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# **CENTRALIZED FIREARMS BACKGROUND CHECK PROGRAM IMPLEMENTATION PLAN**



**December 1, 2020**

**Developed by:**

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in partnership with SEARCH and Briskin Consulting LLC**

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**AOC**

Administrative Office of the Courts.

**ATF**

Bureau of Alcohol, Tobacco, Firearms and Explosives

**CFBC**

Centralized Firearms Background Check Program

**CFR**

Code of Federal Regulations

**CJIS**

Criminal Justice Information Services (FBI)

**CPL**

Concealed Pistol License

**CSA**

CJIS Systems Agency

**DES**

Department of Enterprise Services

**DOL**

Department of Licensing

**FBI**

Federal Bureau of Investigation

**FFL**

Federal Firearms Licensee

**FTA**

Firearms Transfer Application

**FTE**

Full-time equivalent

**HCA**

Health Care Authority

**(III)**

Interstate Identification Index

**LInX-NW**

Law Enforcement Information Exchange - Northwest

**NCIC**

National Crime Information Center

**NCIS**

Navy Criminal Investigative Service

**N-DEx**

National Data Exchange

**NICS**

National Instant Criminal Background Check System

**NICS Indices**

NICS database

**Nlets**

International Justice and Public Safety Network

**NTN**

NICS Transaction Number

**OCIO**

Office of the Chief Information Officer

**OFM**

Office of Financial Management

**POC**

Point of Contact

**RFI**

Request for Information

**RFP**

Request for Proposal

**SAW**

Secure Access Washington

**SOP**

Standard Operating Procedures

**STN**

State Transaction Number

**TIN**

Transaction Identification Number

**TSB**

Technology Services Board

**WACIC**

Washington Crime Information Center

**WASIS**

Washington State Identification System

**WASPC**

Washington Association of Sheriffs and Police Chiefs

**WATCH**

Washington Access to Criminal History

**WIN**

Western Identification Network

**WSP**

Washington State Patrol

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Federal law requires firearms dealers to conduct a background check of potential buyers prior to transferring a firearm. In most states, dealers conduct the background check through the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS). Federal law allows states to establish their own background check process, in which dealers within the state conduct the check through a state or local law enforcement agency. Thirteen states currently take responsibility for all firearms background checks in their jurisdiction, while another seven states—including Washington State—have adopted a hybrid model in which background checks for some types of firearms go through the state at the local law enforcement level, and the rest are handled by the FBI NICS.

In the 2020 Regular Session, the Washington State Legislature passed Engrossed Second Substitute House Bill 2467 (E2SHB 2467) to create a centralized point-of-contact firearms background check program within the Washington State Patrol (WSP). With this change, all background checks for firearms transfers in the state (including long guns and “other firearms” previously checked through FBI NICS) will be processed by the WSP. In the 2020 Session, the Legislature also directed the WSP to develop a plan for implementing the new program, and to present the plan to the Legislature and Governor by December 1, 2020. This document contains the implementation plan.

The plan suggests that the new program will be fully operational on January 1, 2024, with a gradual transition starting in September 2023. Key elements of the plan include:

- Requirements for software systems needed to support the new program:
  - A portal to be used by Federal Firearms Licensees (FFLs) to submit background checks;
  - A portal to be used by staff in the new division to process checks; and
  - Query automation technology to aggregate information from required sources and facilitate disposition of background checks
- A high-level technology architecture showing how technology systems will fit together within existing state government and WSP technology infrastructure, standards, and guidelines.
- Identification of inter-agency information-sharing requirements and architecture, developed with the assistance of an interagency working group during the planning project.
- Creation of a new division at the WSP with 62 full-time equivalent (FTE) staff needed to process approximately 600,000 background checks annually.
- Identification of specific roles and positions, including position descriptions, and a training plan for the staff.
- Requirements for facility space that will house the staff of the new division, including size and type of space in accordance with Office of Financial Management (OFM) space use

## Executive Summary

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guidelines, and detailed planning for technology equipment, furnishings, and tenant improvements.

- Modeling of two scenarios for facility location: the Helen Sommers Building on the Capitol Campus in Olympia, and an alternative space elsewhere in Thurston County.
- An inventory of state laws and regulations potentially impacted by the creation of a centralized firearms background check program.
- Identification of significant assumptions and risks associated with the implementation and mitigation strategies for these risks.
- A spreadsheet cost model for the program, with variables corresponding to significant assumptions, allowing the WSP to examine the impacts of changes in the volume of background checks, costs of technology and equipment, staffing levels, etc.
- A detailed budget, broken down by high-level budget categories, with an initial annual operations cost of \$8.7 million and total startup costs of \$6.7 million in fiscal years 2021-2023.
- Consideration throughout the plan of the impacts on program size and cost if the program is directed to support annual rechecks as envisioned by Initiative 1639 (which would increase the new division to a staff of 96 FTEs and an initial annual cost of \$12.8 million).

Federal law requires firearms dealers to conduct a background check of potential buyers before allowing a transaction to proceed.

- In most states, dealers conduct the background check through the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS).
  - The FBI NICS background check searches national data sources, such as state and federal criminal history records through the Interstate Identification Index (III), National Crime Information Center (NCIC) warrants, NCIC protection orders, and a central NICS database (called the NICS Indices) containing state and federal prohibitors concerning misdemeanor domestic violence convictions and involuntary mental health commitments, among other factors.
  - Federal law allows states to establish their own background check process, in which dealers within the state conduct the check through a state or local law enforcement agency. Thirteen states currently take responsibility for all firearms background checks in their jurisdiction, while another seven states have adopted a hybrid model in which background checks for some types of firearms go through the state and the rest are handled by FBI NICS.

Currently, Washington State is one of the seven states with a hybrid model, in which background checks for semi-automatic rifles and handguns are conducted through the local law enforcement agency with jurisdiction at the buyer's address, while checks for long guns and "other firearms" (frames and receivers) go through FBI NICS.

In the 2019 Regular Session, the Washington Legislature directed the Office of Financial Management (OFM) to conduct a feasibility study of migrating the state to a centralized, full point-of-contact system, in which a single entity conducts all checks for all firearms purchased in the state.

- In the study published in November 2019, OFM recommended that the state should indeed migrate to a full point-of-contact system, and that the WSP be designated as the entity responsible for conducting the checks.
- In the 2020 Regular Session, the Legislature passed E2SHB 2467 to designate the WSP as such, and to implement other measures recommended by OFM.

The 2020 Legislature also directed the WSP to develop a plan for implementing a Centralized Firearms Background Check (CFBC) program [see ESSB 6168 Section 402(14)]. This document sets forth this plan and represents research and analysis conducted from April-November 2020. The planning effort included:

- A detailed review of Washington State and federal laws, policies, and processes concerning firearms transfer background checks;
- Consultation with staff at the WSP and other Washington State government agencies, including a review of information gathered by the Department of Licensing (DOL) in 2019 as part of their firearms database modernization project, which included learnings from a focus group of Federal Firearms Licensees (FFLs);

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- Interviews with officials in other full point-of-contact states and reviews of those states' technology solutions, staffing models, policies, and procedures;
- Consultation with a group of volunteer representatives from FFLs in October 2020. This group provided valuable insight into the benefits of, and challenges with, the current hybrid, decentralized approach to firearms background checks in Washington State and offered to provide further input as the WSP proceeds with implementation.

The resulting plan identifies the strategies, actions, organizational structures, technologies, staffing, facilities, and budget necessary to implement the CFBC program within the WSP.

## Program Overview

The CFBC program will provide background check services necessary for FFLs (also known as "firearms dealers"), persons receiving firearms, local law enforcement agencies, and other stakeholders to comply with state and federal laws on the transfer of firearms. The program will provide these services via a centralized, streamlined, single point-of-contact system hosted by the WSP. To the extent practicable, the program will provide services online, enabling stakeholders to request background checks and receive results with a minimum of time and effort, while still ensuring a thorough search of all required data sources.

Successful operation of the program will be the responsibility of a new division within the WSP. Consistent with the WSP's standard organizational model, the CFBC program will operate under the direction of a Division Commander and Assistant Division Commander. As detailed below, it is expected that this program will employ 62 staff.

The primary duties of program staff will be to complete background checks that cannot be resolved automatically; these checks occur due to ambiguity in background check results, or the need to interpret records found in a search to determine whether they contain evidence of a reason to prohibit the subject from legally possessing a firearm. The staff will require skills and experience in federal and state firearms laws and the nature of the systems and data sources searched during a background check; because these factors frequently change, ongoing training will be important in ensuring the effectiveness of the staff in conducting checks.

