



June 2023

# IMPAIRED DRIVING

## Information on Data Used to Identify Repeat Offenders

Accessible Version

# GAO Highlights

Highlights of [GAO-23-105859](#), a report to congressional committees

## Why GAO Did This Study

Driving while impaired by substances such as alcohol, prescription and over-the-counter medicines, or illicit drugs remains a persistent traffic safety and public health issue. Identifying repeat offenders can help criminal justice agencies take measures to reduce impaired driving, such as imposing escalating penalties for repeat offenses and better targeting programs to reduce recidivism. States have persistently reported large amounts of incomplete criminal history information used for this purpose.

The Infrastructure Investment and Jobs Act included a provision for GAO to study issues related to the reporting and interstate sharing of data on impaired-driving offenses. This report describes (1) how states report impaired-driving information to federal databases; (2) the challenges that selected states face in collecting impaired-driving information and reporting it to federal databases; and (3) how selected states have used federal resources to address challenges to collecting impaired-driving information.

GAO reviewed applicable statutes and regulations, and analyzed DOJ-funded survey data on the criminal history information states collect. GAO selected a non-generalizable sample of 12 states to serve as illustrative examples, based on the percentage of fatal car crashes in the states that involved an alcohol-impaired driver, among other factors. GAO also interviewed federal, state, and local officials, as well as non-governmental stakeholders.

View [GAO-23-105859](#). For more information, contact Elizabeth Repko at (202) 512-2834 or [RepkoE@gao.gov](mailto:RepkoE@gao.gov).

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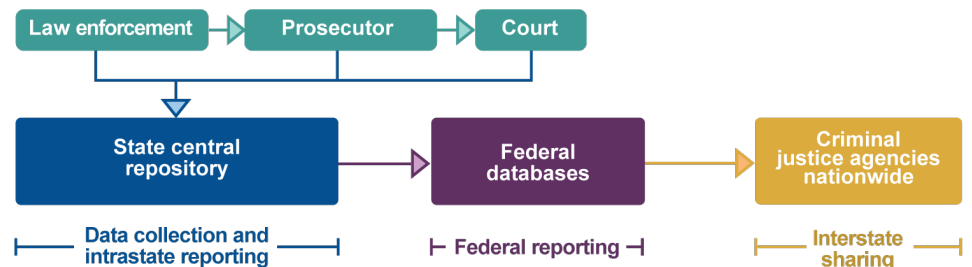
## IMPAIRED DRIVING

### Information on Data Used to Identify Repeat Offenders

## What GAO Found

Various state and local criminal justice agencies collect information on impaired drivers—including arrest reports, fingerprints, and dispositions (i.e., the results of criminal proceedings)—and report it to state central repositories. Through a largely automated process, these central repositories report, or make accessible, criminal history information—including on impaired-driving offenders—to fingerprint-based databases maintained by Department of Justice's (DOJ) Federal Bureau of Investigation (FBI). There are no federal statutory reporting requirements. However, all 50 states voluntarily report criminal history information to FBI's databases, which in turn are accessible to criminal justice agencies nationwide. These agencies can use the databases to identify repeat impaired-driving offenders. For example, a law enforcement officer may query FBI's databases to check whether a suspected impaired driver has prior impaired-driving convictions, including in another state.

#### General Process Used by States for Collecting, Reporting, and Sharing Impaired-driving Data That Can Be Used to Identify Repeat Offenders



Source: GAO summary of Department of Justice documentation and information from selected states. | GAO-23-105859

Selected states face challenges collecting complete impaired-driving information but not reporting it to federal databases, due to the automation of the reporting process. According to stakeholders, challenges to collecting data included:

- **Insufficient staff and training.** Some state and local agencies do not have enough staff to enter dispositions into court reporting systems, or have staff who are insufficiently trained to properly capture fingerprints.
- **Lack of equipment and technology.** Law enforcement officers may not have mobile scanners to capture fingerprints in the field, and courtrooms may lack machines to electronically record fingerprints. In addition, some states do not have unified court reporting systems for dispositions.

Officials from selected states reported using three DOJ and three Department of Transportation grant programs, and other federal resources, to help address challenges to collecting impaired-driving data. For example, selected states used grant funds to purchase machines that electronically capture fingerprints; to train law enforcement and prosecutors on impaired driving issues; and to enhance court reporting systems for dispositions. States also used federal training and technical assistance to help collect accurate, complete, and timely criminal history information, including on impaired driving.

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Figure 2: General Processes Used by States for Collecting, Reporting, and Sharing Impaired-driving Data That Can Be Used to Identify Repeat Offenders

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**Abbreviations**

DOJ	Department of Justice
DOT	Department of Transportation
DRE	drug recognition expert
DUI	driving under the influence
DWI	driving while intoxicated
FBI	Federal Bureau of Investigation
III	Interstate Identification Index
JAG	Edward Byrne Memorial Justice Assistance Grant Program
NARIP	National Instant Criminal Background Check (NICS) Act Record Improvement Program
NCHIP	National Criminal History Improvement Program
NCIC	National Crime Information Center
NFF	National Fingerprint File
NGI	Next Generation Identification
NHTSA	National Highway Traffic Safety Administration
OJP	Office of Justice Programs
SEARCH	The National Consortium for Justice Information and Statistics
TSRP	traffic safety resource prosecutor

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June 13, 2023

Congressional Committees

Driving while impaired by substances such as alcohol, prescription and over-the-counter medicines, or illicit drugs remains a persistent traffic safety and public health issue. According to Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA), in 2020, motor vehicle crashes in which at least one driver was alcohol-impaired resulted in over 11,500 fatalities, representing 30 percent of all U.S. traffic fatalities that year. Impaired drivers involved in fatal crashes were four times more likely to have prior impaired-driving convictions than the drivers who were not impaired. Identifying repeat offenders is critical to improving traffic safety, as it may enable state and local criminal justice agencies—the entities that most often investigate and prosecute impaired-driving offenses—to impose more severe penalties as appropriate, better target programs to reduce recidivism, and take other measures to more effectively reduce impaired driving.<sup>1</sup>

Federal databases maintained by the Department of Justice's (DOJ) Federal Bureau of Investigation (FBI) facilitate the interstate sharing of criminal history information to help identify repeat impaired-driving offenders, regardless of the state in which prior offenses occurred.<sup>2</sup> State and local law enforcement, prosecutors, and courts, among others, collect criminal history information, including on impaired-driving offenders, for offenses committed in their own jurisdictions and report it to state central repositories. These repositories report criminal history record information, or make it accessible, to FBI's information systems (databases) to help inform criminal justice agencies in other jurisdictions.<sup>3</sup>

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<sup>1</sup>California Office of Traffic Safety, *California Highway Safety Plan 2022. Fiscal Year 2022, October 1, 2021 to September 30, 2022*. Prepared for U.S. Department of Transportation, National Highway Traffic Safety Administration.

<sup>2</sup>Statutes prohibiting impaired driving are state laws and thus can vary among states.

<sup>3</sup>For the purposes of this report, we use the terms "impaired-driving data" and "impaired-driving information" to refer to criminal history record information, as defined under DOJ regulation, related to impaired-driving offenses. See 28 C.F.R. § 20.3(d). For simplicity, we will refer to "criminal history record information" as "criminal history information."

The Infrastructure Investment and Jobs Act included a provision for us to study issues related to the reporting and interstate sharing of information on impaired-driving offenses.<sup>4</sup>

This report describes (1) how states report impaired-driving information to federal databases; (2) the challenges that selected states face in collecting impaired-driving information and reporting it to federal databases; and (3) how selected states have used federal resources to address challenges to collecting impaired-driving information.

To address all three objectives, we selected a non-generalizable sample of 12 states to serve as illustrative examples. We based our selection, among other factors, on the percentage of fatal car crashes that involved an alcohol-impaired driver, and we included states with both high and low percentages.<sup>5</sup> We interviewed relevant state and local stakeholders to obtain their perspectives on collecting and reporting impaired-driving data. These stakeholders included officials from state highway safety offices, state departments of motor vehicles, state central repositories (where states maintain criminal history information), law enforcement agencies, and courts, as well as traffic safety resource prosecutors.<sup>6</sup>

To describe how states report impaired-driving information to federal databases, we reviewed federal documentation and reports related to criminal history information, including impaired-driving data, and relevant federal databases. We also reviewed applicable statutes, regulations, and Federal Register documents related to collecting, reporting, and sharing criminal history information, including those related to the federal databases that maintain this information. We interviewed officials from NHTSA and DOJ, including offices within DOJ's Office of Justice Programs and FBI, to better understand the relevant databases. We also reviewed reports from relevant associations, including reports on a DOJ-

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<sup>4</sup>Pub. L. No. 117-58, § 24106(b), 135 Stat. 429, 806-807 (2021).

