

CRD Newsletter



WASHINGTON STATE PATROL

May 2014

Correction Notice Training Manual

Submitted By: Jennifer Perry



A correction notice is a form used by local law enforcement agencies to change or correct incorrect information submitted on a fingerprint arrest event. The contributing agency or the originating agency on a fingerprint arrest card can change or modify records they submitted. Reasons for submitting a correction notice to the section include a typographical or omission error; deceased notification, to add or delete information.

The Correction Notice Training Manual is currently being reviewed and updates are being made. The changes are being made to ensure there is enough information on the correction notice to easily find the arrest that needs to be corrected. Correction notices are forwarded to the Federal Bureau of

Investigation (FBI) and certain information must be on the forms before we send them to the FBI. If the information is missing, correctional records technicians must write the necessary information on the forms before mailing them to the FBI. We receive approximately 1,700 correction notices each month. There are only three correctional records technicians working these correction notices and maintaining the cycle time of two weeks. Please take the time when an individual is being booked to accurately enter the information; this will greatly reduce the number of correction notices being submitted.

Many agencies already submit correction notices with all the information that is required and that is greatly appreciated. Submitting correction notices is

important so the most complete and accurate criminal history can be provided when background checks are ran. If required information is not on correction notices, or the handwriting is illegible, they will be rejected back to the agency. Once the procedures are completed, they will be sent to each agency. We anticipate the Correction Notice Training Manual will be completed around May 15. The procedures will include examples of "correct to read," "delete," "add," and "deceased" correction notices.

If you would like correction notice training, please contact Elaine Hale at (360) 534-2180 or Elaine.Hale@wsp.wa.gov. If you have any questions, please contact Jennifer Perry at (360) 534-2113 or Jennifer.Perry@wsp.wa.gov.

Special points of interest:

- CORRECTION NOTICE TRAINING MANUAL TO BE COMPLETE MAY 15
- FINGERPRINT UNIT NOW STAFFED 24/7
- FELONY FIREARM OFFENDER REGISTRY TO DEPLOY SUMMER 2014

Assessing The Completeness and Accuracy of Criminal Records

Submitted By: Becky Miner



The State Auditor's Office is conducting an audit of Criminal History Record Information (CHRI) in Washington State. The audit will seek to answer two questions.

1. Are criminal records in Washington accurate and complete, and if not, why not? A record is only considered complete when all arrests have a disposition.
2. How well does Washington use best practices to help ensure accurate and complete criminal records?



To determine the accuracy and completeness of Washington's CHRI, the Auditor's Office will compare individual's official criminal records, maintained by Washington State Patrol, to data and source documents available through the Administrative Office of the Courts (AOC), the Washington Association of Sheriffs and Police Chiefs (WASPC), and/or local criminal justice agencies and courts. They will look at the processes used to update criminal records and compare these processes to national leading practices. The audit is estimated to be released by the end of 2014.



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SOR Criminal History Audit Project

Submitted By: Joe Parks

Recently, while staff in the Criminal History Support/Sex Offender Registration (SOR) Unit was processing day to day work, they noticed a high volume of registered sex/kidnapping offender records in the Washington State Identification System (WASIS) criminal history database. WASIS contains registration information but does not contain the corresponding conviction Criminal History Record Information (CHRI) the individual is registered for. Sex/kidnapping offender registration information is provided on a conviction background check for employment and licensing purposes. However, if an offender is relieved of the duty to register, this information is no longer disseminated on a conviction RAPsheet. This situation has the possibility of creating a serious risk to public safety if the sex/kidnapping offense is not being reported on a background check.

After researching our database, over 5,000 records were identified as having sex/kidnapping offender registrations but no corresponding sex/kidnapping conviction CHRI. There are a number of reasons why this problem has occurred. The Identification & Criminal History Section may have never received the original arrest fingerprints related to the sex/kidnapping event, the person was never fingerprinted by law enforcement for that particular arrest, or the final disposition for the sex/kidnapping offense was not received by the section.