As required by E2SHB 2467, a background check advisory board will serve to ensure that the CFBC program "is administered efficiently and effectively, and in a manner that honors individual firearms rights while preventing prohibited persons from obtaining firearms." The board held its first meeting on October 6, 2020. E2SHB 2467 requires the board to meet monthly until the CFBC program is operational, then quarterly thereafter. The board includes representatives from the WSP, local law enforcement, firearms dealers, and the general public.

## System Description

The primary way for FFLs to submit a background check will be via a Firearms Dealer Portal system that they can access via a web browser on a laptop, desktop computer, or a mobile device. FFL staff will enter up to fifteen pieces of information about the transferee (purchaser) obtained from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Form 4473 and Washington State Firearm Transfer Application that the transferee completes as part of the transaction. The information will be processed through a “federated query” that automatically searches all databases required by federal and state law, and attempts to resolve the check in an automated, “lights-out” fashion. If any ambiguity or uncertainty exists, the check will be placed in a queue (along with the retrieved records from the searched databases) for review and resolution by CFBC program staff at the WSP. The staff will use a browser-based web application, called the CFBC Staff Portal system, to manage and track their review, including capturing the results of further research.

Once a background check is resolved, a notification of the disposition is transmitted automatically to the FFL (via email or a notification within the Firearms Dealer Portal). If the disposition is to deny the transaction, additional notifications required by federal and state law will occur electronically. If a denied transferee elects to appeal, CFBC program staff will track the appeal using the CFBC Staff Portal system.

Records associated with denied transactions will be retained indefinitely, in accordance with state law. Records of approved transactions will be purged of personally identifiable information—only a transaction identifier, as well as information about the date and time of the background check request, the type of firearm, and other non-personal information necessary to track performance metrics of the CFBC program and properly invoice FFLs—will be retained.

The “federated query” will include linkages to data sources within Washington State as well as federally maintained sources at the FBI. An interagency working group will design these interfaces, based upon the requirements the group has identified during the planning effort and captured in the **Interagency System Integration** section of this plan.

This plan includes the possibility that the CFBC program could perform all background checks associated with firearms, including those not directly related to firearms purchases, and not required under current law.

- For instance, background checks for concealed pistol licenses (CPLs) would be initiated at local law enforcement agencies (with the capture of fingerprints for original CPL applications and submission of name-based background checks for CPL renewals); these checks will leverage existing WSP-provided technology systems to facilitate submission of the information to the CFBC program (Live Scan for fingerprints and the WSP Washington Access to Criminal History (WATCH) portal for name-based checks).
- Similarly, local law enforcement agencies would use the WATCH portal to submit background checks prior to returning firearms to owners from evidence or seizure as required by law. Finally, the DOL will submit (or the WSP would retrieve from DOL) the information necessary to conduct the annual “recheck” background checks required by

## Purpose

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Initiative 1639, with any rechecks that find Washington State prohibitors being transmitted to the appropriate law enforcement agency via the WATCH portal.

## Assumptions and Constraints

In developing this plan, it has been necessary to make a set of assumptions and identify a set of constraints that apply to the CFBC implementation project. The planning team developed a “cost model” spreadsheet, based upon a similar model created by OFM during the 2019 feasibility study, that quantifies as many of these assumptions and constraints as possible, and calculates anticipated budget and key metrics based on the assumptions. Altering assumptions to assess their impact on the budget is a simple matter of changing the values of assumption variables in the spreadsheet and examining the automatically updated budget and metrics. The spreadsheet is available as an electronic appendix to this document.

There are many detailed assumptions underlying this implementation plan; these are mentioned throughout the plan in the sections where they are relevant. The following summary identifies the most significant assumptions in key areas.

## Scope and Organizational Assumptions

The plan makes the following assumptions concerning the scope of background checks for firearms transfers in Washington State and the organizational structures and practices at the WSP necessary to implement the program.

### Stability of Data Sources Consulted in the Check

The plan assumes the current requirements of federal and state law regarding the data sources to be considered in a firearms transfer background check will remain stable within the planning horizon (calendar year 2030). The addition of new legal requirements to consult information not currently part of the background check would likely increase the cost of operating the program.

### Uncertainty Concerning Annual Rechecks of Handgun and Semi-automatic Rifle Transferees

Initiative 1639 required that DOL, the WSP, and local law enforcement agencies develop a cost-effective and efficient process for conducting an annual background check for any transferee of a handgun or semi-automatic rifle (SAR). The “annual rechecks” envisioned by Initiative 1639 have not yet been implemented across the state. This implementation plan assumes that the Initiative 1639 annual background checks would be performed by the new CFBC program, not local law enforcement agencies.

Because Initiative 1639 has not yet been fully implemented, the plan’s forecasts of budget, staffing, and facilities are presented under two assumptions:

- The status quo without annual rechecks; and
- The assumption that Initiative 1639 is fully implemented.



### **Local Law Enforcement Agency Information will be Available via LInX-NW**

A strength of the current background check approach in Washington State, in which local law enforcement agencies conduct background checks for handgun and semi-automatic rifle transfers, is the ability of those agencies to consult local sources of information for potential prohibitors. These local sources of information, such as incident report narratives and misdemeanor arrest records, are typically unavailable in the national-level databases used by the FBI NICS Unit to conduct firearms background checks. The OFM feasibility study highlighted the benefits of continuing to include these records as Washington State moves to a centralized point-of-contact approach. E2SHB 2467 requires that background checks in the new centralized program include a check of the FBI National Data Exchange (N-DEx) system as a means of including local data in the check.

During the implementation planning project, the team learned that N-DEx is not currently available for use as a primary source of information in firearm background checks (though it is available as a source for follow-up research when primary sources are inconclusive). However, the Law Enforcement Information Exchange - Northwest (LInX-NW) system maintained by the Navy Criminal Investigative Service (NCIS) includes much of the same local law enforcement information, and could, with the approval of the LInX-NW governance board, be used as a primary source. Given the LInX-NW board's approval in November 2020 of WSP's request to use the system for this purpose, the plan assumes that LInX-NW will be the primary means through which local law enforcement records are available for the background checks conducted by the CFBC program. Further, the plan assumes that the current statutory requirement to include N-DEx in the background check will be changed to grant the WSP the flexibility to use LInX-NW instead, and potentially future data sources that may become available.

### **WSP Organizational Structure and Facilities**

The plan assumes that the CFBC program will be housed in a new division at the WSP. This assumption is consistent with existing practice at the WSP for a function with the staffing level envisioned for the new program.

The plan assumes (and forecasts costs for) two possible scenarios for physically housing the staff in the CFBC program: utilizing space in the Helen Sommers Building or leasing office space at market rates elsewhere within Thurston County. The choice among these scenarios will be made during the implementation project.

### **Staffing Mode**

The plan assumes that the predominant mode of working in the CFBC program unit will be to work in the program unit office setting, with teleworking arrangements made on a staff-by-staff basis based on individual circumstances. The plan assumes that shared workspaces could be used in accordance with OFM's Space Use Guidelines and where the responsibilities of specific staff roles make shared workspaces viable.

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### Relevance of Lessons from Other Point-of-Contact States

The plan assumes that the experiences of the twelve states that currently use centralized point-of-contact firearms background check systems are relevant for planning Washington State's program. This assumption has led to the planning effort's close examination of the lessons learned in these other states and the reflection of these lessons learned in the implementation plan.

### Firearms Subject to the Provisions of the National Firearms Act

The plan assumes that the process for transferring firearms subject to the National Firearms Act will continue to involve the approval of an application for the transfer by ATF. Prior to the transfer, the FFL will conduct a background check through the CFBC program at the WSP, as described in this plan.

### Change to Implementation Date

The plan assumes that the expected date of full implementation of the point-of-contact background check system (January 1, 2023) that the WSP used for estimating purposes in the fiscal note for E2SHB 2467 will be changed. As noted in the plan below, based on the range of tasks that must be completed for an effective background check system to be in place, the WSP believes that the program will be fully operational no earlier than January 1, 2024. A phased approach to program initiation, in which "early adopter" FFLs will start using the new program for background checks, will begin in September 2023; new FFLs will be added incrementally between September 2023 and January 1, 2024.