<sup>5</sup>We selected six primary states—California, Connecticut, Iowa, Massachusetts, Mississippi, and Texas—from which we interviewed officials from a wide range of state and local offices. We also selected six secondary states—Arizona, Colorado, Florida, Kansas, Tennessee, and Washington—from which we interviewed officials from a smaller number of offices. See appendix I for a full list of entities and individuals we interviewed.

<sup>6</sup>Traffic safety resource prosecutors are typically current or former prosecutors who provide training, education, and technical support to traffic offense prosecutors and law enforcement personnel in their states. They also facilitate a coordinated, multidisciplinary approach to the prosecution of impaired driving and other traffic offenses.

funded biennial survey of state central repository administrators. We reviewed the methodology used to collect the survey data and determined the data were sufficiently reliable for our purposes, including describing fingerprint, arrest, and disposition (i.e., the result or conclusion of criminal proceedings) data reported by states.<sup>7</sup>

To describe the challenges that selected states face in collecting impaired-driving information and reporting it to federal databases, as well as the federal resources selected states have used to address challenges, we reviewed applicable statutes and regulations, DOJ and association reports, and other related documentation. We also identified six DOJ and DOT grant programs that states can use to improve how they collect and report impaired-driving data. We reviewed grant program documentation and analyzed federal grant award summary data to understand how states reported using funding awards. We determined these data were sufficiently reliable for our purposes of describing how selected states reported using funding awards. For further information on our objectives, scope, and methodology, see appendix I.

We conducted this performance audit from March 2022 to June 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

Collecting criminal history information on impaired drivers and reporting it to federal databases involves numerous federal, state, and local criminal justice agencies.<sup>8</sup> State and local criminal justice agencies collect criminal history information to establish the identity of arrested individuals, and to help investigate and prosecute individuals charged with criminal offenses. This information includes an arrested person's fingerprints, prior arrest

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<sup>7</sup>See 28 C.F.R. § 20.3(i) (defining "disposition").

<sup>8</sup>Criminal justice agencies are courts and any government agency that administers criminal justice under statute or executive order, and that allocates a substantial part of its annual budget to do so. 28 C.F.R. § 20.3(g).

records, criminal charges, and any related dispositions, such as dismissal of charges, acquittal, or conviction.<sup>9</sup> States maintain this information in central criminal history information repositories and voluntarily report it to federal databases maintained by DOJ. DOJ and DOT also provide state and local agencies with resources that they can use to improve their impaired-driving data systems.

FBI is the primary agency responsible for federal databases containing fingerprint-based criminal history information, including impaired-driving data. FBI maintains multiple databases that facilitate the interstate sharing of criminal history information, which can help states identify repeat impaired-driving offenders (see table 1).

**Table 1: Federal Bureau of Investigation (FBI) Criminal History Record Information Databases**

Database	Description
Interstate Identification Index (III)	III is an FBI-maintained fingerprint-supported index that enables the interstate exchange and integration of criminal history record information. Participating states' criminal justice agencies can search for an individual's criminal history record information on the basis of their name or other identifiers, such as date of birth. III processes inquiries to determine if a matching record is on file, and if so, then an agency may request the subject's record from the state central repository or FBI database that maintains the records. All 50 states and D.C. participate in III, and participants sign written agreements with FBI to confirm they will abide by the rules, policies, and procedures governing III operations.
Next Generation Identification (NGI)	The NGI System is an FBI-owned and operated system that provides an automated biometric identification and criminal history records reporting system to support law enforcement and criminal justice agencies, among others. The NGI System is an identity-based database of palm and fingerprints, mugshots, and other identifying characteristics that allows for the verification of identity, submissions of arrest information, and access to fingerprint-based criminal histories, among other functions. III functions as part of the NGI System and provides the means of conducting national criminal history record searches for both criminal justice and non-criminal justice purposes. All fingerprints and criminal history record information maintained in the NGI System are submitted voluntarily by federal, state, tribal, and territorial agencies.
National Fingerprint File (NFF)	NFF is an FBI-maintained database of fingerprints, or other unique identifying information relating to arrested or charged individuals, to provide positive identification of offenders with records in III. NFF contains at least one set of fingerprints on state offenders from each state in which they have been arrested for a felony or reportable-misdemeanor offense, and for which the state—as opposed to FBI—maintains control of the record. Disposition data on the individual are also retained at the state repository for state-maintained records and not forwarded to the FBI. NFF is the final phase of III implementation and, when fully implemented, will be a decentralized system that will replace FBI's record-keeping responsibility for state offenders by making state central repositories primarily responsible for record dissemination and maintenance. As of May 2023, 25 states participated in the NFF program.
National Crime Information Center (NCIC)	NCIC is a system of documented criminal justice information available to law enforcement and criminal justice agencies nationwide that enables them to exchange criminal justice information for the purpose of apprehending fugitives, locating missing persons, and identifying stolen property. III is also accessible through the same network as NCIC. According to FBI, all 50 states, D.C., U.S. territories, and Canada use NCIC.

Source: GAO analysis of FBI documentation. | GAO-23-105859

<sup>9</sup>28 C.F.R. § 20.3.



Federal, state, and local criminal justice agencies use federal databases to help identify whether individuals have criminal records—including whether they are repeat impaired drivers—by accessing their criminal history information, regardless of the state in which the prior criminal activity occurred. For example:

- **Law enforcement.** Law enforcement officers may use FBI's National Crime Information Center (NCIC) database to check whether suspected impaired drivers have active warrants for their arrest, including warrants issued in another state. Officers may also use FBI's Interstate Identification Index (III)—accessed through NCIC—to retrieve drivers' criminal history information in order to ascertain if they have a history of impaired driving. Although state, local, and other law enforcement agencies may consult their own nonfederal databases, including their state's central repository, during an investigation, federal databases are the primary way to access individuals' criminal history information from other states.
- **Prosecutors.** Prosecutors' offices use federal databases to help determine appropriate charges, if any, by ascertaining if an individual arrested for impaired driving has any prior impaired-driving convictions. According to the Governors Highway Safety Association, the majority of states have laws that provide for escalating penalties for an individual's second and subsequent impaired-driving convictions.<sup>10</sup> For example, these laws may require suspension of a repeat offender's driving privileges; use of an ignition interlock device, which prevents a driver from starting a car if the device detects that the driver's blood alcohol concentration is above a certain threshold; or participation in a sobriety program for at least a year.

There are long-standing and known issues with the incompleteness of criminal history information in state central repositories, including gaps in fingerprint and disposition data. For example, recent FBI audits of state central criminal history record repositories have found states to be noncompliant with disposition reporting requirements—ongoing issues that FBI has long been aware of.<sup>11</sup> In addition, as part of DOJ-funded

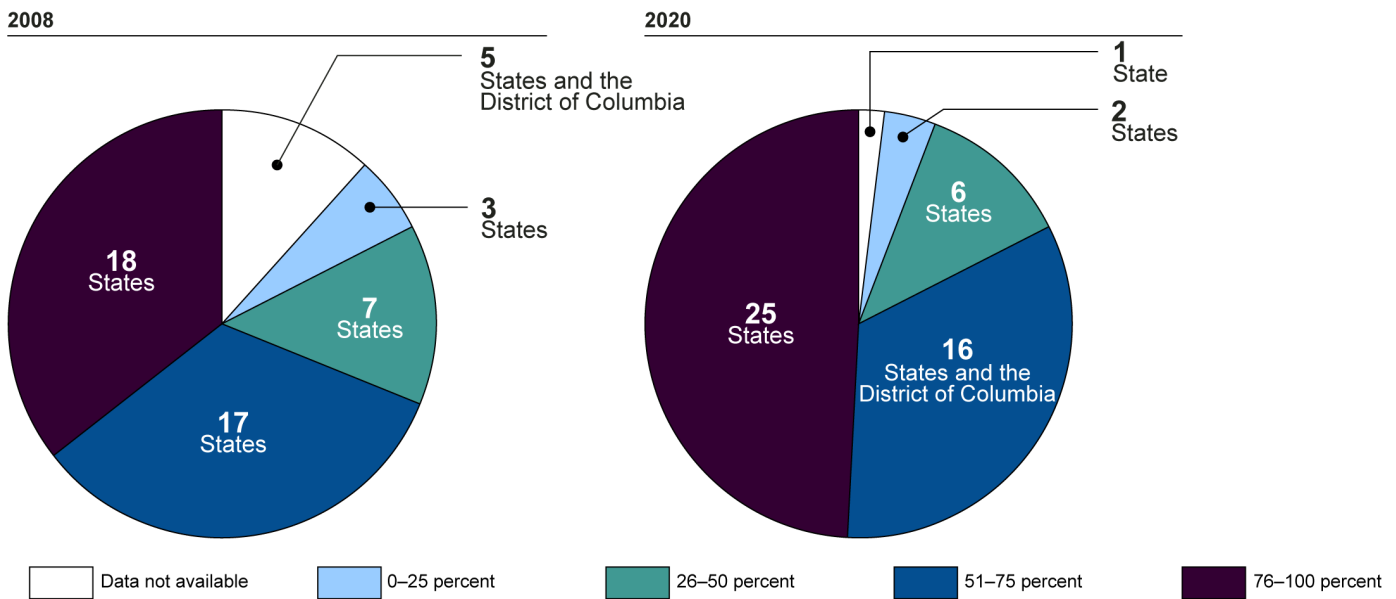
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<sup>10</sup>Governors Highway Safety Association, *Alcohol-Impaired Driving Laws by State* (Governors Highway Safety Association, 2022). The Governors Highway Safety Association is a nonprofit organization that represents the state and territorial highway safety offices that receive federal grants to address behavioral highway safety issues.

