



# Suspense Prevention and Resolution Fact Sheet

Suspense occurs when a court disposition cannot be matched to an arrest record in the Criminal History System (CHS). Suspense can occur for a variety of reasons such as incomplete or missing key data, key data mismatch, or lack of fingerprints. The four key data fields that must match are Originating Agency Case Number (OCA), Controlling Agency (CAG) ORI, Name and Date of Birth.

## The importance of preventing suspense

Suspended court dispositions can have serious repercussions across the criminal justice system:

- A subject's access to the judicial process could be delayed or constrained. They also could improperly be denied employment or housing, leading to potential liability.
- An inaccurate criminal history could lead to convicted offenders being cleared for firearms purchases or employment in "sensitive" positions.
- Public safety and security is eroded as flight risk increases.
- A prosecutor's efficiency can be decreased because of the need to manage a noncustodial subject and ensure their processing. If the subject does not cooperate, contempt charges could lead to wasted time and resources.
- The courts' efficiency can be decreased because of rescheduled court appearances and the need to spend time and resources correcting suspended court dispositions.
- The courts' effectiveness can be reduced if prosecutors and court personnel may be impeded because of an inability to:
  - Confirm the subject's identity.
  - Confirm the controlling agency (CAG).
  - Sufficiently review the subject's criminal history.
  - Successfully prosecute and adjudicate based on current and historical fact.

## Prevention and resolution strategies

- Partner with your fellow criminal justice agencies (law enforcement, detention facilities, probation/parole, prosecution, judicial, BCA, etc.).
- Utilize the Criminal History System (CHS) to update arrest records with pre-trial diversion and not prosecuted information.
- Monitor your agency's suspense prevention in CHS and obtain fingerprints before final dispositions are received.
- Monitor your agency's suspense statistics.
- Document your agency's policies and procedures for preventing and reconciling suspense and ensure agency staff fully understands their role.
- Provide staff with booking and fingerprinting training and procedures.
- Run a criminal history on your arrestee to ensure there are no outstanding suspense records requiring fingerprints.
- Utilize BCA tools and resources.
- Monitor quality of prints being taken and address training issues.

## Related statutes

- [Minnesota State Statutes §299C.10](#) - Identification Data Required
- [Minnesota State Statutes §299C.11](#) - Identification Data Furnished to the BCA
- [Minnesota State Statutes §299C.111](#) - Suspense File Reporting

## Targeted misdemeanors requiring fingerprints per §299C.10

- [Minnesota State Statutes §169A.20](#) – Driving While Impaired
- [Minnesota State Statutes §518B.01 subd. 14](#) – Violation of Order for Protection
- [Minnesota State Statutes §609.224](#) – 5<sup>th</sup> Degree Assault

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- [Minnesota State Statutes §609.2242](#) – Domestic Assault
- [Minnesota State Statutes §609.746](#) – Interference with Privacy
- [Minnesota State Statutes §609.748](#) – Harassment; Restraining Order
- [Minnesota State Statutes §617.23](#) – Indecent Exposure
- [Minnesota State Statutes §629.75](#) – Domestic Abuse No Contact Order

## BCA tools and resources

- **Suspense Prevention Website** (Information and related links on suspense prevention): <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/suspense-prevention.aspx>.
- **CJIS Launch Pad Website** (Access to online Criminal History System training, certification, Suspense Talk Coffee Break PDF and Frequently asked suspense questions): <https://bcanextest.x.state.mn.us/launchpad/>
- **Livescan Message Enhancement Agency Registration Information Form:** <https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Documents/LME%20registration%20form%20instructions.pdf>
- **BCA Data Analyst** (suspense prevention and resolution): [bca.cch.unit@state.mn.us](mailto:bca.cch.unit@state.mn.us).
- **Sign up for bi-weekly Suspense Talk Coffee Breaks** [BCA.SuspenseTalk@state.mn.us](mailto:BCA.SuspenseTalk@state.mn.us)
- **BCA Service Desk** (access to, or training questions regarding, CHRMS or LME): [bca.servicedesk@state.mn.us](mailto:bca.servicedesk@state.mn.us) or (651) 793-2500, (888) 234-1119.