### Relative Complexity of Annual Rechecks

The plan assumes that annual rechecks required by Initiative 1639 will, on average, be less complex than checks for new transfers, due to the fact that everyone being rechecked has successfully passed a firearms background check in the past. Specifically, the plan assumes that 60% of rechecks will reach determination in "lights-out" fashion (i.e., involving no manual intervention or research); 30% will reach determination with no more than five minutes of research and investigation by CFBC program staff; and the remaining 10% will require more intensive research.

## Assumptions Concerning the Volume of Background Checks

The plan makes the following assumptions concerning the volume of background checks for firearm transfers in Washington State.

### Total Annual Volume and Annual Growth

According to the FBI<sup>1</sup>, the average number of firearms background checks conducted in Washington State over the past five years was 606,085, with the count each year being as follows:

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<sup>1</sup> See [https://www.fbi.gov/file-repository/nics\\_firearm\\_checks\\_-\\_month\\_year\\_by\\_state.pdf/view](https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year_by_state.pdf/view)



Year	Background Checks
2015	502,280
2016	713,996
2017	579,678
2018	627,301
2019	607,170

The plan assumes that the CFBC program will process 600,000 checks in calendar year 2024 (the first year of operation) and that the volume of checks will grow at a rate of 1% per year.

**Distribution of Checks by Type and Fee Applicability**

In 2019, the volume of checks by type was as follows (according to the FBI’s annual statistics<sup>2</sup>):

Type/Purpose	Count	Percent
FFL Transfers	389,649	64.2%
Concealed Pistol License (CPL) Permits (including renewals)*	174,949	28.8%
Returned from Evidence*	7,677	1.3%
Pawn (pre-pawn and redemption)*	20,765	3.4%
All Others*	14,130	2.3%

\* Under current law, background checks for these purposes are not required to be processed by the new CFBC program.

The plan assumes that all of these background checks will be processed through the CFBC program, with 65% of them, the FFL transfers, currently subject to the maximum \$18 fee authorized by E2SHB 2467. The plan assumes that CPL checks, checks performed by pawn shops, and checks conducted prior to return of a firearm to its owner from law enforcement custody if these checks are required to go to the CFBC program.

**Volume of Checks per Day**

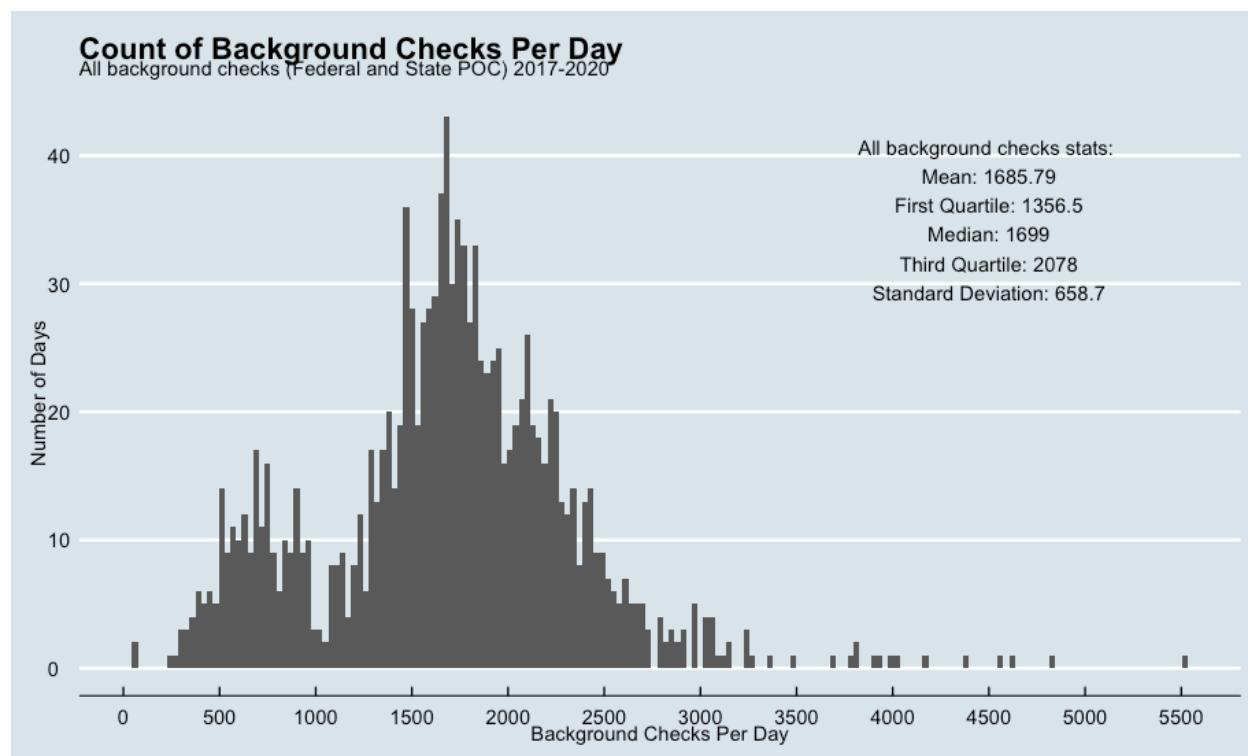
In planning the capacity of the CFBC program unit, it is important to consider the typical daily volume of checks, which from the experience of other point-of-contact states is known to vary considerably throughout the year. For example, days such as “Black Friday” (the day after

<sup>2</sup> [https://www.fbi.gov/file-repository/nics\\_firearm\\_checks\\_-\\_year\\_by\\_state\\_type.pdf/view](https://www.fbi.gov/file-repository/nics_firearm_checks_-_year_by_state_type.pdf/view)

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Thanksgiving) and other days throughout the year that see large retail shopping volumes in general are commonly days with an abnormally large number of firearm sales (and background checks). Planning for adequate staffing and facilities space should take the distribution of checks per day into account.

From January 2017 through May 2020, the distribution of the number of Washington firearms background checks per day was as follows:



The median number of checks per day is 1,699; 75% of days have 2,078 checks or fewer each day. In nearly three and a half years, there were fewer than 30 days with more than 2,500 checks.

The plan bases staffing on the CFBC program unit maintaining capacity to process 2,100 background checks per day.

### Volume of Annual Rechecks under Initiative 1639

The plan assumes that 1.3 million background checks will be required each year under the annual recheck provisions of Initiative 1639. This is based upon information from the Department of Licensing that approximately 1.3 million unique person records reside in the DOL firearms database as of May 2020.

## Budget Assumptions

The plan makes the following assumptions concerning the costs and revenues for the CFBC program.

### Detailed Cost Assumptions

The cost model spreadsheet contains many detailed assumptions concerning the costs of operating the CFBC program, including:

- Salaries for all positions involved in staffing the program unit (obtained from OFM salary basis information).
- Indirect and fringe benefit rates (provided by WSP fiscal staff).
- Percentage of checks requiring each of four levels of research intensity (from no research to significant research) and the per-check time required for each level of research (based upon experiences in other states).
- Facility lease costs (based on market rate data provided by OFM).
- Standard WSP budgeting assumptions regarding travel, training, equipment and furnishings, etc.

Consult the cost model spreadsheet for the detailed values for each of these variables in the model.

### Revenue Assumptions

The plan assumes that the \$18 maximum per check fee authorized by E2SHB 2467 applies only to background checks for transfers performed through FFLs. It assumes that the fee will be charged per transaction, not per firearm (so if a transferee purchases multiple firearms in one transaction, there would be only one background check and one fee charged).

The Plan assumes that there will continue to be no fee charged to local law enforcement agencies for usage of the WATCH Portal to check on the status of (or obtain results of) background checks.

The plan (and budget) assume that the Legislature will provide a revenue source for other firearms background checks performed by the CFBC program, notably:

- Concealed Pistol License (CPL) checks.
- Checks performed prior to transferring firearms from law enforcement custody and from pawn shops.
- Annual rechecks required by Initiative 1639.

See the budget section below for the annual expected costs of performing each of these types of background checks.

## Purpose

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### Technology Assumptions

The plan makes the following assumptions concerning the technology implemented for the CFBC program.

#### Importance of Software and Automation

The plan assumes that well-designed, effectively implemented, high-quality software is critical to achieving the expected level of efficiency and effectiveness in the CFBC program. Assumptions underlying the budget (especially those related to the time required to submit and complete background checks) are dependent on the existence of software to support the program.

Similarly, the efficiency of the CFBC program and timeliness of completing firearms background checks are dependent upon automated querying of data at the WSP, the Administrative Office of the Courts (AOC), the Health Care Authority (HCA), and local agencies via LInX-NW.