<sup>11</sup>FBI conducts triennial audits of central repositories to assess a state's ability to meet either III or NFF program participation requirements, depending on the state's participation status.

surveys, a number of state central repositories have reported that low percentages of arrest records in their databases include related final dispositions.<sup>12</sup> A small percentage of missing dispositions is expected as a result of ongoing, unresolved cases, which we discuss below. However, surveys of state central repository administrators have persistently identified large amounts of missing data. For example, in 2008, 10 states reported final dispositions for 50 percent or less of all arrest records in their central repositories.<sup>13</sup> According to the latest survey, from 2020, eight states reported the same.<sup>14</sup> (See fig. 1.)

**Figure 1: Percentage of Arrest Records with Final Dispositions in State Central Criminal History Record Repositories, 2008 and 2020**



Source: GAO analysis of The National Consortium for Justice Information and Statistics (SEARCH) data. | GAO-23-105859

<sup>12</sup>DOJ partners with The National Consortium for Justice Information and Statistics (SEARCH) to conduct biennial surveys on criminal history information included in state central repositories. In addition to implementing the surveys, SEARCH conducts research on a broad spectrum of topics, including using and managing criminal history information, and strategies for improving data quality and reporting dispositions. SEARCH is a nonprofit organization governed by a member group composed of appointees from the 50 states, D.C., and the U.S. territories.

<sup>13</sup>U.S. Department of Justice, Bureau of Justice Statistics, *Survey of State Criminal History Information Systems, 2008* (Washington, D.C.: 2009).

<sup>14</sup>Becki R. Goggins and Dennis DeBacco, *Survey of State Criminal History Information Systems, 2020* (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, Dec. 2022).

Note: Data depicted in the figure include all 50 states and the District of Columbia.

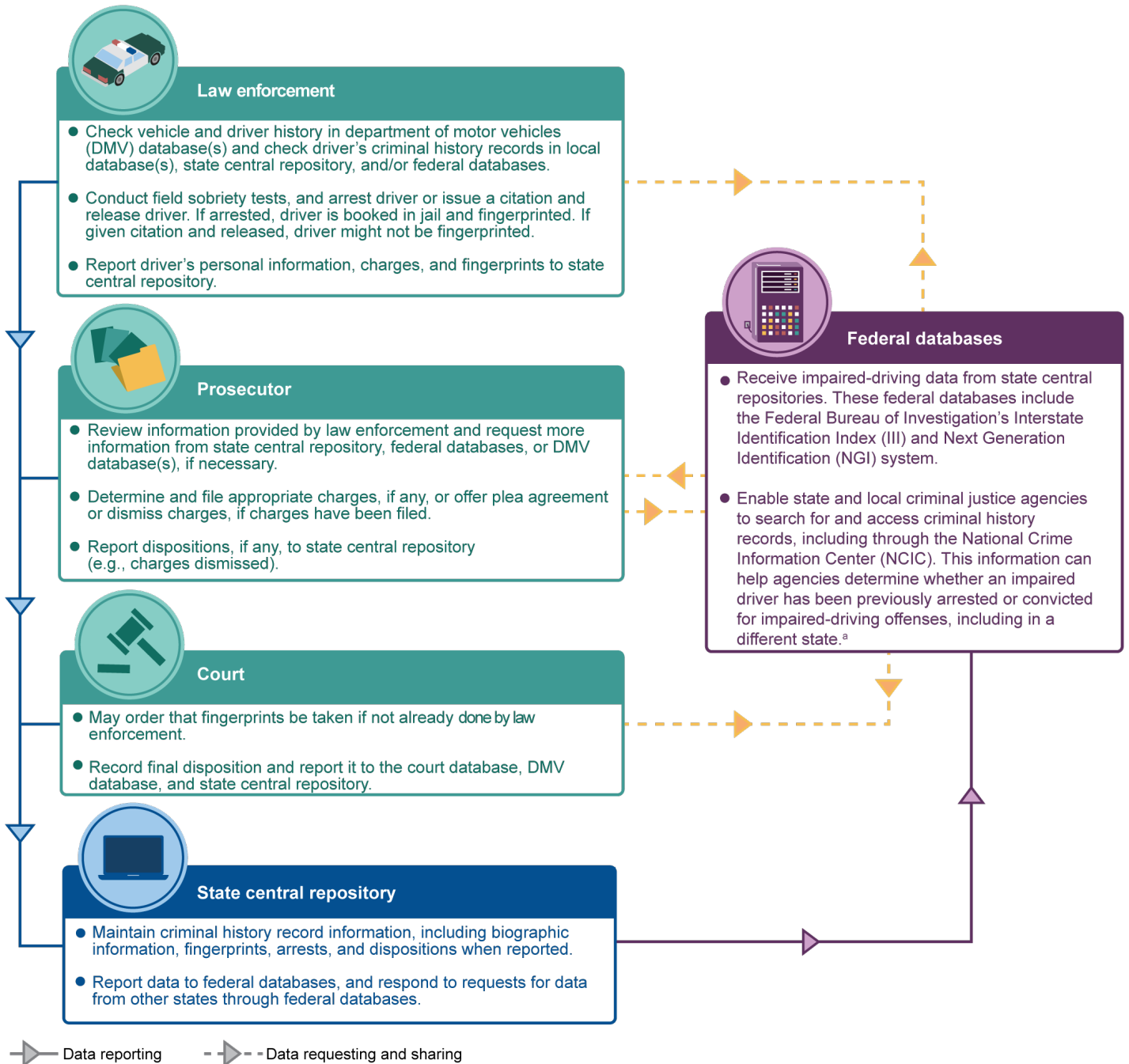
Year	Data not available	0 to 25 percent of arrest records	25 to 50 percent of arrest records	51 to 75 percent of arrest records	76 to 100 percent of arrest records
2008	6 States	3 States	7 States	17 States	18 States
2020	1 State	2 States	6 States	17 States	25 States

NHTSA is responsible for reducing deaths, injuries, and economic losses resulting from motor vehicle crashes. To that end, NHTSA collects and publishes data on fatal crashes, including those that involved an alcohol-impaired driver, through its Fatality Analysis Reporting System. NHTSA also collects data on drivers whose license has been revoked, suspended, canceled, or denied, or who have been convicted of serious traffic-related offenses, through its Problem Driver Pointer System. However, NHTSA’s databases might not be used by state and local officials to identify repeat impaired-driving offenders for several potential reasons, including that the data are anonymized or do not include the reasons drivers lost their license.

## States Report Impaired-driving Information to Federal Databases through a Voluntary, Largely Automated Process

Various state and local criminal justice agencies collect impaired-driving information and report it to state central repositories. In turn, these repositories are responsible for maintaining the information and voluntarily report it, or make it accessible—largely through automated processes—to FBI databases under the minimum requirements for III participation. For example, state central repositories contain arrest records, including fingerprints, collected by police departments, and disposition records from prosecutors and courts. These central repositories report this information, or make it accessible, to FBI’s databases through a largely automated process. Criminal justice agencies across the country can query FBI’s databases to search for, request, and receive an individual’s criminal history information, either from the FBI database or from any other state central repository that maintains records on that individual. These agencies can use this information to identify repeat impaired-driving offenders. (See fig. 2.)

