

CRD Newsletter

Criminal Records Division Conference

Submitted By: Becky Miner

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The Criminal Records Division held a criminal records conference at the Great Wolf Lodge March 9-12 in Grand Mound, Washington. People from 134 agencies attended. We had a diverse audience with attendees from local law enforcement agencies, probation offices, housing authorities, state agencies, city attorney's offices, US Probation, US Border Patrol, tribal agencies, communication centers, Joint Base Lewis-McChord, and Department of Corrections. We appreciate all those that came out to attend the conference. We hope you were able to network with people and learn something new. The conference presentations will be added to the WSP webpage within the next week or so. To view the presentations, please go to www.wsp.wa.gov. The link to the presentations will be located under "Hot Topics".

The conference evaluation was sent to attendees on April 3. If you haven't already submitted your evaluation form, please complete the evaluation and submit it using the "Submit Form" button located in the upper right hand corner of the evaluation screen. Once we receive your evaluation, your attendance certificate will be emailed to you. We appreciate your honest feedback on the conference. We are always looking at how to make things better.



4th Annual Disposition Reporting Compliance Report

Submitted By: Kristina Davis

On March 1, 2015 the Criminal Records Division of the Washington State Patrol released the 4th annual Disposition Reporting Compliance Report to all prosecuting attorneys, superior, district, and municipal courts, originating law enforcement agencies, as well as the Washington Association of Prosecuting Attorneys (WAPA), the Washington Association of Sheriffs and Police Chiefs (WASPC), and criminal justice legislative committees. This report shows the number of fingerprint arrest charges that were submitted by an arresting agency, how many of those charges are missing final dispositions, and the percentage that the agency is in compliance with their disposition reporting for arrests made in the year 2013. The annual Disposition Reporting Compliance Report can be used as a tool to evaluate the effectiveness of procedures for compiling criminal history record information (CHRI) from various sources.

The Identification and Criminal History Section (Section) has received correspondence from a number of agencies who are searching for ways to improve their disposition reporting procedures. The section is eager to assist in determining where problems exist and what improvements can be made. There are a number of options the section can provide to aid in this endeavor:

- ◆ The section can provide disposition audit reports for each fingerprint arrest charge that was submitted in 2013 that remains open without a final disposition.
- ◆ A mini-audit can be conducted that would identify where in the Process Control Number (PCN) process there was a failure that resulted in no disposition. By looking at a sample of the open dispositions from an agency, section staff can offer suggestions to improve PCN procedures.
- ◆ The section is encouraging stakeholder meetings for each county in which representatives from the section, county prosecuting attorney's office, superior, district, and municipal courts, and originating law enforcement agencies meet to discuss the PCN process and the procedures currently in place within the county. This allows the section to understand how the PCN is transferred within the county's criminal justice process.
- ◆ Section staff is available to discuss the PCN process and issues that may be agency specific.

Common issues that have been identified include:

- ◆ **PCN not forwarded to the court of jurisdiction.** The most efficient way to send a disposition to the section is by entering the PCN to the court case in the Judicial Information System (JIS). The section receives a transfer of data from the Administrative Office of the Courts (AOC) each workday which contains electronic disposition transfer reports (EDTRs) for every court case that contains a PCN and a final disposition or updated information has been entered.
- ◆ **No Charge Filed dispositions not being forwarded to the section for entry.** It is the responsibility of the agency that makes the final determination that no charges are going to be filed on an arrest charge to send the disposition report to the section.
- ◆ **Multiple charges on an arrest in which only one charge is prosecuted in court.** If an arrest is sent to the section with multiple charges, the charges that are not filed in court need to have the disposition reports sent to the section indicating no charge filed.
- ◆ **Juvenile arrests in which fingerprints were submitted to the section but the charge is sent to diversion and never sent to the section upon completion.** Once a juvenile has completed a diversion, the disposition report needs to be sent to the section indicating that diversion was completed and the completion date. The section will then enter no charges filed for the arrest.
- ◆ **Disposition reports sent to the section stating No Charges Filed on a felony charge when in fact the arrest charge has been sent to a lower court for prosecution.** The disposition report needs to follow the individual to the completion of prosecution. If the disposition report is sent to the section stating no charge filed but the arrest ends in a conviction in lower court, the individual's RAPsheet will state no charge filed for the arrest instead of the conviction because the PCN never made it to the lower court for entry.
- ◆ **Warrant arrests not being forwarded to the court.** For every fingerprint arrest charge a disposition needs sent to the section, either through mail or email or as an EDTR through AOC. If an arrest is for an out of county warrant arrest that are not satisfied at the time of arrest via the livescan submission, a disposition report indicating out of county warrant needs to be sent to the section.

4th Annual Disposition Reporting Compliance Report cont...

