



Oregon

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Request #: 37068

RE: OSP FIREARMS BACKGROUND CHECK INFORMATION

This is in response to your request received on February 12, 2014. Attached are the answers to the questions you had originally asked Tricia Whitfield of our CJIS Division.

If you have any questions, please contact me directly at (503)934-0409.

Sincerely,

Erin Redding, Legal Compliance Specialist
Central Records Section

Questions from the email Request:

1. **Can you please verify that I captured the information from your testimony correctly? (attachment: 1_OSP Firearms Background Check Program - Statistics from 2012-2013)**

The information stated on the first page of the attached request does look like it was captured correctly from the hearing with the Oregon Legislative Judiciary session which took place on 6 February 2014.

2. **Can you please answer the short list of follow-up questions in the 2nd attachment? (attachment: 2_OSP Firearms Background Check Program - Records Retention Questions)**

These questions are answered below.

3. **Can you please point me to the source data that was used on this web site, Gun Owners for Responsible Ownership? They cite a source of Oregon State Police with the following data.**

OSP has not provided information to “Gun Owners for Responsible Ownership.” You will need to contact the site administrator to verify where they received their information.

OSP Firearms Background Checks Records Retention Process Questions (2nd attachment):

1. **Who created/authorized the 10-day OSP purge process/policy? When was it created?**

This was a policy change by Oregon State Police Superintendent Chris Brown, the Superintendent of the Oregon State Police (OSP) at that time, which took effect on January 1, 2011.

2. **Who has the authority to change the 10-day OSP purge process/policy?**

The Superintendent of the Oregon State Police.

3. **Is the 10-day OSP purge process/policy something that can be made available to the public?**

This was an internal policy change regarding the procedure for the retention of records obtained from a firearms background check. Oregon Revised Statute (ORS) 166.412 directs OSP to destroy all records/information gathered during a background check within five years. Please also reference the Oregon Department of State Police Records Retention Schedule 2011-009, program records 120-124.

Computer System Questions (2nd attachment):

1. **Where are all the firearms background check transactions (approved, denied and pending) stored at the OSP? Is it on a computerized system?**

All transaction information is stored in an electronic format. This includes all denied, approved or pending backgrounds. Physical copies of background checks are created. Once a background has been given a final outcome (approved or denied) the physical file is destroyed. Those physical files for denied backgrounds are made into an electronic file and stored for up to five years per ORS 166.412.

2. What's the name of that system? Is it the FICS?

The computer system is called "FICS," the Firearms Instant Check System.

3. Is the database for that system backed up? If so, how long are backups kept?

The FICS system is backed up. The backups are retained for 3 days locally at the Oregon State Police (OSP) Criminal Justice Information Services (CJIS) and 90 days at OSP General Headquarters (GHQ).

4. Is the computer process that deletes approved transactions after 10 days an automated one or manual?

The purge is set up as an automated purge.

OSP Website – FICS Records Retention Information (2nd attachment):

- 1. On the Firearms Instant Check System (FICS) web page, it states "The Firearms Unit provides a service to all Federally Licensed Firearms dealers in the state of Oregon by conducting the Firearms Instant Check backgrounds on persons attempting to purchase a firearm (ORS 166.412). Records of the transactions are kept for five years." Is that outdated/inaccurate information?**

The information should read "Records of the transaction are kept for up to five years (ORS 166.412)"