<INSERT AGENCY NAME>

Fingerprinting Process

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| *The purpose of this template is to assist your agency in creating its own procedures. These are the minimum topics that must be covered:*   1. *The items below in red must be specific and reflect your agency’s current practices.* 2. *Remove any items that are not applicable to your agency.* 3. *Formalize with the date and your agency name.* 4. *Remove the red box once the procedure is updated and completed.*   *If your procedure does not reflect the actual practice at your agency, then you will be found out of compliance.*  *ACCESS Section revised June 2023* |

* 1. **Fingerprinting Process**

Fingerprints, with the Originating Agency Identifier (ORI) and reason added, shall be submitted to the Washington State Patrol (WSP) for processing and forwarding to the Federal Bureau of Investigation (FBI).

**<DELETE ANY PART OR SECTION OF THE BELOW IF IT DOES NOT APPLY>**

Fingerprints will be submitted either on paper fingerprint cards provided to <Insert Agency Name> by the WSP, or via the LiveScan Machine at the <Location of LiveScan>. Individuals that live out of the area may have their fingerprints taken at any law enforcement agency, but the cards must be properly identified and labeled appropriately (see examples below):

Fingerprint cards submitted for Concealed Pistol Licensing (CPL) purposes shall have the <Insert Criminal Justice Agency Name> ORI number, WAXXXXXXX, and the reason for fingerprinting will be **CPL.**

Fingerprint cards submitted for Criminal Justice Applicant purposes shall have the <Insert Criminal Justice Agency Name > ORI number, WAXXXXXXX, and the reason for fingerprinting will be **CJA.**

Fingerprint cards submitted for Criminal Justice Contractor purposes shall have the <Insert Criminal Justice Agency Name > ORI number, WAXXXXXXX, and the reason for fingerprinting will be **CONTRACTOR.**

Fingerprint cards submitted for authorized licensing purposes shall have the <Insert Non-Criminal Justice Agency Name> ‘Z-ORI’ number, WAXXXXXXZ, and the reason for fingerprinting will be: <Reason> (enter specific reason and add additional reasons, if applicable).

Fingerprint cards submitted for Housing and Urban Development (HUD) purposes shall have the <Insert Non-Criminal Justice Agency Name> ‘Q-ORI’ number, WAXXXXXXQ, and the reason for fingerprinting will be **PUBLIC HOUSING**

Fingerprint cards submitted for emergency child placement, shall have the

<Insert Non-Criminal Justice Agency Name> ‘T-ORI’ number, WAXXXXXXT, and the reason for fingerprinting will be **EMERGENCY PLACEMENT**.

Fingerprint cards submitted for **non-emergency** child placement, shall have the <Insert Non-Criminal Justice Agency Name> ‘Z-ORI’ number, WAXXXXXXZ, and the reason for fingerprinting will be **PL 101-630**.

**<DELETE ANY PART OR SECTION OF THE ABOVE IF IT DOES NOT APPLY>**

* 1. **Results**

WSP will deliver the Criminal History Record Information (CHRI) results from the fingerprints to the WATCH Web Portal account on file with the WSP. The employee making the determination shall review the results, make the determination, and immediately delete any ‘no-record; responses. Positive CHRI responses may be saved in the same password-protected and encrypted state it was received from WSP until the *Right to Review and Challenge* (Section 3)period has expired or the applicant indicates they do not wish to challenge.

The CHRI results shall not be saved on any external device or to another location on the agency’s network and shall not be printed.

Any computers used to access the CHRI responses via email are subject to the Media Disposal policies required by the CJIS Security Policy (*See Agency Media Disposal policy*).

* 1. **Right to Review and Challenge Results**

All applicants will be provided a copy of the *Non-criminal Justice Applicant’s Privacy Rights* document and the *Privacy Act Statement* document prior to being fingerprinted. Applicants may request a copy of their state and federal CHRI response in writing from the agency who conducted the background check. The written request to review and challenge shall be retained for one year.

<Insert Agency Name> will allow reasonable time for an applicant to request this information. Otherwise, the CHRI shall be destroyed when it is no longer needed.

Applicants who wish to challenge their Washington State criminal history record will need to contact the Washington State Patrol (WSP) at 360-534-2000 or email [crimhis@wsp.wa.gov](mailto:crimhis@wsp.wa.gov)

Applicants who wish to challenge their FBI criminal history record will need to contact the FBI using the information provided on the *Non-criminal Justice Applicant’s Privacy Rights* document.

**4. Name-Based Checks for Emergency Placement**

**<DELETE THIS ENTIRE SECTION IF AGENCY IS NOT AUTHORIZED TO CONDUCT EMERGENCY CHILD PLACEMENT>**

For emergency placement, <Insert Non-Criminal Justice Agency Name> will request a name-based criminal history check be submitted by the authorized <Insert Criminal Justice Agency Name>. Emergency placement refers to those instances when a child needs to be placed due to being taken into protective custody or as a result of a sudden unavailability of the child’s primary caretaker. Emergency checks are not for non-emergent placement, planned placement changes, or child protective services investigations.

The request for this name-based preliminary check will be made by contacting the designated staff at the <Insert Criminal Justice Agency Name>. The name-based checks must be submitted using ORI/WAXXXXXXT and use purpose code “X”.

The results of the name-based check may be shown to the Non-Criminal Justice Agency (NCJA) employee making the determination in person (do not email results) or may be provided verbally.

If the results reveal that an individual aged 18 years old or older in the home that has a disqualifying offense pursuant to <Insert Non-Criminal Justice Agency Name’s> policies, <Insert Non-Criminal Justice Agency Name> shall not place the child in the home. Disqualifying offenses and relevant factors when assessing results are outlined in <Insert Non-Criminal Justice Agency Name> general policies.

**The name-based check is only preliminary; it must be confirmed by a fingerprint check within 15 calendar days of the preliminary check. If any individual fails to provide fingerprints within 15 days, the child shall be removed from the home.**

Individuals who are denied as a result of preliminary name-based checks may contest their denial and submit a complete set of fingerprints through normal fingerprint process outlined in Section 3.

<Insert Non-Criminal Justice Agency Name> will keep a log of all individuals checked pursuant to this section. The log will be subject to audit and will include:

* Names of all individuals checked
* Date the name-based search was conducted
* Deadline for fingerprinting for applicants/emergency placements
* Fingerprint appointment date
* Name of caseworker making the request
* Associated case number and child’s initials