Beginning February 1, 2014, the unit began working on the SOR Criminal History Audit Project. Staff is researching the identified records and contacting original arresting agencies to obtain original arrest fingerprint cards or fingerprints contained on Judgment & Sentence reports. Staff is also researching the court databases to locate final dispositions for open arrests. This will allow the information to be added to WASIS and have the criminal history disseminated on a background check. This project supports the Criminal Records Division objective of providing accurate and complete criminal history information.

Rejected Criminal Submissions

Submitted By: Patrick Gibbs

Do you know what happens when the Fingerprint Unit receives a live scan criminal submission that is unsuitable for searching or storing in the Automated Fingerprint Identification System (AFIS) and is rejected back to the booking agency?

Once the transaction is rejected, the fingerprint technician will immediately contact the booking area from your department and notify them of the rejected submission in hopes that the individual is still in custody and can be reprinted. If the individual has already been released, or a new fingerprinting event cannot be done right away, the fingerprint technician will conduct a Name Inquiry in the Washington State Identification System (WASIS) to determine if the individual has existing Washington State Identification Number (SID) on file. If the person has a possible existing SID on file, the fingerprint technician will perform a manual verification of the fingerprints and

determine positive or negative identification to that SID.

If it is a positive match to an existing WA SID number, the card is forwarded to the Criminal History Records Unit and their Criminal History Record Information (CHRI) is updated and a notice is mailed back to your agency explaining that the CHRI is updated. However, a new submission for that arrest event must be submitted to the Identification and Criminal History Section to update the FBI National Criminal History Databases.

If no previous arrest information is on file, the fingerprint submission is printed out and mailed back to your agency. No criminal history is created in Washington or forwarded to the FBI. This submission will not appear on the individual's state or federal RAPsheet.

With either scenario, an electronic reject notification is generated and sent to the mailbox you have set up with WSP to receive your

notifications. Fingerprint technicians will be contacting the booking departments to notify of the reject and possibility of reprinting the individual.

If you need assistance with fingerprint related questions, please contact the main Fingerprint Unit at (360) 534-2166; 24 hours a day, 7 days a week.



Felony Firearm Offender Registry (FFOR) Fingerprint Submissions

Submitted By: Becky Miner

Legislative Substitute House Bill 1612 created a new Felony Firearm Offender Registry (FFOR). This new registry is currently in development and will be placed in the Washington Crime Information Center (WACIC) as a new file. FFOR is currently under development and is anticipated to be deployed by early summer 2014 .

The new law has a provision that allows the registering agency to submit fingerprints and photographs if desired. Please note there is no reimbursement to the registering agency for taking or submitting FFOR fingerprints.

The photograph will be housed with the registration in WACIC and will need to be submitted/entered as part of the FFOR entry once the FFOR becomes available. The fingerprints will be retained in the Washington State Identification System (WASIS) and the Automated Fingerprint Identification System (AFIS), which contains fingerprint based criminal history record information.

The Record of Arrest and Prosecutions (RAPsheet) will be updated to show when fingerprints have been submitted for the FFOR. Fingerprint based FFOR information will show on the RAPsheet as follows:

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*****
FELONY FIREARM REGISTRY INFORMATION
*****
TYPE:          FELONY FIREARM OFFENDER REGISTRY      DATE: 01/01/2014
FINGERPRINT REASON:  FELONY FIREARM OFFENDER REGISTRY
NAME USED:        SMITH, JOHN
CONTRIBUTING AGENCY: WA0270000      PIERCE CO SO
LOCAL ID:         999999
COMPLETE FELONY FIREARM OFFENDER REGISTRY INFORMATION PROVIDED IN WACIC
*****
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When submitting fingerprints for FFOR, the Type of Transaction (TOT) is NFUF and the reason fingerprinted is FFOR.

Please contact Lynette Brown at (360) 534-2109 or Lynette.Brown@wsp.wa.gov if you have questions regarding fingerprint submissions for FFOR. Please contact Heather Anderson at (360) 534-2103 or Heather.Anderson@wsp.wa.gov if you have questions regarding entry of registration information or photographs into the FFOR in WACIC.



