

# CRD Newsletter

WASHINGTON STATE PATROL

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## SPECIAL POINTS OF INTEREST:

- Beginning January 2014, the Fingerprint Unit will be staffed 24/7
- The Section does not accept mug shots at this time

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## Helpful Hints for Submitting Criminal History Record Information to the Washington State Patrol Identification and Criminal History Section

Submitted By: Jennifer Perry

Some helpful hints have been provided below to ensure criminal history record information (CHRI) is processed in a timely manner so that the Identification and Criminal History Section (Section) is able to provide our customers with the most complete and accurate criminal history record information.

**Cite and Release:** In order to have the most complete and accurate criminal history records possible, please submit fingerprint arrest cards instead of citing and releasing an individual without fingerprinting them.

When an individual is cited and released without fingerprints being taken and submitted to the Section, that arrest information will not appear on their criminal history record.

Therefore, when the court sends the Section the disposition for the cited and release event, it will not be added to the criminal history record since there is not an arrest on file to match the disposition to. The disposition then gets rejected back to the agency that cited and released the individual. If that agency cited and released the individual without fingerprinting, there won't be a fingerprint card to submit to WSP, so the information never gets added to the individual's record. For example, if an individual has a background check conducted on them for a job as a school bus driver and the individual was previously cited and released for Driving Under the Influence (DUI) (without fingerprints), the DUI would not appear on their criminal history background check; thus the individual could potentially be hired to be a school bus driver. While the

DUI information may be available through the courts and/or Department of Licensing (DOL), it is unknown if those resources are not checked upon an employment background investigation.

**Duplicate Submissions:** When an individual is arrested and taken to a second facility, there should not be two transmissions sent to WSP. This will appear on the RAP sheet like the individual was arrested twice, when they weren't. It is up to the contracting agencies to determine who will transmit the prints/booking and submit the PCN to the appropriate court(s). The contributing agency can use the 'send copy to' feature on the livescan device to ensure the other agencies involved with the booking will receive the WSP Notice of Arrest and IAFIS responses.

If both agencies are required to fingerprint the individual, one agency can do a search and return to determine the identity of the individual. Please follow the search and return procedures that are at the end of this article.

**Add on Charges:** Add on charges should only be sent in on a correction notice. Do not submit a fingerprint arrest card for add-on charges.

**Correction Notices:** Correction notices being submitted should be legible and complete to ensure timely processing. The Section forwards correction notices to the FBI to update the federal database. When sending in a 'correct to read' correction notice, only put the information you are changing in Section B. If you fill in every field, it is more

time consuming for WSP staff to determine what information is different and needs to be changed. When submitting correction notices, be sure to include the individual's name, DOA, TCN, PCN, etc. This makes it much easier to locate the record that needs to be corrected.

If a correction notice is being completed for more than one action (correct to read, add, delete) it must be very clear what needs to be done to the record. If it can't fit on one correction notice and still be clear, please use different correction notices for each action that needs to be taken.

When sending in correction notices via email, send to [correctionnotice@wsp.wa.gov](mailto:correctionnotice@wsp.wa.gov). Please send the correction notice as an attachment so it will print out on one page.

**PCN Issues:** When a livescan transmission is aborted, the agency needs to contact the court to ensure the PCN of the aborted transmission is not used. If reprinted, the new PCN should be forwarded to the court.

**PCN Packets:** Every agency should have PCN packets, just in case something goes wrong with their livescan machine. For individuals that have very difficult prints, using ink is the better choice than using livescan.

If you need PCN packets, please contact Ms. Connie Pekola at 360-534-2000 or [Connie.Pekola@wsp.wa.gov](mailto:Connie.Pekola@wsp.wa.gov). Please provide the ORI, how many packets you need, cards to dispositions (it is usually 2 cards with 1 disposition), and shipping address.