- ◆ **Two arrest events for the same offense submitted but only one PCN is forwarded to the court.**
If an individual is fingerprinted by the arresting agency and then re-fingerprinted when transferred to another agency or correctional facility, both PCNs need to be sent to the court for entry to the court case. If only one PCN is forwarded to the court, the other arrest charge will remain open and that agency will be out of compliance and show a missing disposition.

These are just a few of the issues that the section has discovered during the audit process. If you would like assistance with your agency's PCN process or help uncovering discrepancies in your disposition compliance reporting, please contact the Disposition Processing Team at (360) 534-2000 or email dispositions@wsp.wa.gov. Working together we can all help provide complete and accurate CHRI.

Fee Change Notification

Submitted By: Lynette Brown

A fee study was conducted for the Washington State Patrol and the following fees are increasing effective July 1, 2015. Please refer to which applies for your agency below.

Billed Accounts (you send only the fingerprint card to WSP either by livescan or mail)

All applicant fingerprint cards received at WSP after July 1, 2015 will be billed the new fee (recommended for mailed in fingerprints; 2 weeks prior to the 1st of July you charge the applicant the new fee and hold the fingerprints until the 1st to mail in to WSP).

Pay by Check

If you mail a check with your fingerprint card to WSP the old fee amount must be received no later than Tuesday, June 30, 2015. Checks with the old fee received after that date will be rejected back for the correct amount. (WSP recommends a week prior to July 1 you charge the new fee and hold the prints until the 1st to mail to WSP).

Old Fee		New Fee	
Mailed	Livescan	Mailed	Livescan
State fee \$26	State fee \$16	State fee \$38	State fee \$20
<u>FBI fee \$14.75</u>	<u>FBI Fee \$14.75</u>	<u>FBI fee \$14.75</u>	<u>FBI Fee \$14.75</u>
Total \$40.75	Total \$30.75	Total \$52.75	Total \$34.75
Mailed Volunteer	Livescan Volunteer	Mailed Volunteer	Livescan Volunteer
Mailed	Mailed	Mailed	Mailed
State fee \$26	State fee \$16	State fee \$38	State fee \$20
<u>FBI fee \$13.50</u>	<u>FBI fee \$13.50</u>	<u>FBI fee \$13.50</u>	<u>FBI fee \$13.50</u>
Total \$39.50	Total \$29.50	Total \$51.50	Total \$33.50

*****Note for Law Enforcement Only*****

A Concealed Pistol License (CPL) is only billed the FBI fee. The fee is the same for mailed submissions and livescan. The fee you will be billed is not changing and is still \$14.75.

*****Note to all agencies that refer individuals to WSP for our fingerprinting service*****

The fingerprinting service at the WSP office in Olympia is increasing from \$13.00 to \$19.00.

For questions concerning the new fee, please contact the Background Check Unit Supervisor, Lynette Brown at (360) 534-2109 or email lynette.brown@wsp.wa.gov.



Most Common Reason Applicant Livescan Transmissions are Rejected by the Background Check Unit

Submitted By: Kimberly Russell



Everyday fingerprint livescan transmissions for applicants are rejected or fall in to the Criminal History Incident Reporting System (CHIPS). There are many different reasons for this and most can be avoided.

The most common mistakes we see are a wrong entry of Applicant Type or Reason Fingerprinted. Every ORI is set up with specific reasons for fingerprint for electronic submission. If you use the wrong reason fingerprinted, wrong combination, or try to use one not set up on your account the transaction will fall into the CHIPS queue and be rejected. Please take a few extra seconds to make sure these are correct before sending.

Use the correct ORI for the Reason Fingerprinted. If you try to use an ORI that is not set up for certain transmissions they will fall in to CHIPS. Example: CASA ORI's cannot send Concealed Pistol License submissions.

The wrong Type of Transaction (TOT) is often used. When sending a Criminal Justice Applicant (CJA) please use the Miscellaneous Applicant (MAP) TOT. Non Federal User Fee (NFUF) is used for all other applicant transmission most have a fee associated with it. If you use NFUF for CJA's it will fall into the CHIPS queue and be rejected. If this error occurs you will either have to reprint the person or print off a card to mail to WSP for processing. This is the same for NFUF transmissions. Please do not use MAP for anything but CJA. You are not able to change the TOT from MAP to NFUF or visa/versa on your livescan device.

Accidental submissions have become an issue in recent months. If you are going to fingerprint someone and then print that on a card use a combination of NFUF, State App No Charge, Public Information. You don't want to be charged for an accidental transmission or give someone a state identification number (SID) number that should not be retained in our files.

With proper training, most of the above mistakes are avoidable. If agencies need assistance with any of the above please contact Kim Russell at (360) 534-2179 or by email at Kimberly.Russell@wsp.wa.gov.

If you would like to have training provided to your staff, please contact Elaine Hale at (360) 534-2180 or by email at Elaine.Hale@wsp.wa.gov.

CRD Newsletters Online Now!

