABLE AFTER PERIOD OF TIME
- 2 SHOULD MAKE CRIMINAL RECORDS AVAILABLE
- 3 DON'T KNOW

Q18 Identifying a person accurately is a major concern in many areas of life today. In each of the following situations, how acceptable is it to you that persons be required to give their FINGERPRINTS? Is it very acceptable, somewhat acceptable, not very acceptable, or not acceptable at all?
(READ AND ROTATE ITEMS)

- 1 Very acceptable
- 2 Somewhat acceptable
- 3 Not very acceptable
- 4 Not acceptable at all
- 5 DON'T KNOW

When individuals are arrested for a criminal offense, so that a check can be made against criminal history and wanted persons records
To put a thumbprint on drivers' licenses, to make successful counterfeiting of drivers licenses more difficult
To cash a check, to help reduce check-cashing fraud
When applying for a job, so that the employer could check for a criminal history record
When applying for a government license for sensitive jobs, such as teachers, nursing home workers, or security guards
When buying an airline ticket, because of terrorism threats
For government welfare program recipients, to detect double registrations or ineligible persons

Q19 Some people believe that state government agencies that maintain criminal history records that are open to the general public under their state law should post these on the Internet, so that anyone who wanted to could check whether someone had such a record.

Other people feel that even though such records could be obtained by applying to the government record agency for a copy, it isn't a good idea to put all those records on the Internet for anyone to obtain.

Which would you prefer: state agencies putting all these records on the Internet or not doing that?

- 1 PUTTING RECORDS ON THE INTERNET
- 2 NOT PUTTING RECORDS ON THE INTERNET
- 3 DON'T KNOW

Q20 For each of the following types of personal records, please indicate whether you think it is true or false that anyone using the Internet can PURCHASE this kind of record from PRIVATE SERVICES on any person they are interested in, for any purpose that they have in mind. (READ AND ROTATE ITEMS)

- 1 True
- 2 False
- 3 DON'T KNOW

Anyone's criminal conviction record
Anyone's arrest record even if not convicted
Anyone's credit bureau report
Anyone's Social Security number
Anyone's bank checking account balance
Anyone's credit card numbers

Q21 How concerned are you about the possible misuse of your personal information in America today? Are you. . . (READ LIST)

- 1 Very concerned
- 2 Somewhat concerned
- 3 Not very concerned
- 4 Not concerned at all
- 5 DON'T KNOW

Q22 Have you personally ever been the victim of what you felt was an improper invasion of privacy by any of the following? (READ AND ROTATE ITEMS)

- 1 Yes
- 2 No
- 3 DON'T KNOW

A business collecting and using information about you
A law enforcement agency
A government tax, social service, welfare, or license agency
A charitable, political, or non-profit organization

Q23 Have you ever had your fingerprints taken, for example for military service, applying for a job or a government license, or for any other identification purpose?

- 1 YES -->CONTINUE
- 2 NO
- 3 DON'T KNOW -->SKIP TO Q25

Q24 Did you feel that doing this was an appropriate requirement or not an appropriate requirement?

- 1 APPROPRIATE
- 2 NOT APPROPRIATE
- 3 DON'T KNOW

Just for background purposes, please answer the following questions about yourself.

Q25 Do you now work or have you ever worked for any kind of criminal justice agency, such as the police, prosecutors offices, courts, or corrections agency?

- 1 YES
- 2 NO
- 3 DON'T KNOW/REFUSED

Q26 Are you a lawyer, do you work for a law firm or legal department, or have you had legal training?

- 1 YES
- 2 NO
- 3 DON'T KNOW/REFUSED

Q27 Do you use the Internet today from home, work, school, or any other place?

- 1 YES
- 2 NO
- 3 DON'T KNOW/REFUSED

Q28 Have you personally ever sought to obtain the criminal conviction record about another person, for any reason, apart from any such inquiry in your duties at work?

- 1 YES
- 2 NO
- 3 DON'T KNOW/REFUSED

Q29 Have you ever been arrested for a criminal offense, other than driving violations?

- 1 YES -->CONTINUE
- 2 NO
- 3 DON'T KNOW/REFUSED -->SKIP TO S7

Q30 Were you convicted for that offense or not?

- 1 YES
- 2 NO
- 3 DON'T KNOW/REFUSED

S7 What was the last grade in school you completed?

- 1 8TH GRADE OR LESS
- 2 HIGH SCHOOL INCOMPLETE (GRADES 9, 10, 11)
- 3 HIGH SCHOOL COMPLETE (GRADE 12)
- 4 SOME COLLEGE
- 5 COLLEGE GRADUATE
- 6 POSTGRADUATE WORK/DEGREE
- 7 TECHNICAL SCHOOL/PROFESSIONAL BUSINESS SCHOOL
- 8 REFUSED/NR

S8 What is your age?

- 1 18-20
- 2 21-24
- 3 25-29
- 4 30-34
- 5 35-39
- 6 40-44
- 7 45-49
- 8 50-54
- 9 55-59
- 10 60-64
- 11 65 OR OLDER
- 12 REFUSED/NR

S9 Which of the following best describes your race? (READ LIST)

- 1 White/Caucasian
- 2 Black/African-American
- 3 Asian/Asian-American, or

- 4 Some other race
- 5 REFUSED/NR

S9A Are you, or is anyone else in your household Hispanic? That is, from a Spanish speaking country, or the descendent of someone from a Spanish speaking country.

- 1 YES
- 2 NO
- 3 REFUSED/NR

S10 Was your TOTAL household income BEFORE taxes for 1999 less than \$25,000 or \$25,000 or more?

1 LESS THAN \$25,000 --> Was that . . . ? (READ CHOICES.)

- 1 Under \$10,000
- 2 \$10,000 but less than \$15,000
- 3 \$15,000 but less than \$20,000
- 4 \$20,000 but less than \$25,000
- 5 REFUSED

2 \$25,000 OR MORE --> Was that . . . ? (READ CHOICES.)

- 1 \$25,000 but less than \$30,000
- 2 \$30,000 but less than \$35,000
- 3 \$35,000 but less than \$40,000
- 4 \$40,000 but less than \$50,000
- 5 \$50,000 but less than \$75,000
- 6 \$75,000 but less than \$100,000
- 7 \$100,000 or more
- 8 REFUSED (UNSPECIFIED AFTER \$25,000 LESS OR MORE)

3 DONT KNOW/REFUSED/NR

Thank you very much for your time. May I please verify that I reached you by dialing . .

(AREA CODE)

(TELEPHONE NUMBER)