**Federal and Civil Charges:** The Section does not retain federal or civil charges; we only retain Washington

## Helpful Hints Continued....

State criminal charges. We are currently removing any federal or civil charges from our database that were previously submitted. If there are no Washington State charges but you want to identify the subject in custody, please follow the search and return procedures at the end of this article.

**Criminal Attempt, Criminal Solicitation, and Criminal Conspiracy:** It is important to click the appropriate enhancement boxes to accurately reflect the arrest offense(s). Certain criminal offenses will drop a classification when an anticipatory offense is involved. Under RCW 9A.28.020 (criminal attempt), RCW 9A.28.030 (criminal solicitation), and RCW 9A.28.040 (criminal conspiracy) it lists the criminal offenses that will not drop a classification. There is one criminal offense, attempt to elude (RCW 46.61.024-class c felony) that you will not need to click the attempt enhancement box. The word attempt is part of the literal for the offense. If you click the enhancement box for attempt on this offense, it will drop the classification from a class c felony to a gross misdemeanor. Criminal attempt, criminal conspiracy, and criminal solicitation are not stand alone crimes. They can be used in conjunction with a crime by clicking the enhancement boxes.

**Names Used:** When an individual is arrested and uses another person's name, do not send in a correction notice to change the name to their 'true' name. The name provided at the time of the arrest event stays on their criminal history record. If the booking officer entered the incorrect name, then a correction notice can be submitted to correct it. If the agency discovers the person's 'true' name, they can send in a correction notice to add it as an alias name.

**Fail to Comply and Warrant Arrests:** It is recommended when an individual gets arrested for failure to comply, a fingerprint arrest card be submitted showing "fail to comply" as the charge, with the original charge in the comment field. Use the current date for the fail to comply and place the original date of offense in the date of offense field. Since the fail to comply is a new arrest event, it is important for these to be submitted to the Section in order to have the most complete and accurate criminal history. Do not use the same PCN as the original charge on the fail to comply. Since it is a new arrest event, it needs to have its own PCN.

To ensure the most complete criminal history information, please submit fingerprint cards for warrant arrests. This shows the complete picture of the individual's criminal history.

**Submitted in Error:** If an agency discovers they submitted incorrect information to WSP, do not pull up the record from the livescan queue, change the information and submit another fingerprint card. This will fall out as a duplicate for manual processing because the same DOA, LID, and ORI will already be on file. This could also cause a second SID to be assigned depending on the timing of when the transmissions come in. Contact the Section immediately; the first transmission may be able to be killed and then a new transmission could be sent in.

**Apostrophes in Livescan Transmissions:** To not delay a transmission from posting to the database, do not put apostrophes in the comment field for the arrest details. This will fall out into the Criminal History Incident Processing System (CHIPS) queue and require a staff member to delete the apostrophe and send the transmission through.

**FBI Resubmits:** If an agency submits an FBI resubmit through livescan, be sure to put 'FBI Resubmit' in the comment field of the arrest details so the staff member that receives it in CHIPS knows how to handle the incident. If they are submitted through the mail, be sure to include the rejected card.

**Fingerprint Unit Hours of Operation:** The Fingerprint Unit is staffed 24/5 (Monday 5:30 am through Saturday 5:00 am). Staff is also available on Saturdays from 6:30 am – 2:30 am and Sundays from 8:30 am – 12:30 am. Effective January 1, 2014, the Fingerprint Unit will be staffed 24/7.

If you have submitted a fingerprint card in error, need to do a search and return, or have any other fingerprint related question, please call the Fingerprint Unit at 360-534-2166.

**Criminal History Records Unit Hours of Operation:** Criminal History Records Staff are available to assist you Monday through Friday 8:00 am – 8:00 pm.

**Training:** The link to the WSP Resources Webpage is located at <http://www.wsp.wa.gov/secured/ident/resource.htm>. This website provides training on applicant fingerprint card completion, completing correction notices, court orders, disposition reporting, life of a fingerprint card, notice of arrest, personal identification card, and record review. The PCN Guidelines, criminal history background check information, child identification kits, a guide on when and how to challenge or seal, vacate and expungement information, how to establish a personal identification, and vendor contact information are also on the website.