Submitted By: Jennifer Perry

Over the years, the Criminal Records Division has written articles and sent them to agencies in our CRD Newsletter. These articles provide helpful information on many topics such as, best practices, upcoming training, fee changes, Sex/Kidnapping Offender Registration (SOR) information, legislation, etc. Typically, the CRD Newsletters are published in April and October of each year. In February, the past four years of the CRD Newsletters were put online.

They can be found at <http://www.wsp.wa.gov/crime/isbhome.htm>. Hopefully this is a great resource for agencies.

Crime & Safety · Investigative Services Bureau

The Investigative Services Bureau (ISB) consists of six divisions that provide various public services, including criminal records, vessel and terminal safety; narcotics investigation and dismantling of clandestine labs; fatality, criminal, and missing children investigations; computer forensics; and organized crime intelligence. Personnel within our bureau are some of the most highly trained individuals in law enforcement and are continuously sought after for their experience and expertise.

Criminal Records Division

The Criminal Records Division (CRD) is comprised of three Sections, the Collision Records Section, the ACCESS Section, and the Identification and Criminal History Section.

▪ 2015 CRD Newsletter *Coming Soon!*

[Previous CRD Newsletters](#)



Helpful Hints for Submitting Complete Accurate Criminal History

Submitted By: Jennifer Perry

Add on charges-Please be sure to send in add-on charges on a correction notice and not to send them on a fingerprint arrest card/livescan transmission. We don't want someone's RAPsheet to appear that they were arrested two times on the same day when they weren't.

Disposition Responsibility ORI-There is no need to send in correction notices for correcting the disposition responsibility ORI. Once the disposition comes in, the disposition responsibility ORI will be updated.

RAPsheet-Domestic Violence (DV) flag on RAPsheet, but DV not showing on the summary on the RAPsheet. No enhancements show up in the summary. If you are looking for particular arrests involving weapons, domestic violence, sexual motivation, etc., please be sure to look through the whole RAPsheet and not rely on the summary section of the RAPsheet for that type of information.

Cite & Release-If a person is cited and released for a DUI and at a later date the individual is fingerprinted for the DUI, the Date of Arrest (DOA) should be when the fingerprinting took place and the Date of Offense (DOO) should be the original citation date.

Juveniles-RCW 43.43.735 states the following, "Photographing and fingerprinting — Powers and duties of law enforcement agencies — Other data."

(1) It shall be the duty of the sheriff or director of public safety of every county, and the chief of police of every city or town, and of every chief officer of other law enforcement agencies duly operating within this state, to cause the photographing and fingerprinting of all adults and juveniles lawfully arrested for the commission of any criminal offense constituting a felony or gross misdemeanor. (a) When such juveniles are brought directly to a juvenile detention facility, the juvenile court administrator is also authorized, but not required, to cause the photographing, fingerprinting, and record transmittal to the appropriate law enforcement agency; and (b) a further exception may be made when the arrest is for a violation punishable as a gross misdemeanor and the arrested person is not taken into custody.

(2) It shall be the right, but not the duty, of the sheriff or director of public safety of every county, and the chief of police of every city or town, and every chief officer of other law enforcement agencies operating within this state to photograph and record the fingerprints of all adults lawfully arrested.

(3) Such sheriffs, directors of public safety, chiefs of police, and other chief law enforcement officers, may record, in addition to photographs and fingerprints, the palmprints, soleprints, toeprints, or any other identification data of all persons whose photograph and fingerprints are required or allowed to be taken under this section when in the discretion of such law enforcement officers it is necessary for proper identification of the arrested person or the investigation of the crime with which he or she is charged."

By submitting juvenile arrests, it provides a more complete and accurate RAPsheet.

Probation Violation/Fail to Comply-For both juveniles and adults, we recommend agencies to send in these charges. This makes the RAPsheet more complete and accurate.

Commitment Prints-If an individual is going to jail to serve their commitment and they have already been printed on their original charge, please do not submit the commitment fingerprint card to WSP. If WSP doesn't have the original arrest event on file, please fingerprint the individual and submit to WSP. If both the original arrest and the subsequent card are submitted, it appears on the RAPsheet as if the individual was arrested twice. We recognize the importance of fingerprinting all individuals received at the jail so you know who is in your facility, we just don't need the fingerprints for commitments submitted to us. When printing individuals for commitments and you want to confirm their identity, please do a search and return. Please contact the WSP Fingerprint Unit at (360) 534-2166 for instructions on how to submit a search and return. The Fingerprint Unit is staffed 24 x 7. If the original DUI charge was not submitted, use the date they are being fingerprinted as the DOA and the original date that the offense took place as the DOO. For example, the individual was cited and released on a DUI on 1/25/15 and went to serve their commitment on 3/25/15. Use the 3/25/15 as the DOA and use the original date of when it occurred for the DOO (1/25/15).

Training-If your agency would like training on RAPsheets, Fingerprint Rolling Techniques, Correction Notices, or Livescan Operations, please contact Elaine Hale at Elaine.Hale@wsp.wa.gov or (360) 534-2180.