
LC 432: Social Security Clarification

Oregon State Hospital is Restricted in Disclosing Information to the Oregon State Police

The Oregon State Police (OSP) routinely request information from the Oregon State Hospital (OSH) for use with the National Instant Criminal Background Check System (NICS), to determine whether an individual can clear a background check to purchase a firearm. The single unique identifier best suited for attempting to verify an individual's identity, and their inclusion or exclusion from the prohibited persons file, is their social security number.

However, OSH has been advised by the Oregon Department of Justice (DOJ) to limit the release of social security numbers without specific statutory authority, including to OSP for use with NICS. In DOJ's opinion, OSH currently lacks specific authority to release social security numbers to OSP for provisioning NICS.

Requests to OSH for validation of identity have sometimes included individuals with the same first and last name, no middle initial, and the same date of birth. Under these and other circumstances, absolute verification of an individual's identity requires a social security number.

Without the ability to cross reference an individual using a social security number, there is a risk of contributing to the denial of an individual's right to purchase a firearm – or alternatively, of clearing an individual who should not be permitted to purchase a firearm.

Supporting the National Instant Criminal Background Check System

This legislative concept ensures that OSH can provide social security numbers to the National Instant Criminal Background Check System (NICS) and use social security numbers to validate identity where validation of an individual's identity directly impacts their ability to purchase a firearm. It adds social security number to the list of data elements that are "minimum necessary information" and "necessary to identify...an underlying record or file".

For more information:

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