**Search and Return Process for Requesting Agency:** The Search and Return procedure may be used when a law enforcement agency has a subject of questionable or unknown identity, and for whom there are no booking charges.

## Helpful Hints Continued....

To conduct a search and return the agency must first call the WSP Fingerprint Unit (360-534-2166) and indicate you would like to submit a "Search and Return". The person answering the call will ask for your name, telephone number, agency name, and when the transaction will be submitted. They will inform you if it is okay to proceed.

To create your record, only the following information needs to be completed:

<b>Create New Record/Type of Transaction (TOT)</b>	Select "Non Federal Applicant, User Fee" - NFUF
<b>NAME</b>	Last, First, Middle or Initial plus suffix

Enter name as given.

When the subject's name is not known, enter either of the following:

NAME FIELD VALUE

DOE, JOHN

DOE, JANE

<b>Date of Birth (DOB)</b>	YYYYMMDD
<b>Eye Color</b>	Drop down menu of NCIC codes
<b>Hair Color</b>	Drop down menu of NCIC codes
<b>Weight</b>	Enter pounds
<b>Height</b>	Enter feet and inches
<b>Sex</b>	Drop down menu of NCIC codes
<b>Race</b>	Drop down menu of NCIC codes
<b>Place of Birth (POB)</b>	Drop down menu of NCIC codes or XX if unknown
<b>Reason Fingerprinted</b>	Select "CRIMINAL JUSTICE INVESTIGATIVE PURPOSE"
<b>Controlling Agency Identifier (CRI)</b>	Contributor of fingerprints (drop down menu)
<b>Retention Code</b>	Select "No"
<b>Amputated/Bandaged Code(s) if applicable</b>	Finger Number - Amputated or Unable to Print (bandaged, deformed etc.) XX or UP (drop down menu)
<b>Application Type</b>	Select "SEARCH AND RETURN"

After rolling the fingerprints, you are ready to transmit to WSP. Depending on the quality of the fingerprints, the transaction may or may not require manual intervention. By calling the Fingerprint Unit ahead of time a technician can ensure your transaction is completed as quickly as possible.

If you end up booking your subject, you are required to create an entirely new criminal arrest record. You cannot use the Search and Return transaction for booking, it will be rejected.



## New Integrated Automated Fingerprint Identification System (IAFIS) Audit Program

Submitted By: Deborah Collinsworth

Every three years, the Washington State Patrol (WSP) Identification and Criminal History Section is audited by the Federal Bureau of Investigation (FBI) on the proper use of criminal history record information (CHRI). The FBI specifically reviews our agency's policies and procedures along with our criminal and non-criminal justice agencies for the use, dissemination, and security of the criminal history record information your agency receives from the FBI as a result of the applicant fingerprint-based submissions.

As the result of our last audit in July 2012, it became apparent the WSP was in need of our own auditing program for our criminal and non-criminal justice agencies as we are required by the FBI Criminal Justice Information Services (CJIS) Division, to audit criminal justice and noncriminal justice agencies that conduct fingerprint based background checks within the state of Washington for non-criminal justice purposes.

In December 2012, WSP hired Ms. Marsha Stril as a Criminal Identification Coordination Specialist (CICS), to fulfill this role within the Identification and Criminal History Section.

Since that time, Marsha has developed a great auditing program including a website full of information for our users of CHRI. She also has begun traveling around the state meeting with our criminal justice and non-criminal justice agencies who submit state and federal fingerprint based background checks for licensing and/or employment purposes to explain the audit program and what our users can expect during an audit.

If your agency has not been contacted by Ms. Stril, don't worry, she will be contacting you soon. Marsha's website can be found at <http://www.wsp.wa.gov/secured/ncja/ncja.htm>.

It is our hope this new audit program will be beneficial to you as we strive to be 100% compliant with the FBI's Criminal Justice Information Services (CJIS) Security Policy.