#### Implementation of New Technology

The plan assumes that no existing software systems at the WSP exist that could meet the requirements (documented during the planning project) necessary to support the CFBC Program. [Many existing systems, such as the A Central Computerized Enforcement Service System (ACCESS) Message Switch, Washington Crime Information Center (WACIC), Washington State Identification System (WASIS), and others will provide *interfaces* to the CFBC software subsystems in order to connect existing data sources or business processes to those subsystems.]

Based upon research conducted during the planning project, the plan assumes that the technology implemented for the CFBC program will involve a significant amount of custom software development (i.e., there is no commercial off-the-shelf software solution that satisfies a significant portion of the identified requirements).

#### Adherence to State and WSP Information Technology Policies and Standards

The plan assumes that the implementation of CFBC program technology will adhere to all applicable state and agency information technology policies, standards, guidelines, and processes. The plan assumes that technology implementation will occur under the oversight of the Office of the Chief Information Officer (OCIO) and will report status regularly to OCIO and the Technology Services Board (TSB).

The plan assumes that implementation of the CFBC program will be facilitated by a qualified project manager, technical architect, and a quality assurance contractor, who together will ensure adherence to all applicable policies and standards.

#### Procurement of Software from a Commercial Source

The plan assumes that the WSP will procure the software for the CFBC program from a commercial source, rather than utilizing WSP information technology staff to build the software

in-house. As noted above, the plan assumes that implementation of the CFBC program technology will involve significant custom software development—the WSP expects that this software development will be performed by a commercial vendor engaged for this purpose.

The plan assumes that the WSP will complete a successful procurement for all documented required subsystems by September 2021 (so that work on building and implementing the software can begin immediately thereafter).

### **Successful Implementation of Agency Information-Sharing Interfaces**

The plan assumes that data necessary for a firearms background check will remain under the ownership and control of the agencies that source the information. The plan does not envision the creation of a centralized database or index into which agencies place records for consultation during a background check.

The plan assumes that AOC, HCA, and the WSP will successfully implement reliable and secure interfaces to the existing systems that contain information necessary for a firearms background check. It assumes that agencies will conform to the technical requirements vetted with the interagency working group during the planning project, as documented in the **Interagency System Integration** section.

### **Availability of Telephone Submission of Background Checks**

The plan assumes that 90% of background checks will be submitted via the new web portal that will be implemented as part of the CFBC program. It assumes that most FFLs would prefer the convenience and speed of submitting background checks online. However, the plan also recognizes that some FFLs will prefer to submit checks over the phone to the WSP, and others might typically submit checks online, but will occasionally submit via phone for circumstantial or technical reasons.

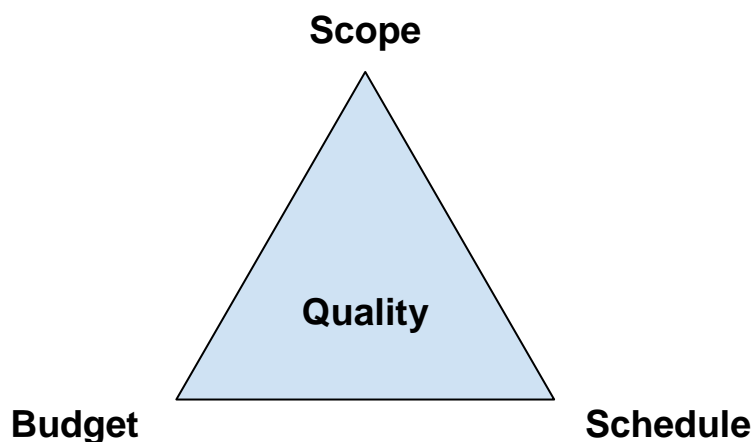
The plan assumes that telephone submission of checks will be available during normal FFL business hours and adjusted as needed to meet demand.

## **Constraints**

As with any project, the implementation of the CFBC Program at the WSP will be subject to a set of constraints that establish boundaries around how the project proceeds, and in particular how it can respond to unforeseen circumstances. Project constraints are often depicted geometrically, by thinking of a project as a triangle whose area represents quality and whose vertices represent constraints of scope, schedule, and budget:

## Purpose

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The point of the triangle metaphor is to express the interconnectedness of the constraints and their impact on quality:

- The length of the sides of the triangle represents the fact that if scope changes (i.e., the project is asked to accomplish more), then typically budget and schedule will need to increase to keep quality of deliverables at an acceptable level.
- In general, it is possible to make tradeoffs among the constraints. For instance, if circumstances necessitate a cut to the project's budget, then removing deliverables from the project scope will typically be necessary. Often a project can move faster, but at higher cost (assuming scope remains constant).
- Pretending that constraints do not apply is a common source of perceived project failure, and often manifests as sacrificing quality.

It is important to note that the exact relationships between the constraints on any non-trivial project cannot be known with precision. That is, it is common to learn during a project that initial estimates of schedule or budget for a given scope of work were wrong. This should not be seen as failure, but rather taking advantage of normal learning and obtaining new information that occur during a project. Effective project management, accountability, and governance are all key mechanisms to ensure ongoing balance of constraints. Executive sponsorship and stakeholder engagement are important in ensuring that tradeoffs among the constraints are decided consciously and by people with appropriate decision-making authority. Project management and accountability practices ensure that scope, budget, and schedule are tracked, quantified, and communicated on a frequent, regular basis so that "surprises" are minimized.

In addition, well-managed projects identify risks to express where the constraints are most likely to flex. These risks are monitored closely by the project manager, executive sponsor, and project governance mechanisms. The project team should devote the necessary resources to focus learning and information-gathering on reducing risks, and to development of mitigation strategies to cover the contingency of constraints (and estimates) changing as the project proceeds.

This metaphor highlights the following applicable constraints bounding the CFBC program implementation project:

- The scope of firearms transfer background checks is mostly defined in federal and state statutes, which are in turn grounded in decades of experience and practice in conducting these checks. Reducing the scope of the CFBC program would generally require changes to these statutes. At the same time, potential changes to federal and Washington State law are an important source of potential expanded scope.
- Given the importance of firearms background checks to public safety and the importance to the WSP of fulfilling its obligations in conducting these checks, sacrificing the quality of services provided by the program will be unacceptable.
- The budget for implementation of the CFBC program will be established through the normal biennial budget process in state government. As a result, the budget constraint will generally be fixed formally on an annual basis.
- The schedule constraint is perhaps the most flexible of the four, since the current background check process can remain in place until the new program is operational. Although initially estimated to begin operation on January 1, 2023, as noted above and throughout the plan, the WSP has determined that this transition date is not feasible. The plan assumes that the CFBC program will be operational on January 1, 2024.
- The **Risks** section of the implementation plan describes the predominant risks identified by the WSP and the implementation planning team. As the implementation project begins, further risk identification and mitigation should be a primary focus of the WSP and the implementation project manager.

## Program Organization

The CFBC program will be the responsibility of a new division within the WSP, under the leadership of a Division Commander and Assistant Division Commander. A staff of background check specialists will perform about 1,700 firearms background checks on the typical day, working in overlapping shifts that cover normal business hours in the firearms retail sector. The Office of the Attorney General will provide legal services through a combination of attorney and paralegal staff; these services will support the background check specialists by providing legal research, investigations into the equivalency of laws in other states, and other expert guidance as necessary. Dedicated IT support staff from the WSP Information Technology and Electronic Services Divisions will provide support for technology infrastructure and software subsystems, while the selected vendor will support the CFBC portal software.

A Background Check Advisory Board established by E2SHB 2467 will ensure that the CFBC program is administered efficiently and effectively, and will provide guidance to the WSP during the implementation project.



## Purpose

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The CFBC program will conduct all firearms-related background checks in Washington State. These background checks include approximately 425,000 annual checks required by state and federal law prior to the transfer of a firearm, as well as approximately 175,000 annual fingerprint-based checks required prior to issuance of a CPL permit. (The plan envisions that local law enforcement agencies would continue to issue CPL permits, but that the CFBC program would conduct the background check for them.) If required to do so, the CFBC program will also conduct approximately 1.3 million annual rechecks of transferees who have purchased handguns and semi-automatic rifles.