WSP FINGERPRINT UNIT NOW STAFFED 24x7

Submitted By: Roselia Legaspi & Beth Marcoe



The Washington State Patrol Fingerprint Unit is now able to search, compare, and process fingerprints on AFIS 24 hours a day, 7 days a week. Beginning December 29, 2013, the Fingerprint Unit has had staff scheduled to work around the clock, including weekends (**except** legal Holidays). This 24 hour schedule has been a goal for our agency for many years, and it is a huge accomplishment to finally be able to perform nearly "real time" AFIS processing to better serve our customers for both law enforcement purposes and for civil background checks. Shift work has been used intermittently in the unit since the early 1990's. A day/swing shift schedule covering the weekdays was permanently introduced in 2003 to better utilize our AFIS/WIN resources as we have a limited number of AFIS terminals for staff to use. The last several years has seen the Fingerprint Unit gradually working toward the 24x7 goal, with a few staff being scheduled to work on Saturday or Sunday. A graveyard/weekend supervisor was hired in late 2013, and the unit was reorganized from two shifts to three, with staff shift bidding by seniority.

In addition to normal regular AFIS processing, staff is available to help with rush searches, such as a "search and return", where a suspect seems to be giving a false name during booking and their identity is in question.

Fourteen out of the current twenty three Fingerprint Unit staff members work a non traditional shift, either working a weekend day, a swing shift, a graveyard shift, or both; a weekend day **and** a swing or graveyard shift. The weekends are not staffed with as many people as those who work a standard Monday through Friday, 8:00 a.m. – 5:00 p.m. schedule. Sometimes there may only be one or two people working at certain times. Because there is not a large staffing level on weekends, someone may not pick up the phone each time you call. Leave a message at the main Fingerprint Unit phone number (360) 534-2166 and you will receive a call back as soon as possible. Fax requests may also be sent to (360) 534-2074.

DISPOSITION REPORTING

WHY SO IMPORTANT?

Submitted By: Kevin Wolf

March 31, 2014 marked the release of the 3rd Annual Disposition Reporting Compliance Audit Report for the State of Washington. This report provides law enforcement agencies, prosecuting attorneys, and courts an assessment of how well dispositions from their region are successfully being submitted for criminal arrest records already on file with the Washington State Patrol (WSP) Identification and Criminal History Section (section). When combined, these arrest and disposition records form the basis for Criminal History Record Information (CHRI) made available to and used daily by law enforcement and the public, which is essential to help enhance the safety of the citizens of the State of Washington. The WSP is mandated by RCW 10.98.100 to provide this annual compilation of data.

In the criminal justice system, a “disposition” is understood to be the decision announced by a court, a judge’s ruling or a final settlement of a criminal case. This information is submitted from the court to the section and added to a subject’s record in the Washington State Identification System (WASIS) criminal history database. Occasionally, these dispositions are not forwarded to the section and consequently are not made available to the public. An arrest record in WASIS that does not yet have a disposition added to it is referred to as having an “open charge,” or an “open arrest.” Open arrest records pose a potential safety risk to law enforcement and/or the public. These open records are the basis for the annual compliance audit.

Since we began providing this report in 2012 to stakeholders around the state, we have been contacted by many agencies interested in improving their reporting compliance rates. Section staff works with these agencies providing instruction and guidance regarding the processes necessary to improve disposition reporting. We also provide an extract of outstanding dispositions to agencies upon request. With this information, stakeholders from a jurisdiction can review their local reporting processes and identify areas for improvement. Improvements can be measured the next year by monitoring compliance rates.

In 2013, the section worked with many agencies to improve disposition reporting compliance. We’d like to share a couple of the success stories we noticed...

After the release of the 2013 report, we were contacted by Kirkland Police Department. They requested an extract of all open arrests associated with their agency. Kirkland’s disposition reporting compliance rate in the 2013 report was at 54.15% in compliance. After working on their processes for one year, their compliance rate improved to 61.65%. This is a good increase in compliance and indicates improvements in their reporting strategies. It is noted that improvements made over the course of one year may not fully manifest themselves in the rate we report in the next years audit, since the audit timeline may not overlap perfectly with improvement efforts put in place by stakeholders. A better indication of compliance improvement should be more evident after two years of data to compare.