For more information regarding this new program, you may contact Ms. Marsha Stril at (360) 534-2135 or by email: [Marsha.Stril@wsp.wa.gov](mailto:Marsha.Stril@wsp.wa.gov).

## What To Do When Your Agency Finds Old Arrest Cards/Dispositions

Submitted By: Jennifer Perry

There have been several instances where agencies have discovered old fingerprint cards and court dispositions in a box, drawer, or closet. If your agency discovers such cards and/or dispositions, the Identification and Criminal History Section (Section) requests your agency conduct a III query to determine if the arrest event(s) are on file before submitting to the Section. If the arrest is in the Washington State Identification System (WASIS), please do not submit the prints or dispositions. Retention of these documents is up to each agency.

However, if your agency finds such cards/dispositions, and they are not in WASIS, please contact Ms. Jennifer Perry, Identification and Criminal History Supervisor at 360-534-2113 to notify her of approximately how many fingerprint cards/dispositions will be mailed to the Section. This will allow the Section to move resources around to have the staff available to assist with the entering of the fingerprint arrest cards and or dispositions. Also, please ensure the fingerprint cards contain all of the required information so they will not be rejected back to your agency. If the prints submitted are of poor quality, they may also be rejected back to your agency.

Please submit the original fingerprint card rather than a copy of the card. If your agency only has one card and you want to retain it for your files, please notify Ms. Jennifer Perry of the situation, attach a note to the fingerprint card, and mail it to her attention at WSP-Identification and Criminal History Section, Attention: Ms. Jennifer Perry, PO Box 42633, Olympia WA 98504. She will walk the fingerprint card through the process and then return the original card back to your agency.

Please note: The Section does not accept mug shots at this time, with the exception of sex offender registration photographs. If your agency has mug shots you no longer wish to retain, the Washington State Archives will retain them as they are deemed to have historical value.

If you have any further questions on fingerprint cards or fingerprint card submissions, please do not hesitate in contacting Ms. Jennifer Perry, Criminal History Supervisor, at [Jennifer.Perry@wsp.wa.gov](mailto:Jennifer.Perry@wsp.wa.gov). If you have any further questions on dispositions contact Mr. Kevin Wolf, Criminal History Supervisor, at [Kevin.Wolf@wsp.wa.gov](mailto:Kevin.Wolf@wsp.wa.gov).

Thank you for your assistance in helping us meet our goal of providing complete, accurate, and accessible criminal history and expert technical services in the interest of public safety.

## Process Control Number (PCN) Guidelines

Submitted By: Becky Miner

There has been some confusion regarding the Process Control Number (PCN) procedures when there are multiple offenses per arrest. Please note, each time an individual is fingerprinted for a new arrest event, a new PCN is generated and forwarded to the appropriate court(s). One booking/arrest event may contain several charges that may be heard in different courts, therefore, the PCN must be submitted to each court to be added to the respective court cases. When there are multiple charges for one booking/arrest event, please do not submit separate fingerprints for each charge. Only one set of fingerprints should be submitted for the arrest event, regardless of how many charges the individual has. The PCN Guidelines are below.

### Introduction

A process control number (PCN) is a unique tracking number assigned to each criminal arrest. The purpose of the PCN is to link the arrest event to the disposition. It also facilitates the electronic submission of disposition information to the Washington State Patrol (WSP). The PCN from the disposition report is used to locate the corresponding arrest(s) in the criminal history record information (CHRI) database known as Washington State Identification System (WASIS).

The PCN is automatically assigned by the livescan device. When the arrest record is electronically transmitted to WSP, the PCN is entered along with the arrest information. The PCN is forwarded by the fingerprinting/arresting agency to the appropriate prosecutor or court for entry into the Judicial Information System (JIS) or the Superior Court Management Information System (SCOMIS). When the PCN is entered by court staff into JIS/SCOMIS it triggers an electronic disposition, which is sent electronically to WSP where it either automatically updates WASIS or is diverted for manual intervention by WSP staff. If the transaction requires manual intervention, WSP staff use the PCN to locate and update the submitted disposition. If no charges are filed or the case is dismissed prior to prosecution or processing by the court, the Prosecutor's Office shall send a disposition report containing the PCN to WSP.

