



## Benefits of Updating Criminal History Records When an Individual is Deceased

The FBI's Criminal Justice Information Services (CJIS) Division encourages contributors to update the Next Generation Identification (NGI) System when an individual whose fingerprints were previously enrolled in the NGI System is deceased to provide the most accurate and complete information for authorized criminal justice and noncriminal justice purposes.

- **Deceased individuals' criminal history records are available for authorized purposes via name-based checks of the Interstate Identification Index (III) and for fingerprint-based queries of the NGI System.** The CJIS Division implemented system changes in October 2020 and March 2021 to return deceased individuals' records in response to an inquiry and to send requests to states for deceased records when a State Identification (SID) Number (a unique number assigned by the state for requesting an individual's record) is indexed in the NGI System. States should share their records unless prohibited by state law. If a state cannot share its deceased records, it should remove its SID Number from the NGI System. The NGI System and the III responses will advise the individual is deceased and provide the date of death and the death notification contributor's information. Users should contact states directly if the state does not respond with its record.
- **Criminal justice and noncriminal justice NGI System users benefit when records are complete, accurate, and include death notifications.** When appropriately submitted, death notifications as part of the III and NGI System responses advise the individual is deceased, provide the death notice contributor's information, and provide the date of death. The NGI System retains a deceased individual's identity until the individual is 110 years of age (based on date of birth). Including the date of death and the agency that confirmed the individual's death assists record consumers in validating the information when/if this information is inconsistent with what they know about the individual. Reporting death notifications to the NGI System may help reduce the possibility of the individual's information being used for identity theft.
- **The Unknown Deceased (DEU) and the Known Deceased (DEK) Types of Transaction (TOTs) provide fingerprint-based identification and update the record as deceased.** Federal and state users programmed to submit using the DEU and DEK TOTs can make an identification and update the record in one fingerprint-based transaction. When an identification occurs, the DEU and DEK will update the identity's status as deceased. The NGI System notifies other record-holding states with a SID Number indexed in the NGI System regarding the death. If no identification occurs, the fingerprints are enrolled in the NGI System to make identification possible if/when fingerprint submissions associated with the deceased individual are provided to the NGI System. The subsequent submission may contain biographic data including the individual's name. Federal,

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state, and tribal contributors should use the DEU and DEK TOTs to obtain a positive identification and add the individual's date of death to the NGI System. If not programmed, they may contact the Deceased Persons Identification (DPI) Services staff for identification assistance with fingerprint-based searches.

- **States may use the III Deceased (DEC) Message Key (MKE) as an alternative to TOT-based death notification to the NGI System when an identification is not requested and when the state's record contains a SID Number.** The III DEC MKE contains two options for states to report deaths to the NGI System. The Explanation (XPL) Field may be used when a death is reported but not confirmed through fingerprint comparison. The Fingerprint Identification Indicator (FII) Field may be used when the individual's identity is confirmed by fingerprint comparison. Both update the NGI System record with the contributor's information and the date of death; however, only the III DEC MKE with the FII Field will trigger messages to other record-holding states providing them with the death notification.
- **The CJIS Division accepts death notification documents from federal agencies and states not programmed to submit the DEU and DEK TOTs, states submitting death notifications for pseudo-pointer records (records with no SID Number), and tribes.** Federal agencies, states (for pseudo-pointer records), and tribes may report death notifications without a fingerprint comparison by contacting the Criminal History Information and Policy Unit via email at [docspec@fbi.gov](mailto:docspec@fbi.gov).
- **Status changes will appear on the state's III Audit Synchronization media.** Record activity will impact the record's status, which may change from active to expunged, consolidated, deleted, or deceased. These status changes will appear on the next III Audit Synchronization media, then not reappear. CJIS Systems Agency and state identification bureau staff may check a record's status using a specific originating agency identifier and submitting a III ZI inquiry message using the Purpose Code A.

**To coordinate programming for the DEU and DEK TOTs, contact your CJIS Division's Customer Service Group representative via email at [CK\\_CSG@fbi.gov](mailto:CK_CSG@fbi.gov). For questions related to the III DEC MKE, or the III Audit Synchronization, please contact the III staff at [FBI-III@fbi.gov](mailto:FBI-III@fbi.gov). For assistance with deceased identifications while programming, contact the Special Processing Center at [SPC\\_team@fbi.gov](mailto:SPC_team@fbi.gov). For general deceased questions, contact the DPI Services via email at [DPIservices@fbi.gov](mailto:DPIservices@fbi.gov).**



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# CJIS INFORMATION LETTER

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## Criminal History Record Information Provided for Deceased Individuals

In 2007, the Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) approved a recommendation to include criminal history record information (CHRI) of deceased individuals when agencies query the Interstate Identification Index (III) or request a III record. In spring 2018, the APB expanded that recommendation to make CHRI from deceased individuals available for criminal tenprint submissions from authorized users for authorized purposes.

The recommendation assists **law enforcement agencies that need to access CHRI of deceased individuals to close information gaps for investigations of cold cases, stolen identities, or next of kin identifications.** The FBI accepts proof of death through:

- ❖ Fingerprint comparisons
- ❖ Death certificates
- ❖ Obituary notices
- ❖ Coroner's reports of death
- ❖ Other forms of notification received from State Identification Bureaus and federal agencies.

Authorized agencies may receive CHRI for subjects reported as deceased until the date of birth for the subject reaches 110 years of age.

The CJIS Division implemented system changes in October 2020 and March 2021 to **return records of deceased individuals in response to an inquiry and to send requests to states for records of deceased individuals when a State Identification Number (SID) (a unique number assigned by a state for requesting an individual's record) is indexed** in the Next Generation Identification (NGI) System. States are encouraged to share their records unless prohibited by state law. If a state cannot share its records of deceased individuals, the state should remove its SID from the NGI System. The NGI System and III responses will advise that the individual is deceased and provide the date of death and information of the agency that provided the death notification. If a state does not respond with its record, the user should directly contact the state.

To provide complete and accurate records, the CJIS Division plans to further expand this functionality to enable updates to records of deceased persons (i.e., expungements and dispositions).

Agencies with questions should contact the CJIS III team at [fbi-iii@fbi.gov](mailto:fbi-iii@fbi.gov).

### In This Issue:

- ❖ **Criminal History Record Information Provided for Deceased Individuals.**
- ❖ *CJIS Information Letters* have a new home on JusticeConnect.

*CJIS Information Letters* are available on the Advisory Process Community on JusticeConnect on the Law Enforcement Enterprise Portal (LEEP) or by clicking on:

- ❖ JusticeConnect
- ❖ My Communities
- ❖ Advisory Process Community Library
- ❖ CJIS Information Letters

Users with questions concerning access to LEEP should contact the LEEP help desk by telephone at 888-334-4536.

In addition, this *CJIS Information Letter* will be sent to CJIS Systems Officers, State Identification Bureaus, and Compact Council members via email.