**Figure 2: General Processes Used by States for Collecting, Reporting, and Sharing Impaired-driving Data That Can Be Used to Identify Repeat Offenders**



Source: GAO summary of Department of Justice and Department of Transportation documentation and information from selected states. | GAO-23-105859

<sup>a</sup>Although III and NGI are the primary federal databases used to identify potential repeat impaired-driving offenders, NCIC may also include relevant data. While III can be accessed through NCIC, criminal history record information is not reported to NCIC.

States' reporting of criminal history information, including impaired-driving information, to FBI's III and Next Generation Identification (NGI) databases is voluntary, as there are no federal statutory reporting requirements. However, under DOJ's regulations, if a criminal justice agency decides to voluntarily submit data to these federal databases, then the agency must assure that submitted information on individuals is kept complete, accurate, and current, and includes, to the maximum extent feasible, related dispositions.<sup>15</sup> In addition, states that choose to participate in III are required to establish and maintain a central repository of criminal history information, which generally serves as the sole source of that information from the state for FBI.<sup>16</sup> Participating states must agree to continue submitting to FBI all arrest, court, and correctional fingerprints for criterion offenses, including impaired-driving offenses.<sup>17</sup> Participating states must also agree to continue submitting the related final dispositions, when possible. All 50 states and D.C. have chosen to participate in III and are, therefore, subject to these conditions of participation.

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## Officials Cited Challenges States Face in Collecting Impaired-driving Information, but Not in Reporting to Federal Databases

Officials from FBI and state central repositories, as well as other stakeholders, identified a number of challenges states face in collecting complete impaired-driving information and reporting it to state central

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<sup>15</sup>See 28 C.F.R. § 20.37.

<sup>16</sup>The submission of related final disposition reports and expungements to FBI through the state central repository is not required but desirable. See Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, *Interstate Identification Index/National Fingerprint File Operational and Technical Manual*, NGI-DOC-09034-2.0 (Mar. 8, 2017).

<sup>17</sup>Criterion offenses are those includable in III and NGI under DOJ's regulations. DOJ's regulations provide that the criminal history record information maintained in III and NGI must include serious and/or significant offenses and excludes arrests and court-related information for nonserious offenses, except that impaired driving and certain other offenses will be included. See 28 C.F.R. § 20.32; National Fingerprint File Qualification Requirements (Nov. 6, 2019).

repositories. Specifically, officials we spoke with noted missing or unreported fingerprints and dispositions caused by “cite and release” practices by law enforcement, a lack of resources across criminal justice agencies, and other challenges. Officials from state central repositories we interviewed said they did not face any challenges reporting impaired-driving information to federal databases as they have “real-time” connections with FBI’s databases, and participation in III requires state central repositories to have the functionality to immediately respond to criminal history information requests from other states.

**Cite and release practices.** FBI and other stakeholders identified cite and release practices as a cause of significant gaps in criminal history information.<sup>18</sup> Cite and release involves law enforcement officers issuing an offender a ticket with a summons to appear in court at a future date and then letting the offender go, often without taking fingerprints. By contrast, the more traditional practice of arresting and booking offenders—typically at a police station—involves fingerprinting. According to the 2020 DOJ-funded survey of state central repository administrators, law enforcement in 40 states “routinely” cited (i.e., ticketed) and released individuals without collecting fingerprints for misdemeanors. Of these 40 states, 18 did so for all criminal offenses, including felonies.<sup>19</sup> In most states, criminal history records are populated based on an arrested individual’s fingerprints.<sup>20</sup> Therefore, these cite and release incidents may not be recorded in state central repositories and cannot be reported to federal databases, because these databases are fingerprint-based. Moreover, courts will not be able to link disposition information to the arrest record as there is no arrest record on file in the databases.

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<sup>18</sup>The International Association of Chiefs of Police describes how cite and release practices may help reduce processing time for officers and crowding in jails, among other potential benefits. International Association of Chiefs of Police, *Citation in Lieu of Arrest: Examining Law Enforcement’s Use of Citation Across the United States, Literature Review* (2016). We do not assess the relative advantages and disadvantages of cite and release practices in this report. Rather, we focus on the impact that stakeholders noted cite and release practices have on reporting complete impaired-driving data.

<sup>19</sup>Becki R. Goggins and Dennis DeBacco, *Survey of State Criminal History Information Systems, 2020* (Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, Dec. 2022).

<sup>20</sup>The National Center for State Courts and The National Consortium for Justice Information and Statistics (SEARCH), *Unintended Consequences of Cite and Release Policies* (June 2013). According to FBI officials, some states do not require fingerprints for criminal history records to be included in state central repositories.

**Lack of resources.** Lack of staff, training, equipment, and technology also pose challenges to collecting complete impaired-driving information. For example, according to officials from state central repositories and other stakeholders, some state and local criminal justice agencies:

- Do not have enough staff to enter dispositions into court systems or state central repositories.
- Have high staff turnover and inadequate funding to sufficiently train staff on how to properly capture fingerprints. Poor fingerprint image quality can lead to rejections of fingerprint images by state central repositories and federal databases, which can prevent the recording of criminal history information in these systems.
- Do not have mobile fingerprint scanners for law enforcement officers to capture fingerprint images in the field, or Live Scan machines in courtrooms to electronically capture fingerprint images that may be missing due to, for example, a prior decision to cite and release an offender in lieu of arrest.
- Do not have the technology to report dispositions in an efficient manner. For example, some state officials said they do not have a single system into which prosecutors across the state can enter dispositions; as a result, those dispositions may go unreported unless prosecutors send a paper form to the state central repository. Similarly, some states lack a unified court reporting system, meaning that courts may report dispositions to state central repositories in inconsistent ways, such as electronically or by mail.

**Historical records and natural disasters.** Officials from some state central repositories we interviewed said they have undertaken efforts to track down missing dispositions and link them to the associated arrest records. However, in some cases it is impossible to link the disposition, such as when the handwriting on historical dispositions is illegible or when hard copies of records have been destroyed in natural disasters.

**Ongoing cases.** Some arrest records in state central repositories may lack dispositions because the criminal prosecution is ongoing, and therefore there is no disposition to report yet. However, according to the 2020 survey of state central repository administrators, 30 states collect interim dispositions for cases pending final adjudication, such that criminal history information reflects the status of cases throughout the criminal justice process.

## Selected States Reported Using Federal Funding and Programs to Help Address Challenges to Collecting Impaired-driving Information

Officials we spoke with from selected states reported using federal grants, training, and technical assistance to address challenges to collecting criminal history information, including impaired-driving data.

### Grants

DOJ and DOT each have three grant programs that officials from selected states reported using to address challenges to collecting impaired-driving data (see table 2). The agencies each have at least one formula grant program that provides funding for a wide range of activities, including improving criminal history information and information systems. Currently, one grant program—DOT’s Impaired Driving Countermeasures (Section 405(d))—provides funding to states exclusively for the specific purpose of reducing impaired driving.<sup>21</sup>

**Table 2: Federal Grant Programs That States Used to Fund Efforts Related to Collecting Impaired-driving Data and Funding Awards, Fiscal Years 2017–2021**

Grant program	Description	Award totals
<b>Department of Justice (DOJ), Office of Justice Programs (OJP)</b>		
Edward Byrne Memorial Justice Assistance Grant (JAG) Program <sup>a</sup>	Provides funding to state and local governments that they may use for technical assistance, training, additional personnel, equipment, supplies, contractual support, and information systems for criminal justice proceedings.	\$1.3 billion
National Criminal History Improvement Program (NCHIP) <sup>b</sup>	Provides funding and technical assistance to states and other eligible entities to improve the quality, timeliness, and accessibility of criminal history records and related information.	\$227 million
National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) <sup>b</sup>	Provides funding to states and other eligible entities to improve the completeness, automation, and transmittal of criminal history records to state and federal systems.	\$84 million

<sup>21</sup>23 U.S.C. § 405(d). However, the Infrastructure Investment and Jobs Act amended the eligible activities for NHTSA’s State Traffic Safety Information System Improvements (Section 405(c)) grants, such that beginning in fiscal year 2024, these grants may be used to support reporting criteria for impaired driving as a result of drugs, alcohol, or both. Infrastructure Investment and Jobs Act § 24105. In addition, NHTSA’s State Highway Safety Program (Section 402) grants may be used for activities to reduce injuries and deaths resulting from impaired drivers, among other purposes. 23 U.S.C. § 402.