In May of 2013, we were contacted by the Asotin County Clerk and Asotin County Sheriff’s Office. They were both interested in receiving an extract of missing dispositions from their county. Once they received the extract, they worked to identify why the dispositions had not been submitted to the section for inclusion in WASIS. In 2013, for the entire county of Asotin, 54.79% of dispositions had been reported to the section. After working on reporting strategies, the 2014 report displayed an increase of reporting compliance to 63.28%. Just like with Kirkland Police Department’s efforts, Asotin County improved their compliance rate quite well. We expect both of these agencies compliance rates to show continued improvements over time.

The reasons why compliance rates are important are obvious. A subject’s Record of Arrests and Prosecutions (RAPsheet) is not complete until a court disposition is added to the arrest record. Law enforcement deserves to know who they are dealing with in the field when making a contact. Prosecutors use the RAPsheet as part of their normal business practices. Public and private sector employers rely on the RAPsheet when making hiring decisions. A complete RAPsheet is used to help maintain a safe society. We look forward to helping you improve your disposition reporting rates. For assistance, please contact me at kevin.wolf@wsp.wa.gov or (360) 534-2124.

Best Practice Recommendations

Submitted By: Becky Miner

Ensuring all arrested individuals are fingerprinted and prints are submitted to WSP

When an individual transfers to another county's jail to participate in a drug court or other program, the individual should be fingerprinted. It is good business practice to fingerprint each person received at the jail.

If it is determined by the receiving jail that fingerprints for the offense were submitted to WSP by the original arresting agency, it is not necessary to transmit the new prints for the individual participating in the drug court to WSP for inclusion on the RAPsheet. The Process Control Number (PCN) from the original arrest/booking event from the original arresting agency should be forwarded to the new court. This will ensure the final disposition for this arrest event will be electronically transmitted to WSP. For example, the PCN from the original arresting county (County #1) should be provided by the original arresting agency or court to the county superior court where the case is being heard (County #2) to be added to

the court record. If the PCN is not provided by the originating agency, the jail may use the PCN from the RAPsheet that was provided on the original arrest submission.

If it is determined by the receiving jail that fingerprints for the offense were not submitted to WSP by the original arresting agency, WSP recommends the receiving jail transmit fingerprints. It is necessary to reference the original agency case # in the comment field of the fingerprint arrest card. For example, the comment field would look like this: "County #1 case #1234." When using this option, it is necessary to ensure the date of offense is the *original* date of offense, not the date of intake into the drug court program. The new fingerprinting event will generate a PCN which should be sent to the court for entry into JIS/SCOMIS. This will ensure the final disposition for this event will be electronically transmitted to WSP.

Individuals who are received at the jail facility to serve time as part of a contract with

another agency do not need to be transmitted to WSP if it is determined by the receiving jail that fingerprints for the offense were submitted to WSP by the original arresting agency. The jail may elect to perform a "search and return" function, to verify identity.

Individuals who are received at the jail facility to serve time as part of a contract with another agency should be transmitted to WSP if it is determined by the receiving jail that fingerprints for the offense were not submitted to WSP by the original arresting agency. It is necessary to reference the original agency case # in the comment field of the fingerprint arrest card. For example, the comment field would look like this: "County #1 case #1234." When using this option, it is necessary to ensure the date of offense is the *original* date of offense, not the date of intake at the jail. The new fingerprinting event will generate a PCN which should be sent to the court for entry into JIS/SCOMIS. This will ensure the final disposition for this event will be electronically transmitted to WSP.



YAKIMA COUNTY'S SOLUTION TO ENSURE ALL ARRESTED INDIVIDUALS ARE FINGERPRINTED

Submitted By: Becky Miner

Last year I had the pleasure of meeting with representatives from Yakima County Superior Court Clerk's Office, Corrections and Prosecutor's Office regarding fingerprinting arrested subjects. The purpose of the meeting was to identify solutions for individuals who had not been fingerprinted at the time of arrest and ensuring a Process Control Number (PCN) was generated to provide to the court.

Yakima Corrections had identified individuals who had been arrested but not fingerprinted. In order to get prints on those individuals, they created a binder/log with the information and were able to print those individuals for those arrest events during their next contact with the subjects.