The CFBC program staff will be housed at an office facility in Thurston County. Preferably, the unit will occupy space in the Helen Sommers Building in Olympia, where the existing WSP Criminal Records Division and other WSP Headquarters programs reside. The implementation project will also consider leasing private sector office space elsewhere in Thurston County, with a final decision on facility location to be made no later than the summer of 2023. Due to the nature of background check specialists' daily duties, a shared workspace model can be employed for some staff to reduce facilities and equipment costs without negatively impacting operations.

The primary mechanism by which FFLs will submit background checks to the CFBC program will be via a web-based portal. FFL retail staff will use Secure Access Washington (SAW) to authenticate with a unique username and password and, once authenticated, the portal will recognize their association with a specific FFL. The FFL staff will enter about 15 data elements into a background check submission form, using information provided by the prospective transferee on the ATF Form 4473 application and the state firearms transfer application. Telephone submission of the background check will be available for FFLs that prefer to submit checks via phone, or for situations when internet connectivity is unavailable.

The portal will route a submitted request to automated query software that will, without manual intervention, contact databases at the WSP, AOC, HCA, and the LInX-NW system. The query software will evaluate any responses that are returned by these systems and attempt to determine the disposition of the check automatically, using rules that the WSP defines during the implementation project. Based upon the experiences of other states, the WSP expects that about 30% of checks will be disposed automatically; in these cases, a notification (consisting only of "proceed" or "deny") is sent to the FFL, who proceeds accordingly with the transaction. Checks that cannot be disposed automatically will be queued for review by a background check specialist in the CFBC program unit. A large percentage of such checks involve resolving minor name mis-matches or other circumstances that the background check specialists can resolve quickly; a relatively small percentage require more extensive research.

At any time during the processing of a background check, an FFL can use the FFL portal to check on the status of the check.

If a background check results in a denial of a transfer, the prospective transferee may appeal; appeals will be handled by the CFBC program unit, using information retained indefinitely for denied transactions. The software supporting the CFBC program will also automatically send



notifications of denied transactions to the Washington Association of Sheriffs and Police Chiefs (WASPC), the FBI NICS Unit, and local law enforcement agencies as required by law.

The CFBC program will maintain an extensive training program for the staff. Ongoing training has been an important element of successful point-of-contact background check programs in other states.

The budgeted startup cost for the CFBC program (costs prior to January 1, 2024) total approximately \$6.7 million. The annual cost of the first full fiscal year of operation (FY 2024) is approximately \$7.7 million (\$10.9 million if the CFBC program performs Initiative 1639 annual rechecks).

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This section identifies and describes the major components of the Implementation Plan.

## **Description of Implementation**

The implementation project will proceed as described in this section.

### **Fiscal Year 2021 (July 1, 2020 - June 30, 2021)**

The CFBC program implementation project will begin with engaging a contractor to provide project management, quality assurance, and system (technical) architecture services starting January 1, 2021. The main deliverables of this contract by June 30, 2021, are:

- Draft one or more request(s) for proposals (RFP) for the procurement of the software subsystems defined in the CFBC Requirements Model.
- Assist the WSP in conducting the procurement, including answering prospective vendor questions.
- Advise the WSP in reviewing responses to the RFP(s) and selecting a successful bidder.
- Support the WSP in contract negotiations with the successful bidder, to ensure that all elements of the CFBC Requirements Model are covered and that a proper system architecture will be followed in construction of the subsystems.
- Support the WSP in conforming to Office of the Chief Information Officer (OCIO) and Technical Advisory Board (TSB) requirements for project accountability, funding, quality assurance, etc.
- Work with technology staff from the Administrative Office of the Courts (AOC), Health Care Authority (HCA), Department of Licensing (DOL), and the WSP to initiate interagency system integration efforts, including development of test harnesses and environments to support development of the CFBC federated query subsystem.

The WSP will also conduct recruitments in spring 2021 for the first five staff in the CFBC program unit (Division Commander, Assistant Commander, two management analysts, and an administrative assistant). It is anticipated that these staff will begin working in the CFBC program in spring 2021, with the initial priorities of managing a successful procurement for subsystem vendor(s) and beginning work on interagency system integrations. Initial development of policies, procedures, and position descriptions for the remainder of the unit staff will also begin in late 2021.

*Note: CFBC Program implementation beyond the engagement of the project management/ system architecture consultant and initial recruitment activities in January-February 2021 will depend on budget and policy guidance from the 2021 Legislative session.*

## **Fiscal Years 2022-2023 (July 1, 2021 - June 30, 2023)**

The software subsystem vendor(s) will begin working on technology implementation in September 2021, with work proceeding over a two-year period ending in August 2023. It is premature in this implementation plan to provide a detailed schedule of software subsystem implementation, as such a schedule will depend upon the vendor's processes, the technology involved, the extent of custom development, and many other factors that cannot be known at this stage. However, it is anticipated that implementation of the subsystems will proceed incrementally and iteratively, with working software delivered on a regular, frequent schedule. At an early stage (ideally, within the first three months), the vendor will engage with representative users of the various subsystems to engage in user experience testing and overall functional testing of each subsystem. Over this period, CFBC program staff will work with the quality assurance and technical architecture consultants to identify a full suite of test scenarios, covering background checks with a wide variety of complexity.

Partner agencies will also develop interagency system integration interfaces during this two-year period. The WSP will convene regular meetings with representatives from these agencies (building upon the existing interagency working group established to support the implementation plan) to ensure effective communication and collaboration.

In the spring of 2023, the WSP will begin final acceptance testing of software subsystems with the vendor(s), simultaneously with production implementation of interagency information exchanges with partner agencies. By May 2023, the CFBC program will be running pilot test background checks through the FFL and staff portal subsystems, executing the full range of test scenarios under the guidance of the quality assurance and technical architecture consultants.

At the beginning of FY 2023, the CFBC program will begin a search for office space, working with the WSP and Office of Financial Management (OFM) facilities staff and the Department of Enterprise Services (DES) to decide on a final location for the unit. A decision to locate the unit at the Helen Sommers Building will necessitate an existing tenant vacating space in time for the CFBC program to finish tenant improvements by June 2023. A decision to lease space outside of the Helen Sommers Building will require the WSP to work with OFM and DES to locate space and arrange for tenant improvements to complete by June.

In January 2023, the WSP Electronic Services Division will begin acquisition of necessary networking equipment. Equipment will be installed and operational in the unit's office space by June 2023.

All policies, procedures, and training plans, will be ready for operational use by the end of FY 2023.

The WSP will begin recruiting for the remaining CFBC program unit staff in spring 2023. The final staffing plan, including all position descriptions, will be in place by March 2023 to support the recruitment of staff.

## **Fiscal Year 2024 (July 1, 2023 - June 30, 2024)**

FY 2024 is when the CFBC program will transition to full operational capability. In July 2023, staff will identify a small group of “pilot” FFLs that will begin submitting background checks to the program unit in September 2023.

To be able to conduct the first background checks with FFLs in September 2023, the CFBC program will need to complete full implementation of all software subsystems and interagency system integration components in August 2023, and have an initial core staff of background check specialists hired and trained in August as well.

Hiring of staff will proceed in tandem with a gradual addition of FFLs to the pilot participant group throughout the fall of 2023. From August-December 2023, software subsystem vendor(s) will transition to maintenance contracts, correcting defects, and implementing enhancements identified during the pilot period.

The WSP and CFBC program staff will focus in the fall of 2023 on assisting FFLs and local law enforcement agencies with transition to the program being fully operational on January 1, 2024.

## **Points of Contact**

<b>Role</b>	<b>Point of Contact</b>	<b>Contact information</b>
Executive Sponsor	Assistant Chief Rob Huss	(360) 704-2979
Program Manager (WSP)	Kateri Candee Assistant Division Commander Criminal Records Division	(360) 534-2103
Project Team Member (WSP)	Tom Wallace Chief Information Officer	(360) 596-4118
Project Team Member (WSP)	Jim Anderson Criminal Records Division Commander	(360-534-2101)
Agency Contact (AOC)	Shannon Hinchcliffe Office of Legal Services	(360) 357-2124
Agency Contact (HCA)	Kara Panek Division of Behavioral Health and Recovery	kara.panek2@hca.wa.gov
Agency Contact (DOL)	Neil Lutterman Business and Professions Division	nlutterman@dol.wa.gov
PM/architect contractor	TBD once procurement for contractor is complete.	