Grant program	Description	Award totals
<b>Department of Transportation (DOT), National Highway Traffic Safety Administration (NHTSA)</b>		
State Highway Safety Program (Section 402) <sup>a</sup>	Provides funding to support a wide range of efforts included in states' highway safety programs that are designed to reduce traffic crashes and resulting deaths, injuries, and property damage.	\$1.4 billion
State Traffic Safety Information System Improvements (Section 405(c)) <sup>a</sup>	Provides funding to states to support the development and implementation of effective state programs that include improving the timeliness, accuracy, completeness, uniformity, integration, and accessibility of state safety data needed to identify priorities for federal, state, and local highway and traffic safety programs.	\$205 million
Impaired Driving Countermeasures (Section 405(d)) <sup>a</sup>	Provides funding to eligible states for purposes related to reducing impaired driving, that include developing impaired-driving information systems; hiring traffic safety resource prosecutors; training law enforcement, prosecutors, and judges to help them handle impaired-driving cases; and conducting high-visibility enforcement efforts.	\$739 million

Source: Department of Justice OJP and Department of Transportation NHTSA grant program documentation and data. | GAO-23-105859

Note: The award totals include funds provided to the 50 states, District of Columbia, Puerto Rico, four U.S. territories, and Indian Tribes (or the Secretary of the Interior on behalf of Tribes), when applicable. If funding was awarded in at least one of the fiscal years from 2017 through 2021, we included it in the totals above; however, some of the programs did not award funding in all of these fiscal years. Funding totals are rounded up or down, as appropriate, and are not adjusted for inflation.

<sup>a</sup>This is a formula grant program. Formula grant programs apportion or allocate funding to eligible recipients (which depend on the specific grant and may include states, localities, and Indian Tribes) based on formulas set by statute.

<sup>b</sup>This is a discretionary grant program. Discretionary grant programs award funding based on the merits of the recipient's application.

Officials from our selected states told us they used funds from these grant programs to improve how they collect impaired-driving data and to support other efforts related to impaired driving. For example, according to federal grant documentation and selected states' highway safety plans, selected states reported that funds were used to:

- **Improve reporting of disposition data.** The California Department of Justice received about \$2.4 million in fiscal year 2021 through NCHIP to enhance its criminal justice data exchange system, which allows courts to submit dispositions online in lieu of paper forms.
- **Purchase Live Scan machines.** The Iowa Department of Public Safety received about \$672,000 in fiscal year 2020 through NARIP to purchase and install 33 Live Scan machines for local law enforcement agencies, replacing outdated devices. The aim of this purchase was to increase the number of records submitted electronically, improve updates to records, and enhance quality control of fingerprint images.
- **Hire prosecutors and provide training on impaired driving.** Connecticut's Division of Criminal Justice received \$520,000 in fiscal year 2021 through State Highway Safety Program grants to hire two full-time traffic safety resource prosecutors to provide ongoing training of prosecutors and other legal professionals. The traffic safety resource prosecutors also developed and updated training manuals to

help law enforcement and court officials identify and prosecute driving-under-the-influence (DUI) offenders.<sup>22</sup>

- **Support a driving-while-intoxicated (DWI) reporting system.** The Texas Municipal Police Association received \$902,043 in fiscal year 2021 through State Traffic Safety Information System Improvements grants to support its Law Enforcement Advanced DWI Reporting System. This effort included creating a module for analyzing data on DWI offenses from arrests through court adjudication, and conducting 125 Law Enforcement Advanced DWI Reporting System trainings or presentations for law enforcement, prosecutors, judges, and other stakeholders.
- **Support vertical prosecution of impaired-driving cases.** Various county and local district attorney offices throughout California received about \$2.83 million in fiscal year 2021 through Impaired Driving Countermeasures grants to support “vertical prosecution” of impaired-driving cases. According to California’s Office of Traffic Safety, vertical prosecution is a method in which a team handles each step of the criminal process of a case from start to finish in the prosecution of the crime.

For more examples of how selected states reported using grant funds to improve how they collected impaired-driving data, as well as implemented other efforts related to impaired driving, see appendix II.

### Training and Technical Assistance

FBI and the Bureau of Justice Statistics provide training and technical assistance to states to help them collect and report accurate, complete, and timely criminal history information, including impaired-driving data. State officials said they found these resources useful. Training and technical assistance have addressed topics such as:

- **Biometric and criminal history information reporting.** FBI’s Criminal Justice Information Services Division offers training to help states submit accurate and high-quality biometric images and criminal history data, enabling reliable and consistent searches.
- **Grant applications.** The Bureau of Justice Statistics offers technical assistance to states in applying for federal grants related to criminal justice. This assistance can include reviewing draft grant applications,

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<sup>22</sup>According to DOT, the terms driving-under-the-influence (DUI) and driving-while-intoxicated (DWI) refer to any and all offenses involving the operation of vehicles by persons under the influence of alcohol or other drugs and may be interchangeably used.

providing guidance on program requirements, and offering advice on how to develop effective grant proposals.

- **Criminal history information systems and reporting processes.** FBI provides technical assistance to states to help them collect criminal history information and report it to state central repositories. FBI can also assist states in integrating their criminal history information systems with FBI's databases, to facilitate the seamless sharing of arrest, conviction, and disposition information nationwide.

In addition, as discussed above, DOJ has funded a survey of state central repository administrators since the 1980s. This survey—which is administered by The National Consortium for Justice Information and Statistics (SEARCH), a nonprofit organization—provides insights into the collection of criminal history information by each state and nationwide.<sup>23</sup>

The surveys assess the quality of data states report to state and FBI databases and identify data gaps. States use the survey results to identify needed improvements. SEARCH also organizes workshops in which state officials discuss challenges their states face related to using and managing criminal history record information. State officials also exchange best practices, such as establishing systems that can share data on criminal citations and dispositions across state agencies. In addition, SEARCH facilitates working groups and task forces to educate states about reporting criminal history information, and to improve information-sharing and data quality.

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## Agency Comments

We provided a draft of this report to DOJ and DOT for review and comment. DOJ and DOT provided technical comments, which we have incorporated as appropriate.

We are sending copies of this report to the appropriate congressional committees, the Attorney General, the Secretary of Transportation, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-2834 or [RepkoE@gao.gov](mailto:RepkoE@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last

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<sup>23</sup>DOJ partners with SEARCH to conduct biennial surveys on the criminal history information in state central repositories.

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page of this report. GAO staff who made key contributions to this report are listed in appendix III.

A handwritten signature in black ink, appearing to read "Elizabeth Repko", followed by a long horizontal line extending to the right.

Elizabeth Repko  
Director, Physical Infrastructure

*List of Committees*

The Honorable Maria Cantwell  
Chair  
The Honorable Ted Cruz  
Ranking Member  
Committee on Commerce, Science, and Transportation  
United States Senate

The Honorable Sam Graves  
Chairman  
The Honorable Rick Larsen  
Ranking Member  
Committee on Transportation and Infrastructure  
House of Representatives

## Appendix I: Objectives, Scope, and Methodology

The Infrastructure Investment and Jobs Act included a provision for us to study issues related to the reporting and interstate sharing of information on impaired-driving offenses.<sup>1</sup> This report describes: (1) how states report impaired-driving information to federal databases; (2) the challenges that selected states face in collecting impaired-driving information and reporting it to federal databases; and (3) how selected states have used federal resources to address challenges to collecting impaired-driving information.

To address all three objectives, we selected a non-generalizable sample of 12 states to serve as illustrative examples. We grouped these states as primary (California, Connecticut, Iowa, Massachusetts, Mississippi, and Texas) and secondary (Arizona, Colorado, Florida, Kansas, Tennessee, and Washington). We met with officials from the secondary states either to pre-test our semi-structured interview questions—asking a similar subset of questions of multiple interviewees—or when any key stakeholder groups from our primary states were not available to meet with us for an interview.

We selected states based on (1) the highest and lowest percentage of all arrests in state criminal history databases that had final court case dispositions recorded; (2) states' participation in the National Highway Traffic Safety Administration's (NHTSA) Model Impaired Driving Records Information Systems demonstration project;<sup>2</sup> (3) the highest percentage and number of fatal crashes that involved an impaired driver; (4) larger

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<sup>1</sup>Pub. L. No. 117-58, § 24106(b), 135 Stat. 429, 806-807 (2021). For the purposes of this report, "impaired driving" refers to driving non-commercial motor vehicles while impaired by substances such as alcohol, prescription and over-the-counter medicines, or illicit drugs. We use the terms "impaired-driving data" and "impaired-driving information" to refer to criminal history record information, as defined under Department of Justice regulation, related to impaired-driving offenses. See 28 C.F.R. § 20.3(d).