Individuals appearing in court on a summons or those who were cited and released were not getting fingerprinted. The county prosecutor's office came up with a suggestion to create a fingerprint/booking order that would accompany every summons and warrant (subject's 1st court appearance) to the court and require the individual to be taken into custody to be fingerprinted for that offense.

The meeting was a great success with commitment from all parties at the table to ensure individuals are being fingerprinted and submitted to WSP and the PCN being submitted to the court. Taking these measures does take additional effort; however, the benefits of providing complete criminal history records are far reaching. I commend Yakima County Superior Court Clerk's Office, Corrections and Prosecutor's Office for recognizing the importance of and taking steps to ensure complete criminal history record information. I recommend other agencies implement this "Yakima Model" in your areas in order to improve criminal history arrest and disposition reporting.

2013 NCHIP Disposition Audit Project

Submitted By: Becky Miner



The Identification and Criminal History Section received a \$200,000 federal grant to locate arrests over a year old without a disposition by researching court databases for the missing disposition and entering the missing dispositions into the Washington State Identification System (WASIS). This project, known as the Disposition Audit Project was funded by National Criminal History Improvement Program (NCHIP) grant monies.

As you know, Criminal History Record Information (CHRI) is used for many purposes including criminal justice investigations, public and private sector employment background checks, licensing background checks, proper sentencing of convicted

felons, and pre and post sentence investigations. Arrests with dispositions over one year old are not disseminated on non-law enforcement inquiries. This reduces the effectiveness of policies, regulations, and laws created to eliminate certain individuals from possessing firearms, obtaining professional licenses, or gaining employment in positions they are restricted from holding.

A combination of project employees and overtime are being utilized to reach project goals. The project began October 1, 2013 and goes through September 30, 2014.

Project performance goals are to research at least 61,600 open arrests and enter at least

54,600. As of March 31st, Criminal History Records Unit staff has already researched 35,221 open arrests and entered 28,623 dispositions which puts us on target to exceed our performance goals.

This is our fourth consecutive NCHIP project grant award for researching open arrests. RCW 10.98.090 requires originating agencies, prosecuting attorneys, municipal, district, and superior courts to report a disposition to the section at whatever stage the case is disposed. Unfortunately, there are times when a disposition doesn't make it to our office for a variety of reasons. The NCHIP grants have made it possible for our staff to research and update thousands of dispositions each year.

TRAINING UNIT

SUBMITTED BY: ELAINE HALE

Most of 2013 was spent providing training on the Westside; in 2014 the emphasis will be on the Eastside. It is always a pleasure to meet our customers and help to meet their training needs.

2013 Class and Attendee Totals

Class Name	# of Classes	# of Attendees
RAPsheet	36	575
Ink Fingerprint	15	136
Live scan Operations and Fingerprint Rolling	26	198
Other	1	24
Total	78	933
Live scan Installs	14	
Live scan Contacts	9	

The RAPsheet class has been in high demand, largely due to DSHS training staff on how to read the RAPsheet. The Ink Fingerprint Training Techniques class was the next most requested class. CrossMatch live scan classes were well attended also.

Fourteen live scan installs were successfully completed this year. Currently, there are 16 agencies in the live scan install process. Two agencies are scheduled to have their live scan installed in the near future: Walla Walla

Police Department (applicants) and Jefferson County Sheriff's Office (applicants). The Department of Licensing Real Estate had a new card scanner installed; a card scanner allows an agency to receive paper fingerprint cards and turn them into a live scan submission.

All of the training manuals have been or are in the process of being updated. I appreciate and thank everyone for keeping me informed of the changes happening with criminal history and identification. The agencies are appreciative as well. They may not say much to you, but occasionally they will drop one of your names and let me know how you assisted them. I try to let the person know when and who dropped their name (name dropping is the practice of mentioning important people during a conversation or story). You are all very important to the different agencies you contact. To a new person you are often their one on one trainer on how to submit information.

Planning, scheduling, and providing training is always a fun challenge. No two classes are ever exactly alike, nor are the questions asked alike. Each training class is a mixture of different work cultures (law enforcement, federal agencies, tribal agencies, non criminal justice agencies, state agencies, businesses/organizations, and sometimes the public). When these different cultures come together the learning experience is enhanced.