## Management Overview

Role	Point of Contact	Contact information
Subsystem contractor	TBD once procurement for contractor is complete.	
CFBC Division Commander	TBD once Commander is hired.	
Facilities Manager (WSP)	Brian Bottoms	(360) 584-5039
Information Technology Division Commander (WSP)	Scott Jarmon	(360) 596-4902
Electronic Services Division Commander (WSP)	Patrick Dunn	(360) 534-0601

## Major Tasks

The major tasks in the implementation plan are described in the following table:

Task	Responsible persons	Success criteria
Engage PM and architect contractor	Kateri Candee	Contractor engaged
Draft subsystem RFP	Kateri Candee PM/architect contractor	RFP posted
Conduct subsystem procurement	Kateri Candee PM/architect contractor	Qualified vendor selected
Subsystem contract negotiation	Kateri Candee	Contract executed
Finalize interagency system integration architecture	PM/architect contractor Partner agency architects	Agreement among agencies on integration approach
Implement subsystems	Subsystem contractor	Subsystems tested and deployed
Implement interagency interfaces	Subsystem contract Partner agency architects	Interfaces tested and deployed
Select CFBC Program unit facility	WSP Facilities Manager CFBC Division Commander	Lease signed
Complete tenant improvements	WSP Facilities Manager	Improvements completed
Implement network infrastructure	WSP ESD Division Commander	Network connectivity established
Install/configure staff desktop computers	WSP ITD Division Commander	Desktop computers installed

<b>Task</b>	<b>Responsible persons</b>	<b>Success criteria</b>
Finalize CFBC staff position descriptions	CFBC Division Commander	Position descriptions finalized
Finalize CFBC policies/procedures	CFBC Division Commander	Policies/procedures finalized
Finalize CFBC training strategy	CFBC Division Commander	Training strategy finalized
Finalize CFBC performance management strategy	CFBC Division Commander	Strategy finalized
Recruit CFBC Staff	CFBC Division Commander	Staff in place at budgeted/authorized levels
Identify pilot FFLs	CFBC Division Commander	Pilot FFLs identified
Complete transition to CFBC	CFBC Division Commander	All background checks handled by CFBC on 1/1/2024
Support advisory board	CFBC Division Commander	Board meets on prescribed schedule

## Implementation Schedule

The following Gantt chart depicts the implementation plan schedule at a high level. Timeline details for Personnel, Facilities, and Technology appear in those respective sections.

ID	Task Name	Start	Finish	2021	2022	2023
1	Engage PM and architect contractor	Fri 1/1/21	Sun 1/31/21	■		
2	Draft subsystem RFP	Mon 2/15/21	Sat 5/15/21	■		
3	Conduct subsystem procurement	Sun 5/16/21	Tue 6/15/21	■		
4	Subsystem contract negotiation	Wed 6/16/21	Tue 8/31/21	■		
5	Finalize interagency system integration architecture	Tue 2/16/21	Fri 4/30/21	■		
6	Implement subsystems	Wed 3/31/21	Fri 3/31/23	■		
7	Implement interagency interfaces	Sat 5/1/21	Fri 3/31/23	■		
8	Select CFBC Program unit facility	Fri 7/1/22	Tue 1/31/23		■	
9	Complete tenant improvements	Wed 2/1/23	Fri 6/30/23			■
10	Implement network infrastructure	Wed 2/1/23	Fri 6/30/23			■
11	Install/configure staff desktop computers	Mon 5/1/23	Fri 6/30/23			■
12	Finalize CFBC staff position descriptions	Fri 7/1/22	Fri 6/30/23		■	
13	Finalize CFBC Policies/Procedures	Fri 7/1/22	Fri 6/30/23		■	
14	Finalize CFBC Training Strategy	Fri 7/1/22	Fri 6/30/23		■	
15	Finalize CFBC Performance Management Strategy	Fri 7/1/22	Fri 6/30/23		■	
16	Recruit CFBC Staff	Sun 1/1/23	Fri 6/30/23			■
17	Identify pilot FFLs	Sat 4/1/23	Sat 9/30/23			■
18	Complete transition to CFBC	Fri 9/1/23	Sun 12/31/23			■
19	Support advisory board	Fri 1/1/21	Sun 12/31/23	■		



## Background

In November 2019, the Office of Financial Management (OFM) published a study titled, “Feasibility of a Single Point-of-Contact Firearms Background Check System.” The study recommended the creation of a new operational unit within the WSP to perform centralized firearms background checks, which is referred to herein as the CFBC program. This section of the implementation plan will revisit, validate, and revise (as necessary) the OFM Feasibility Study’s assumptions that impact the anticipated need for staffing (e.g., number of checks performed, percent of checks originating via an electronic “e-check” portal, percent of checks performed telephonically, percent of lights-out/instant proceeds, etc.).

To assist in validating these assumptions, the CFBC implementation planning team conducted interviews with officials in five states designated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as full point-of-contact (POC) states. The purpose of the interviews was to see how closely the assumptions from the feasibility study reflected the real-life experiences of similarly situated states. The states selected were Nevada, Oregon, Tennessee, Utah and Virginia, and they were picked because they all have long-standing programs and are recognized by the WSP as having successful operations. In fact, three of the states—Oregon, Nevada, and Virginia—had firearms background check programs prior to implementation of the FBI NICS, which went live in 1998 pursuant to the provisions of the Brady Bill.

For frame of reference, following are some basic facts about each of the NICS POC states interviewed:

- **Nevada**
  - Year POC program established – 1994
  - Number of Active Federal Firearms Licensees (FFL)<sup>1</sup> – 527
  - Number of Annual Inquiries of Firearms Background Check System (FBCS) – 100,000
  - Current Ratio of Employees to Checks Performed – 1: 6,667
  - Number of Full-Time Employees (FTEs) – 17 FTEs
  - Percent of Transactions Conducted Via Web Portal – N/A
  - Percent of Transactions Conducted Via Fax/Telephone – 100%
  - Percent of Immediate Proceeds (i.e., no records found in state and federal databases) – 90%
  - Percent of Checks Requiring Manual Research – 10%
  - Number of Checks Requiring Manual Research – 10,000
  - Current Ratio of Employees to Manual Checks Performed – 1: 667
  - Fee per transaction - \$25

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<sup>1</sup> The implementation planning team only inquired about active FFLs that conduct background ground checks through the respective state Point of Sale (POS) programs. Certain licensees (e.g., gun and gun part manufacturers) must acquire a Federal Firearms License, but they do not use the state POS systems as they are not selling firearms to the public.

- **Oregon**

- Year POC program established – 1996
- Number of Active FFLs – 1,700
- Number of Annual Inquiries of FBCS – 276,912
- Number of Full-Time Employees (FTEs) – 30 FTEs
- Current Ratio of Employees to Checks Performed – 1: 9,230
- Percent of Transactions Conducted Via Web Portal – 96.8%
- Percent of Transactions Conducted Via Telephone – 3.2%
- Percent of Immediate Proceeds – 96%
- Percent of Checks Requiring Manual Research – 4%
- Number of Checks Requiring Manual Research – 11,076
- Current Ratio of Employees to Manual Checks Performed – 1: 369
- Fee per transaction – \$10 (unless a person purchases a subsequent gun on the same day where the fee is \$5)

- **Tennessee**

- Year POC program established – 1998
- Number of Active FFLs – 1,407
- Number of Annual Inquiries of FBCS – 547,546
- Number of Full-Time Employees (FTEs) – 16 FTEs (does not include 4 vacancies)
- Current Ratio of Employees to Checks Performed – 1: 39,110
- Percent of Transactions Conducted Via Web Portal – 92%
- Percent of Transactions Conducted Via Telephone – 8%
- Percent of Immediate Proceeds – 94%
- Percent of Checks Requiring Manual Research – 6%
- Number of Checks Requiring Manual Research – 32,853
- Current Ratio of Employees to Manual Checks Performed – 1: 2,347
- Fee per transaction – \$10

- **Utah**

- Year POC program established – 1998
- Number of Active FFLs – 600
- Number of Annual Inquiries of FBCS – 212,000
- Number of Full-Time Employees (FTEs) – 27 FTEs
- Current Ratio of Employees to Checks Performed – 1: 7,852
- Percent of Transactions Conducted Via Web Portal – 80%
- Percent of Transactions Conducted Via Telephone – 20%
- Percent of Immediate Proceeds – 30%
- Percent of Checks Requiring Manual Research – 70%
- Number of Checks Requiring Manual Research – 148,400
- Current Ratio of Employees to Manual Checks Performed – 1: 5,496
- Fee per transaction – \$7.50

- **Virginia**

- Year POC program established – 1989
- Number of Active FFLs – 1,700
- Number of Annual Inquiries of FBCS – 484,550
- Number of Full-Time Employees (FTEs) – 22 FTEs
- Current Ratio of Employees to Checks Performed – 1: 23,831
- Percent of Transactions Conducted Via Web Portal – 96%
- Percent of Transactions Conducted Via Telephone – 4%
- Percent of Immediate Proceeds – 57%
- Percent of Checks Requiring Manual Research – 43%
- Current Ratio of Employees to Manual Checks Performed – 1: 10,247
- Fee per transaction – \$2 for residents and \$5 for non-residents

Because the staffing levels were so inconsistent compared to the number of checks performed among the states interviewed, the implementation planning team determined that it would be more accurate to take the same approach as OFM and estimate staffing levels based on anticipated workload and not a simple employee to checks performed ratio. The ratios are provided above for informational purposes, but they were not used as a basis for determining the appropriate level of staffing for the WSP. Additionally, all states reported that they were understaffed due to vacancies in authorized positions, so the number of FTEs reported above are sub-optimal.