<sup>2</sup>The Model Impaired Driving Records Information Systems was a demonstration project that documented how five selected states—Alabama, Connecticut, Iowa, Nebraska, and Wisconsin—improved and expanded their existing driving while intoxicated (DWI) tracking systems.

state populations; and (5) geographic distribution of states—selected from the West, Midwest, South, and Northeast.

Within each selected state, we identified six key stakeholder groups: (1) state central repositories of criminal history record information;<sup>3</sup> (2) small and large law enforcement agencies;<sup>4</sup> (3) traffic safety resource prosecutors;<sup>5</sup> (4) courts; (5) state highway safety offices; and (6) licensing agencies such as departments of motor vehicles. We interviewed members of these stakeholder groups using a semi-structured discussion guide to obtain their perspectives on collecting and reporting impaired-driving data.

In addition, we spoke with officials from the Department of Justice (DOJ) and Department of Transportation (DOT), and with representatives of nongovernmental entities that we selected based on our prior work and on background research on organizations that work in automotive safety—including impaired driving—and criminal history records. See table 3 for a complete list of entities and individuals we interviewed.

**Table 3: List of Entities and Individuals Interviewed**

<b>Federal entities</b>	
Department of Justice	Federal Bureau of Investigation
	Office of Justice Programs
Department of Transportation	Federal Motor Carrier Safety Administration
	National Highway Traffic Safety Administration
<b>State and local entities and individuals</b>	
State central repositories	Arizona Department of Public Safety
	Connecticut Department of Emergency Services and Public Protection
	Florida Department of Law Enforcement

<sup>3</sup>For simplicity, we will refer to “criminal history record information,” as defined under DOJ’s regulations, as “criminal history information.” See 28 C.F.R. § 20.3(d).

<sup>4</sup>We defined small law enforcement agencies as sheriff’s offices in counties with relatively small populations and relatively high rates and numbers of impaired drivers involved in fatal crashes. We defined large law enforcement agencies as city police departments in counties with relatively large populations and relatively high rates and numbers of impaired drivers involved in fatal crashes.

<sup>5</sup>Traffic safety resource prosecutors are typically current or former prosecutors who provide training, education, and technical support to traffic crimes prosecutors and law enforcement personnel in their states. They also facilitate a coordinated, multidisciplinary approach to the prosecution of impaired driving and other traffic offenses.

**Appendix I: Objectives, Scope, and Methodology**

	Iowa Department of Public Safety
	Mississippi Department of Public Safety
	Tennessee Bureau of Investigation
	Texas Department of Public Safety
	Washington State Patrol
Law enforcement agencies	Fullerton Police Department, Drug Recognition Expert Unit (California)
	Riverside Police Department (California)
	Division of State Police, Connecticut Department of Emergency Services and Public Protection
	Hartford Police Department (Connecticut)
	Sioux City Police Department (Iowa)
	Corpus Christi Police Department (Texas)
	Lubbock Police Department (Texas)
	Everett Police Department (Washington)
	Tacoma Police Department (Washington)
Traffic safety resource prosecutors (TSRP)	TSRP, Orange County District Attorney's Office (California)
	TSRP, Office of the Chief State's Attorney (Connecticut)
	Assistant Iowa Attorney General and TSRP, Office of the Attorney General of Iowa
	Assistant Attorney General and TSRP, Kansas Attorney General's Office
	Vehicular Crimes Training Attorney and TSRP, Massachusetts District Attorneys Association
	TSRP, Mississippi Attorney General's Office
	TSRP, Texas District and County Attorneys Association
Courts	Superior Court of California, San Joaquin County
	Colorado Judicial Branch
	Connecticut Superior Court
	Washington State Courts
State highway safety offices	California Office of Traffic Safety
	Connecticut Department of Transportation
	Iowa Governor's Traffic Safety Bureau
	Massachusetts Highway Safety Division
	Mississippi Office of Highway Safety
	Texas Traffic Safety Section
Licensing agencies	California Department of Motor Vehicles
	Connecticut Department of Motor Vehicles
	Iowa Department of Transportation, Motor Vehicle Division
	Massachusetts Registry of Motor Vehicles
<b>Nongovernmental entities</b>	

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**Appendix I: Objectives, Scope, and Methodology**

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American Association of Motor Vehicle Administrators
American Automobile Association Foundation for Traffic Safety
Governors Highway Safety Association
International Association of Chiefs of Police
Mothers Against Drunk Driving
National Alliance to Stop Impaired Driving
SEARCH, The National Consortium for Justice Information and Statistics

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Source: GAO. | GAO-23-105859

To describe how states report impaired-driving information to federal databases, we reviewed applicable statutes, regulations, and Federal Register documents on collecting, reporting, and sharing criminal history information. We identified and reviewed relevant documentation related to seven federal databases—four maintained by DOJ’s Federal Bureau of Investigation (FBI), and three maintained by DOT’s NHTSA. We focused our review on how states reported criminal history information to FBI’s databases.<sup>6</sup> The four FBI databases were: (1) the Interstate Identification Index (III), an index that enables the interstate exchange of criminal history information; (2) the Next Generation Identification (NGI), a database of biometric and other criminal history record information; (3) the National Fingerprint File (NFF), a database of fingerprints associated with arrested or charged individuals; and (4) the National Crime Information Center (NCIC), a database that enables criminal justice agencies to search for arrests and other criminal history information.<sup>7</sup> We

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<sup>6</sup>We did not review how states reported data to NHTSA’s databases, but focused instead on how states reported criminal history information to FBI’s databases. This criminal history information included arrest records, convictions, an arrested person’s fingerprints, and additional final disposition information that can be used to identify repeat impaired-driving offenders. We identified three NHTSA databases: the Fatality Analysis Reporting System, a database that contains information on all fatal motor vehicle crashes; the Problem Driver Pointer System, a repository of information on drivers whose license has been revoked, suspended, canceled, or denied, or who have been convicted of serious traffic offenses; and the National Driver Register, a database of drivers who have had their license revoked or suspended, or who have been convicted of serious traffic violations, such as driving under the influence of drugs or alcohol. However, we excluded these databases from our review of state reporting because they contained aggregated data that could not be used to identify repeat impaired-driving offenders.

<sup>7</sup>We reviewed the types of information contained in these databases and how the databases may exchange information. We did not analyze criminal history records or other data included in these databases.



also reviewed an FBI technical manual that included information on III and NGI.<sup>8</sup>

We analyzed survey data from DOJ-funded surveys of administrators of state central repositories responsible for collecting and reporting criminal history information to federal databases.<sup>9</sup> We reviewed the methodology used to collect the data and determined the survey data were reliable for the purposes of describing fingerprint, arrest, and disposition data reported by states. We also reviewed our prior work (see Related GAO Products), as well as reports from other federal agencies, nongovernmental entities, and selected states, to understand criminal history, motor vehicle, and driver history information. In addition, we interviewed officials from the FBI Criminal Justice Information Services Division and from selected states to identify and understand federal and state efforts related to reporting criminal history information.

To describe the challenges that selected states face in collecting impaired-driving information and the federal resources selected states have used to address challenges, we reviewed applicable statutes and regulations, DOJ and association reports, and other related documentation. We also searched newspapers and trade publications to identify accidents related to repeat impaired-drivers, and how selected states reported impaired-driving arrests and disposition data to the federal databases, if at all. We searched for news articles published between January 2015 and August 2022 in ProQuest and Westlaw database platforms, and obtained police report information through online searches. We also identified relevant documentation and DOJ reports, such as NGI and NCIC audit reports for fiscal years 2019 through 2022 for our six primary selected states, to identify challenges to collecting impaired-driving information and reporting it to federal databases. We interviewed federal, state, and local officials, as well as other stakeholders, to obtain their perspectives on these challenges. In addition, we attended a drug

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<sup>8</sup>Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, *Interstate Identification Index/National Fingerprint File Operational and Technical Manual*, NGI-DOC-09034-2.0 (Mar. 8, 2017).