Agencies that do not have a livescan device must use a PCN packet. PCN packets are also provided to agencies when they install a new livescan device to use in the case of a power outage, the individual has poor quality fingerprints, or manual processing of the fingerprint cards is required. The ink method is used to complete the fingerprint card and to place the flat impressions on the bottom of the disposition form. A PCN packet typically consists of two pre-stamped fingerprint cards, one disposition form, and twelve additional PCN labels. A PCN label is to be attached to each additional document and forwarded to the appropriate prosecutor or court for entry into JIS or SCOMIS. CHRI is updated when the disposition is forwarded to WSP with the PCN.

When using the manual (ink) method of fingerprinting a subject, the agency will mail one fingerprint card to WSP. All manual fingerprint card submissions are converted to electronic format by WSP and forwarded to the Federal Bureau of Investigation (FBI) electronically. If the record is transmitted electronically to WSP, there is no need to mail a hard copy of the fingerprint card. In either method, the agency may retain a fingerprint card for their file. A disposition report form is also completed by the arresting/fingerprinting agency and sent to the appropriate county prosecutor or court.

### Benefits of using the PCN

- Facilitates the electronic transmission of disposition to WASIS.
- PCN links the arrest to its disposition.
- Updates criminal history automatically with little or no human intervention.
- Provides accurate and complete CHRI by increasing the number of arrests with dispositions on file.
- Reduces manual or redundant paper handling by capturing court dispositions electronically.

**PCN entered into JIS/SCOMIS = an arrest with a disposition**  
**An arrest with a disposition = zero (0) audit compliance reports**



## Using the PCN

### Criminal arrests and warrant arrests within the county:

1. Subject is arrested.
2. Subject is booked and fingerprinted.
  - a. PCN is assigned at the livescan device or during the manual fingerprinting process (using PCN packet).
  - b. PCN is printed on disposition report.
  - c. Court case number is assigned, if available.
3. PCN is forwarded to the appropriate prosecutor or court via the disposition report or other agreed upon means.
4. If no charges are filed, the prosecutor makes the appropriate notation on the disposition report form and sends it to WSP for entry into WASIS.
5. If diversion, the disposition report is forwarded to the diversion clerk who manages the diversion.
  - a. If the case goes through diversion, the disposition report is forwarded to WSP as diversion completed.
6. If charges are filed, the disposition report is forwarded to the county clerk who enters the PCN into JIS/SCOMIS. The paper disposition report can be destroyed; please do not mail paper dispositions reports to WSP after the PCN is entered into JIS/SCOMIS.
7. Electronic disposition with the PCN and court case number is sent to WSP when a case resolution code is entered into JIS/SCOMIS.
8. Based on the PCN, the correct arrest event in WASIS is updated with the disposition.
9. If a case is modified later, a new disposition is electronically submitted to WSP from JIS/SCOMIS.

### Out of County Warrant:

1. Subject is arrested on an out of county warrant; this case will not be heard in the county making the arrest.
2. Subject is booked and fingerprinted.
  - a. The warrant number and/or court case number and the offense are entered in the appropriate fields (same for livescan and manual fingerprinting process).
  - b. PCN is assigned at the livescan device or during the manual fingerprinting process.
  - c. Enter the disposition of "Out of County Warrant or Released No Charge" in the appropriate field. This disposition closes the arrest warrant and will not generate a subsequent disposition audit. Note: Normally when the subject is returned to the county issuing the warrant, a new booking event will occur.

### **Relevant Revised Code of Washington (RCW) statutes:**

Criminal Arrests	RCW 43.43.735 and 740
Disposition	RCW 10.98.090
Audit Compliance Report	RCW 10.98.100