## **Assumptions and Validation Methodology**

To validate staffing needs for the CFBC unit, the implementation planning team accepted the assumption from the OFM feasibility study that the WSP will process 600,000 transactions per year. This estimate was made based on several years of data provided by the FBI National Instant Criminal Background Check System (NICS) program, and there is no substantive basis to predict future increases or decreases based on political and environmental factors that may impact the volume of gun purchases.

For instance, each state interviewed for input into the staffing plan reported record numbers of firearms background checks in March 2020 as gun sales increased dramatically in response to the COVID-19 pandemic. This seems to be an aberration and cannot be accounted for in modeling what may happen when the WSP goes live with the CFBC in future years. Since these changes cannot be predicted, the implementation planning team felt that the estimate of 600,000 based on actual transactions was an appropriate assumption. The implementation planning team also assumed the 600,000 checks include the 170,000 CPL checks that are performed annually and return-from-evidence checks conducted by law enforcement agencies.

The OFM cost model provided to the implementation planning team contained the following estimates regarding the level of research that will be required to process firearms background checks. These estimates are critical, as they will drive the number of FTEs needed in the CFBC unit as the number of minutes per check is the basis for the calculation for the number of staff positions. The OFM feasibility study cost model made the following assumptions:

## Workload Assumptions

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- Checks requiring simple research (10 minutes) – 55%
- Checks requiring medium research (15 minutes) – 10%
- Checks requiring enhanced research – (40 minutes) 5%
- Checks w NICS denial (from FBI) (no research) – 10%
- Lights-out proceeds (no research) – 20%

The OFM cost model spreadsheet allowed the implementation planning team to easily adjust the assumptions based on what was learned from other full POC states. The implementation planning team recommends modifying the assumptions to anticipate fewer checks requiring manual research and fewer denials NICS requiring no research. On average, among the states contacted, firearms background staff reported that 73% of transactions processed result in an immediate (less than five minutes) response to the firearms dealer within. Based on this information, the implementation planning team suggests modifying the assumptions to reflect that 69% of transactions will not require any or only minimum research with the understanding that the “lights-out” processing percentage may increase as the CFBC program matures.

Conversely, the OFM cost model assumed that 10% of all checks would be denials from NICS that would require no research. The actual number of denied transactions from NICS has remained under 2% for over a decade, so 10% is most likely unrealistic. The full POC states contacted to validate the OFM feasibility study assumptions reported that **all** denials must be reviewed by a person before issuing a denial, which would mean no lights out denials from the FBI NICS section if the WSP adopted the same approach. Section 1.(1)(d) of Washington House Bill 2467, however, states that the WSP shall “*Notify the dealer without delay that the records indicate the individual is prohibited from possessing a firearm and the transfer is denied or that the individual is approved to complete the transfer. If the results of the background check are indeterminate, the Washington state patrol shall notify the dealer of the delay and conduct necessary research and investigation to resolve the inquiry.*” The implementation planning team interprets this to mean that **both** denial and proceed determinations will be made in a lights-out fashion without the need for human intervention.<sup>2</sup> Based on historic denial rates from the FBI, the implementation planning team assumed a one percent lights-out processing rate from the FBI.

In revising the assumptions, the implementation planning team assumed an overall lights-out processing rate of 35% (including the lights-out notifications from the FBI, meaning that 65% (or 390,000) transactions will need to be researched. The implementation planning team also modified the assumptions to reflect 35% will require only *minimal* research (less than five minutes).

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<sup>2</sup> The FBI NICS system also makes lights-out denials when a NICS applicant’s biographical data matches a record with a disqualification indicator. Disqualification indicators available during a NICS check include NICS Indices records, III records containing a “Disqualified” Identification for Firearm Sales (IFFS) setting, and the population of certain fields available in the NCIC protection order file.

The OFM feasibility study staffing worksheet also factors in the percentage of checks requiring simple, medium, and enhanced research, which impacts the amount of time it takes CFBC staff to perform each check. All the full POC states interviewed reported that the vast majority of checks performed require five minutes or less of research, but none could provide a precise breakdown of checks requiring simple, medium, and enhanced research.

The following table summarizes this plan's assumptions regarding the percentage of checks requiring each level of research, and compares the plan's assumptions to those in the OFM feasibility study:

<b>Amount of Research</b>	<b>% of checks assumed by Implementation Plan</b>	<b>% of checks assumed by OFM Feasibility Study</b>
No research (lights-out proceeds)	34%	20%
No research (automated denial from FBI NICS)	1%	10%
Minimal research (5 minutes)	35%	0%
Simple research (10 minutes)	15%	55%
Medium research (15 minutes)	10%	10%
Enhanced research (40 minutes)	5%	5%
<b>Average minutes per search</b>	<b>6.75</b>	<b>9.00</b>

The other full-POC states contacted have very similar degrees of system integration (with the exception of LInX-NW) which allows them to process 73% of transactions on average in less than five minutes, so it seems reasonable that the WSP can achieve similar rates of automated transaction processing.

The implementation planning team did not modify the assumptions from the OFM feasibility study that estimated it would take 10 minutes to perform checks requested via telephone. (Although other POC states reported the vast majority of telephone transactions take less than five minutes, this provides a “buffer” in case the other assumptions regarding the level of research required are underestimated.) The implementation planning team also accepted the assumption that the additional time to perform manual checks of Administrative Office of the Courts (AOC), Health Care Authority (HCA), and LInX-NW would be three minutes for each, respectively.

## Workload Assumptions

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Below are estimates on the number of CFBC staff required based on the workload assumptions **excluding re-checks required pursuant to I-1639:**

- Call takers – 6 employees
  - Customer Service Specialists 2 (3 employees)
  - Customer Service Specialist 3 (3 employees)
- Background check staff positions – 48 employees
  - Corrections Records Technician (18 employees)
  - Correctional Records Technician Lead (18 employees)
  - Lead worker positions (Management Analyst 3) – 6 employees
  - Supervisor staff positions (Management Analyst 4) – 6 employees
- Senior manager positions – 2 employees
  - Assistant Division Administrator – WMS Position – 1 employee
  - Division Administrator – Special Deputy Position – 1 employee
- Management analyst (Management Analyst 5) – 1 employee
- Dedicated Trainer (Management Analyst 3) – 1 employee
- Administrative Assistant 3 – 1 employee
- IT Customer Support – Journey – 2 employees
- Total FTE staffing (headcount) – 62

The implementation planning team used the following assumptions in the staffing estimate for annual re-checks that may be required pursuant to I-1639.

- Checks requiring minimal research (5 minutes) – 30%
- Checks requiring simple research (10 minutes) – 6%
- Checks requiring medium research (15 minutes) – 3%
- Checks requiring enhanced research (40 minutes) – 1%
- Lights-out proceeds (no research) – 60%

If annual re-checks are implemented to support Initiative 1639, the following staff will also be needed to support approximately 1.3 million annual re-checks for the first year of operation. This figure was based on the number of individuals currently included in the Department of Licensing's database of firearms owners. (It is anticipated that the number of re-checks will grow by 100,000 annually, so three additional Corrections Records Technicians will need to be added each year.)

- Background check staff positions – 34 employees
    - Corrections Records Technician (13 employees)
    - Correctional Records Technician Lead (13 employees)
    - Lead worker positions (Management Analyst 3) – 4 employees
    - Supervisor staff positions (Management Analyst 4) – 4 employees
  - Total staffing (headcount) – 96 FTEs
-



When hiring employees, the staffing plan calls for starting with individuals with experience working with criminal history records to reduce the amount of time needed for initial training. Likely candidates may include existing criminal history records staff within the WSP, where positions could be backfilled by new hires. Other candidates may be from local law enforcement agencies that have experience conducting firearms background checks. The goal would be to fill at least the first 30 positions with persons with relevant experience to allow opportunities for cross-training and to avoid significant delays in getting individuals trained in all of the state and federal prohibitors for firearms.