<sup>9</sup>The National Consortium for Justice Information and Statistics (SEARCH), a nonprofit organization, administers these biennial surveys. In addition to implementing the surveys, SEARCH conducts research on a broad spectrum of topics, including using and managing criminal history information, and strategies for improving data quality and reporting dispositions. SEARCH is governed by a member group composed of appointees from the 50 states, D.C., and the U.S. territories.

recognition expert training course and field evaluations to understand how law enforcement personnel evaluate impaired drivers, collect impairment data, and perform cite and release practices.<sup>10</sup>

We identified federal resources—specifically, federal grants, training, and technical assistance—that were available to help states more effectively collect and report impaired-driving information. We identified these resources through a review of our prior work on criminal history information and DOT and DOJ grants; online research; interviews with officials from FBI and our selected states; and discussions at national meetings. We identified three DOJ and three DOT grant programs that provide funding that states have reported using to improve the completeness, accuracy, and timeliness of the data they collect, as well as their criminal information history systems, among other activities.<sup>11</sup> We reviewed grant program documentation and analyzed federal grant award summary data for fiscal years 2017 through 2021, and determined that the grant award summary data were sufficiently reliable for the purposes of describing how selected states reported using funding awards, among other things.

In addition, to understand issues related to state criminal history information and resources that have helped states address those issues, we attended two meetings of the SEARCH Membership Group. This group's members, appointed from the 50 states, D.C., and U.S. territories, are typically state-level officials responsible for operational decisions and policy on managing criminal justice and criminal history information. The meetings offered the opportunity to hear SEARCH members discuss a variety of issues related to state criminal history information. Discussion topics included collecting and reporting criminal history information; emerging issues, data gaps, and potential solutions; federal and state legislative initiatives; federal grants; and best practices. We obtained and reviewed relevant materials on these topics.

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<sup>10</sup>A drug recognition expert is an individual who has successfully completed all phases of the Drug Evaluation and Classification Program's training requirements for certification as established by the International Association of Chiefs of Police, Transportation Safety Institute, and NHTSA.

<sup>11</sup>The DOJ grant programs are the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, National Criminal History Improvement Program (NCHIP), and National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP). The DOT grant programs are the State Highway Safety Program, State Traffic Safety Information System Improvements, and Impaired Driving Countermeasures.

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**Appendix I: Objectives, Scope, and  
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We conducted this performance audit from March 2022 to June 2023 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## Appendix II: Examples of How Selected States Reported Using Federal Grants to Improve the Collection of Criminal History Record Information and Address Impaired Driving

The Department of Justice (DOJ) and the Department of Transportation (DOT) each have three grant programs that selected states reported using to address challenges to collecting impaired-driving data.<sup>1</sup> Table 4 provides examples of how the six states we selected for our review<sup>2</sup>—California, Connecticut, Iowa, Mississippi, Massachusetts, and Texas—reported using federal grants awarded from fiscal years 2017 through 2021 to improve the collection of criminal history record information and address impaired driving.<sup>3</sup>

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<sup>1</sup>The purposes for which these DOJ and DOT grants may be used can be broad, but selected states have reported using them for activities to address impaired-driving. Currently, only DOT's National Highway Traffic Safety Administration (NHTSA) Impaired Driving Countermeasures grants may be used by states for the specific purpose of reducing impaired driving. 23 U.S.C. § 405(d). However, the Infrastructure Investment and Jobs Act amended the eligible activities for NHTSA's State Traffic Safety Information System Improvements grants, such that beginning in fiscal year 2024, these grants may be used to support reporting criteria specifically for impaired driving as a result of drugs, alcohol, or both. Pub. L. No. 117-58, § 24105, 135 Stat. 429, 797 (2021). In addition, NHTSA's Highway Safety Programs grants may also be used for activities to reduce injuries and deaths resulting from impaired drivers, among other purposes. 23 U.S.C. § 402.

<sup>2</sup>We conducted interviews with a wide range state and local offices in our 12 selected states. The information and examples included in this appendix apply to the "primary" states we selected for our review. We also selected six additional "secondary" states—Arizona, Colorado, Florida, Kansas, Tennessee, and Washington—from which we interviewed a smaller number of offices. For additional information on our methodology, see appendix I.

<sup>3</sup>Criminal history record information includes an arrested person's fingerprints, prior arrest records, criminal charges, and any related dispositions—i.e., the result or conclusion of criminal proceedings, such as dismissal of charges, acquittal, or conviction. 28 C.F.R. § 20.3.

**Appendix II: Examples of How Selected States  
Reported Using Federal Grants to Improve the  
Collection of Criminal History Record  
Information and Address Impaired Driving**

**Table 4: Examples of How Selected States Reported Using Federal Grants to Improve the Collection of Criminal History Record Information and Address Impaired Driving, Fiscal Years 2017–2021**

Grant program	Selected state grant description
<b>Department of Justice (DOJ) Office of Justice Programs</b>	
Edward Byrne Memorial Justice Assistance Grant (JAG) Program <sup>a</sup>	<p><b>California:</b> In fiscal year 2017, Mendocino County received \$22,977 to upgrade its information technology equipment.</p> <p><b>Connecticut:</b> In fiscal years 2017 and 2019, the city of West Haven received \$23,240 and \$16,591, respectively, to provide the West Haven Police Department with technology upgrades.</p> <p><b>Iowa:</b> In fiscal year 2019, the city of Muscatine received \$18,879 to prosecute drug offenses and to upgrade technology and law enforcement equipment.</p> <p><b>Massachusetts:</b> In fiscal year 2019, the city of Holyoke received \$36,035 to enhance and upgrade law enforcement capabilities and equipment.</p> <p><b>Mississippi:</b> In fiscal year 2020, the city of Gulfport received \$71,980 to enhance equipment.</p> <p><b>Texas:</b> In fiscal year 2020, Galveston County received \$32,895 for a criminal justice enhancement project.</p>
National Criminal History Improvement Program (NCHIP)	<p><b>California: Modernization of Disposition Processing.</b> In fiscal year 2017, a state agency received about \$1.7 million to improve how it collects, processes, reports, archives, and stores disposition data. Improvements included developing a disposition-reporting portal, to enable reporting agencies to submit dispositions, view previous submissions, access transaction processing error reports, receive training, and obtain documentation.</p> <p><b>Connecticut: Replacement of Computerized Criminal History and Automated Fingerprint Identification System.</b> In fiscal year 2019, a state agency received about \$2.5 million to replace the state’s criminal history system and upgrade its Automated Fingerprint Identification System to meet all capabilities of the federal Next Generation Identification (NGI) database. The project addressed a number of 2019 NCHIP priority areas, including updating and automating case outcomes from courts and prosecutors in state records, as well as in federal databases such as Interstate Identification Index (III), National Crime Information Center (NCIC), and National Instant Criminal Background Check System.</p> <p><b>Iowa: Improving Quality and Completeness of Fingerprint Records.</b> In fiscal year 2017, a state agency received about \$170,000 to purchase 25 CardScan terminals for agencies that currently submit rolled fingerprint cards via U.S. Mail. CardScans help agencies submit fingerprints in a more timely manner to the central repository. The CardScan terminals should enable an additional 6,700 fingerprint cards to be processed electronically every year. The new terminals will increase the percentage of fingerprint cards processed electronically to almost 89 percent of all submissions and improve the accuracy, timeliness, and completeness of state criminal history record information, in addition to records reported to federal databases.</p> <p><b>Massachusetts: Purchase of Fingerprint Cards and Live Scan Machines.</b> In fiscal year 2017, two partnering state agencies received about \$1.4 million to address a fingerprint backlog and to replace and deploy Live Scan machines, which scan fingerprints to capture them electronically. A state agency planned to add an estimated 90,000 traditional “hard” fingerprint cards into the state’s Automated Fingerprint Identification System. The state also planned to purchase new Live Scan machines and deploy them to several law enforcement agencies, criminal justice agencies, and courts in an effort to increase electronic fingerprint and palm print submissions.</p> <p><b>Mississippi: Enhancement of Criminal History System.</b> In fiscal year 2018, the Mississippi Department of Public Safety received about \$1.31 million to maintain and improve its criminal history system. Funding goals included the purchase of upgraded firewalls to better manage the support and security of the Mississippi Criminal Information Center network and to upgrade the existing state Automated Fingerprint Identification System.</p>