No PCN, No RAPsheet, No Kidding. . .

Submitted By: Kevin Wolf

Generally when individuals are arrested, they are fingerprinted and the fingerprints are mailed to the Identification and Criminal History Section (section) where they are searched to determine whether that individual has a record on file in the Washington State Identification System (WASIS) criminal history database, in which case the record is updated with the new arrest. For those individuals who do not have an existing record in WASIS, one is created for them. The Record of Arrests and Prosecutions (RAPsheet) is created and updated with arrest events and the results of criminal prosecutions. The RAPsheet bears witness to the arrest and conviction record of the arrestee. What would be the point of arresting someone, if not to identify the person in your custody, and then later hold them responsible for their actions by creating a RAPsheet for those convicted of crimes?

An arrest record alone on a RAPsheet is not a complete tool. If the court record following an arrest event is not placed onto the RAPsheet, one half of the story has not been told. Per RCW 10.97.050, conviction records and arrests less than one year old without a disposition may be disseminated on a background check. Arrest information over one year old without a disposition, is only available to law enforcement and criminal justice agencies. No record of the conviction would appear on someone's record. All of those involved in the criminal justice system work together each day to ensure that arrest and court records are recorded properly and available for use by law enforcement, criminal justice and the public. A complete and accurate RAPsheet is our common goal.

Once a case is disposed following adjudication, the court record is sent to the section to be added to an individual's RAPsheet. Adding a disposition to an arrest record can be problematic. In years past, a court disposition that only contained a name and date of birth as identifying criteria was common. Section staff had to perform a lot of research in order to identify which arrestee and arrest date to add the disposition to. Take a common name like Bob Smith; how many Bob Smith's are there in this state? How do we know the difference between all of them? Fingerprints. We can discern the difference between each Bob Smith by their fingerprints. The next question is how do we identify the difference between each Bob Smith's court records? This can be a bit more complicated. Many individuals have matching names, and some with matching dates of birth. This scenario can make adding the correct court disposition to the correct arrest record problematic. This was the predicament that the section faced for many years. Along came a solution...

The solution was developed and implemented in 1993, to add a unique number to each fingerprinting event. This way, arrests, prosecutions, and conviction records would be tracked by a unique number; not simply by the subjects' name and date of birth. This unique number was named the Process Control Number or "PCN." The introduction of the PCN into the arrest and court disposition process revolutionized it by reducing confusion when dealing with common names, expediting criminal history updates to a subject's record, and creating a framework for future electronic submission of court records to the section.

During the live scan fingerprinting process, live scan assigns a PCN to the arrest. The PCN is printed onto an accompanying disposition report. For fingerprinting events not using live scan, PCN packets are provided by the section. The PCN follows the arrestee through the entire process. When an officer's report is forwarded to the prosecutor for consideration, the PCN is included on the disposition report. When the prosecutor files charges and prosecutes an offender, the PCN is forwarded to the court via the disposition report or other measures. Court staff adds the PCN to the court record. Then, when a final resolution of the prosecution occurs, the disposition including the PCN is forwarded electronically to the WSP for entry into WASIS. Combined with other matching criteria, section staff use the PCN as an additional measure to ensure the final court disposition is added to the correct record. The PCN has now come home; the RAPsheet is accurate and complete.

If court staff does not receive the PCN to add to the court record, the final disposition will not submit to the section. This is our worst case scenario; no PCN being forwarded to the court and therefore, not being added to the court record. In these situations, no electronic disposition is sent to the section. The PCN has proven to be a vital part of the process of adding criminal history information to arrest records. If it were not for the PCN, many RAPsheets would be incomplete. No PCN, No RAPsheet, No Kidding!

The Criminal History and Identification Section completed a rewrite of PCN guidelines last year to better inform members of law enforcement, prosecuting attorneys' and court staff regarding the use of the PCN. The new guidelines can be found at: http://www.wsp.wa.gov/secured/ident/docs/pcn_guidelines_washington_state.pdf, by contacting kevin.wolf@wsp.wa.gov or calling Kevin Wolf at (360) 534-2124.

Thank you for doing your part to ensure that all criminal history records are as accurate and complete as possible by knowing and participating in the PCN process.