**Appendix II: Examples of How Selected States  
Reported Using Federal Grants to Improve the  
Collection of Criminal History Record  
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<b>Grant program</b>	<b>Selected state grant description</b>
National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP)	<b>Iowa:</b> <sup>b</sup> Purchase of Live Scan Machines. In fiscal year 2020, the Iowa Department of Public Safety received about \$672,000 to purchase and install 33 Live Scan machines for local law enforcement agencies, replacing outdated devices. This purchase will support state efforts to increase the number of records submitted electronically, improve updates to records, and enhance quality control.
<b>Department of Transportation National Highway Traffic Safety Administration (NHTSA)</b>	
State Highway Safety Program (Section 402)	<p><b>California: Be Wiser Program on Teen Impaired and Distracted Driving.</b> In fiscal year 2021, Riverside County Public Health Department planned to use \$107,500 to expand the Be Wiser Program, which aims to reduce fatalities and injuries resulting from teen impaired and distracted driving. This expansion included developing a “train the trainer” component, to train high school students to educate their peers about traffic safety; educating staff and parents about the dangers of distracted and impaired driving; and conducting bilingual campaigns to raise awareness of the issue.</p> <p><b>Connecticut: Drug Recognition Expert (DRE) Instructor Support for Police Departments.</b> In fiscal year 2021, seven Connecticut DRE programs planned to use \$245,000 to support the coordination of DRE training activities; ensure compliance with DRE recertification requirements; oversee the collection and transmission of electronic data collected through drug recognition evaluations; and provide support to all current and newly trained DREs throughout the state. A DRE is police officer trained to recognize impairment in drivers under the influence of drugs other than, or in addition to, alcohol.</p> <p><b>Iowa: High-Visibility Enforcement.</b> In fiscal year 2021, the state planned to use about \$176,300 to implement highly visible and proactive law enforcement related to impaired driving. Funding goals included for nine state law enforcement agencies to receive overtime pay for their enforcement efforts, which they conducted during times and at locations that data indicate are high risk, and to support the purchase of equipment such as preliminary breath testers and in-car video cameras.</p> <p><b>Massachusetts: Training of Prosecutors and Law Enforcement.</b> In fiscal years 2020 and 2021, the Massachusetts District Attorneys Association’s Traffic Safety Resource Prosecutor planned to use about \$100,000 to conduct training and conferences, provide technical assistance, and create and maintain resources for prosecutors and law enforcement related to impaired driving. The traffic safety resource prosecutor works to increase the knowledge of stakeholders in the adjudication of impaired driving cases, whether at a roadside stop or in court.</p> <p><b>Mississippi: Law Enforcement Selected Traffic Enforcement Program Grants.</b> In fiscal year 2021, 23 state law enforcement departments planned to use about \$1.35 million to pay officers overtime to conduct enforcement, including of impaired-driving laws and high-visibility enforcement checkpoints.</p> <p><b>Texas: Impaired-Driving Conference for Law Enforcement.</b> In fiscal year 2021, the Texas Municipal Police Association planned to use about \$160,000 to hold a statewide impaired-driving summit for law enforcement.</p>

**Appendix II: Examples of How Selected States  
Reported Using Federal Grants to Improve the  
Collection of Criminal History Record  
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<b>Grant program</b>	<b>Selected state grant description</b>
<p>State Traffic Safety Information System Improvements (Section 405(c))</p>	<p><b>California: Local Agency Traffic Records Systems.</b> In fiscal year 2021, the California Office of Traffic Safety planned to use about \$2.7 million to improve data collection across local and statewide databases. For example, agencies at the city and county level planned to use the funds to fully automate crash and citation records; purchase systems to track, identify, and analyze these data; and facilitate data sharing among enforcement agencies, departments of public works, judicial courts, and other agencies.</p> <p><b>Connecticut: Municipal Law Enforcement Technology.</b> In fiscal year 2021, municipal police agencies planned to use \$700,000 for an E-Citation initiative to improve the timeliness, accuracy, and uniformity of traffic citations. Funding initiatives included reducing the amount of time officers spend collecting citation data, as well as the amount of time it takes for the appropriate state agency to receive this data.</p> <p><b>Iowa: Traffic and Criminal Software.</b> In fiscal year 2021, the Office of Motor Vehicle Enforcement planned to use about \$100,000 to support the Traffic and Criminal Software, which is used to collect data from law enforcement at the scene of a crash and send those data electronically to the Iowa Department of Transportation. Some funds also supported reporting.</p> <p><b>Massachusetts: Traffic Records Systems.</b> In fiscal years 2020 and 2021, the state planned to use \$766,000 and \$734,000, respectively, to improve six traffic records systems, including its driver history system, which contains impaired-driving offenses.</p> <p><b>Mississippi: Improvement of Citation Data.</b> In fiscal year 2021, the State Traffic Records Coordinating Committee planned to use \$130,000 to train local agencies to use the state's electronic citation system. This system will help ensure the captured data is shared with courts and law enforcement agencies without repeated re-entry into various databases. The system will also accelerate the posting of dispositions to the driver history file, which includes impaired-driving offenses.</p> <p><b>Texas: Improvement of State Traffic Records System and Expansion of Crash Data Analysis.</b> In fiscal year 2021, the Texas Department of Public Safety planned to use about \$1 million to support efforts by the Highway Safety Operations Center to analyze crash data to identify causes and trends. Goals include accurately maintaining 98 percent of citation data.</p>

**Appendix II: Examples of How Selected States  
Reported Using Federal Grants to Improve the  
Collection of Criminal History Record  
Information and Address Impaired Driving**

Grant program	Selected state grant description
Impaired Driving Countermeasures (Section 405(d))	<p><b>California: Traffic Safety Resource Prosecutor Training Network.</b> In fiscal year 2021, the Orange County District Attorney’s Office planned to use about \$762,000 to implement the California Traffic Safety Resource Prosecutor Training Network statewide. The project aimed to provide specialized training and technical assistance to law enforcement personnel, prosecutors, and other traffic safety professionals on impaired driving, including trial advocacy, expert testimony, and crash reconstruction.</p> <p><b>Connecticut: Purchase of Equipment to Enhance Driving Under the Influence (DUI) Enforcement.</b> In fiscal year 2021, the Connecticut Department of Emergency Services and Public Protection planned to use \$610,000 to purchase DUI-related equipment for use by regional traffic units. Purchases will include DUI mobile command vehicles, breath-testing equipment, flashlights that passively sense alcohol, stimulus pens for sobriety eye tests, checkpoint signage, and portable lighting equipment.</p> <p><b>Iowa: High-Visibility Enforcement.</b> In fiscal year 2017, 52 law enforcement agencies planned to use about \$1.2 million to support overtime efforts, purchase equipment such as preliminary breath test devices, and provide training on impaired driving.</p> <p><b>Massachusetts: Education and Training on Impaired Driving.</b> In fiscal years 2020 and 2021, the Massachusetts Executive Office of the Trial Court planned to use about \$200,000 to support coordinated educational services, skills training, and professional development—focused on the adjudication of impaired-driving cases—for judicial and non-judicial personnel.</p> <p><b>Mississippi: Impaired Driving Coordination and Program Management.</b> In fiscal year 2021, the Mississippi Office of Highway Safety planned to use \$243,000 to coordinate statewide and local law enforcement efforts related to impaired driving, as well as other related activities.</p> <p><b>Texas: Resources and Training for Driving While Intoxicated (DWI) Prosecutors.</b> In fiscal year 2021, the Texas District and County Attorneys Association planned to use \$696,280 to provide state prosecutors with a DWI investigation and prosecution publication, create a statewide task force of DWI prosecutors, train prosecutors and police officers at regional DWI events, and train new prosecutors, among other activities.</p>

Source: DOJ and DOT grant award documentation and state highway safety plans. | GAO-23-105859

<sup>a</sup>DOJ’s descriptions of JAG projects were not specific enough to determine if funded activities were directly related to impaired driving, but these examples may include relevant efforts.

<sup>b</sup>Among the six primary states we selected for our review, only Iowa received a NARIP grant award from fiscal years 2017 through 2021.



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## Appendix III: GAO Contact and Staff Acknowledgments

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### GAO Contact

Elizabeth Repko, (202) 512-2834 or [RepkoE@gao.gov](mailto:RepkoE@gao.gov)

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### Staff Acknowledgments

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*Criminal History Records: Additional Actions Could Enhance the Completeness of Records Used For Employment-Related Background Checks.* [GAO-15-162](#). Washington, D.C.: Feb. 12, 2015.

*Criminal Records Improvement: Bureau of Justice Statistics Funding to States to Improve Criminal Records.* [GAO-08-898R](#). Washington, D.C.: July 8, 2008.

*National Criminal History Improvement Program: Federal Grants Have Contributed to Progress.* [GAO-04-364](#). Washington, D.C.: Feb. 27, 2004.

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