It is envisioned that the FBI NICS training staff conduct a multi-day, on-site training session with CFBC staff once the program has the majority of supervisory positions filled. The FBI will not perform continuous training, since Washington is designated as a train-the-trainer state by the FBI NICS program, but an intensive initial training would be beneficial—especially for employees that are new to conducting firearms background checks.

## Phased Implementation Plan

The WSP will notify FFLs in four separate batches when transitioning to a centralized firearms background check system to allow for a gradual ramp-up of the program prior to becoming fully operational. The plan envisions a “soft launch” to one or two FFLs during the first month of program implementation, with all other FFLs coming on board within four months. Once each FFL is notified by the WSP that it is their turn to transition, they will have 30 days to start submitting firearms background check requests to the WSP. Once all FFLs are transitioned (or have had at least 30 days to transition), the WSP should work with the ATF on the publication of an open letter to all FFLs informing them of Washington’s full point-of-contact (POC) status.

The plan includes two potential scenarios for when the CFBC program will be fully operational:

### Transition Scenario 1 – Rechecks are not required under Initiative 1639

The CFBC program will **be fully operational** on January 1, 2024. To meet this deadline, the plan anticipates that the WSP will engage a project manager and technical consultant to oversee procurements and overall implementation in January 2021. Additionally, the core team (Division Administrator, Assistant Division Administrator, two Management Analysts, and Administrative Assistant) would need to be in place beginning spring 2021 to give sufficient lead time to getting the program organized. Prior to hiring additional staff in FY23-FY24, this core team will need to:

- Develop standard operating procedures (SOPs) to ensure all of the requirements in the regulatory section of this document are met;
- Develop detailed training materials for CFBC staff;
- Work with legal counsel from the Attorney General's office and representatives from the FBI (as needed) to ensure that SOPs and training materials developed for the CFBC program reflect state and federal requirements for conducting firearms background checks;

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- Work with external agencies to ensure the WSP can access the necessary systems and databases needed to perform firearms background checks;
- Consult with the Washington Background Check Advisory Board as established by E2SBH 2467;
- Develop notices and an onboarding plan for FFLs to transition to the CFBC program;
- Work with the local law enforcement agencies responsible for CPLs and processing firearms evidence returns; and
- Work with the software development team on user acceptance testing as various components of the CFBC system are integrated with internal and external systems.

Under this scenario, two additional IT staff would begin work on July 1, 2022, to work closely with the development team responsible for creating the CFBC system and associated interfaces to other organizations described in the Technological Solutions and Support Section.

***Note: The following hiring schedule for Scenario 1 assumes a total of 62 FTEs. This scenario does not include personnel that would be needed to support the annual re-checks required pursuant to Initiative 1639.***

### Spring 2021

- Division Administrator - Special Deputy Position – 1 FTE
- Administrative Assistant 3 – 1 FTE
- Assistant Division Administrator - WMS Position – 1 FTE
- Management Analyst 5 – 1 FTE
- Management Analyst 3 (Dedicated Trainer) – 1 FTE

### July 1, 2022

- IT Customer Support - Journey – 2 FTEs

### July 1, 2023

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 5 FTEs
- Correctional Records Technician Lead – 5 FTEs
- Management Analyst 3 (Lead Worker Positions) – 2 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 2 FTEs

### August 1, 2023

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 5 FTEs
- Correctional Records Technician Lead – 5 FTEs
- Management Analyst 3 (Lead Worker Positions) – 1 FTE
- Management Analyst 4 (Supervisor Staff Positions) – 1 FTE



**September 1, 2023**

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 4 FTEs
- Correctional Records Technician Lead – 4 FTEs
- Management Analyst 3 (Lead Worker Positions) – 1 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 1 FTEs

**October 1, 2023**

- Correctional Records Technician – 4 FTEs
- Correctional Records Technician Lead – 4 FTEs
- Management Analyst 3 (Lead Worker Positions) – 2 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 2 FTEs

For Scenario 1, personnel cost per fiscal year would be \$303,963 (FY21) \$607,926 (FY22), \$834,703 (FY23) and \$4,857,871 (FY24) and \$5,437,095 (FY25).

**Transition Scenario 2 – Rechecks are performed pursuant to Initiative 1639**

The hiring schedule for Scenario 2 assumes a total of 96 employees and includes estimates for the employees required to conduct re-checks. This hiring schedule can be adjusted to move the dates back or forward, depending on the actual go-live date.

**January 1, 2021**

- Division Administrator - Special Deputy Position – 1 FTE
- Administrative Assistant 3 – 1 FTE
- Assistant Division Administrator - WMS Position – 1 FTE
- Management Analyst 5 – 1 FTE
- Management Analyst 3 (Dedicated Trainer) – 1 FTE

**July 1, 2022**

- IT Customer Support - Journey – 2 FTEs

**July 1, 2023**

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 6 FTEs
- Correctional Records Technician Lead – 6 FTEs
- Management Analyst 3 (Lead Worker Positions) – 2 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 2 FTEs

**August 1, 2023**

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 6 FTEs

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- Correctional Records Technician Lead – 6 FTEs
- Management Analyst 3 (Lead Worker Positions) – 2 FTE
- Management Analyst 4 (Supervisor Staff Positions) – 2 FTE

### September 1, 2023

- Customer Service Specialist 2 – 1 FTE
- Customer Service Specialist 3 – 1 FTE
- Correctional Records Technician – 6 FTEs
- Correctional Records Technician Lead – 6 FTEs
- Management Analyst 3 (Lead Worker Positions) – 2 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 2 FTEs

### October 1, 2023

- Correctional Records Technician – 13 FTEs
- Correctional Records Technician Lead – 13 FTEs
- Management Analyst 3 (Lead Worker Positions) – 4 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 4 FTEs

For Scenario 2, personnel cost per fiscal year would be \$303,963 (FY21), \$607,926 (FY22), \$834,703 (FY23), \$7,192,963 (FY24), and \$8,355,905 (FY25).

## Staffing Levels

The WSP anticipates a total staffing need of 62 FTEs at the WSP to support the CFBC (unless they are required to perform annual rechecks under Initiative 1639, which would require a total of 96 employees). The plan assumes staff will work five, staggered 8-hour shifts per week.

### Staffing Option 1

Five day, 8-hour staggered work schedules with consistent staffing throughout the week.

- Sunday – 45 staff
- Monday – 46 staff
- Tuesday – 46 staff
- Wednesday – 46 staff
- Thursday – 46 staff
- Friday – 46 staff
- Saturday – 45 staff

### Staffing Option 2

This staffing model is presented to show the five day, 8-hour staggered work schedules throughout the week to support the re-checks required under Initiative 1639, which would require 96 employees. Since Initiative 1639 annual rechecks do not involve direct interaction

with FFLs about pending transactions, the model assumes that all employees responsible for conducting the re-checks would work regular business hours (8 a.m. - 5 p.m., Monday - Friday).

- Sunday – 45 staff
- Monday – 79 staff
- Tuesday – 78 staff
- Wednesday – 79 staff
- Thursday – 79 staff
- Friday – 79 staff
- Saturday – 46 staff

The staffing models presented do not account for “surge” staffing. It will be up to supervisors to adjust staffing levels to account for events such as Black Friday and large gun shows where there are periodic spikes in background checks. For instance, there is a higher overall volume of checks in early spring (February-March), so managers may need to minimize the number of vacations approved during these months and bring in additional staff on busy days. Washington State normally sees a lower volume of transactions in the summer (July-August), so fewer staffing will likely be needed during the months when CFBC employees are more likely to request vacation.

## Division Overview

The attached organizational chart envisions seven sections supervised by seven Management Analysts 4 or 5 under the direction of a Division Administrator and Assistant Division Administrator.

- **Call Center Section**
  - Takes information provided by prospective firearms transferees on Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Form 4473 and Washington State Firearms Transfer Application (FTA) from the FFLs via telephone and enters into CFBC federated query application.
  - Reports immediate proceed or denial notifications to FFLs along with a transaction identification number. (This may include a brief review of several potential matches to determine if the results of the probabilistic name-matching algorithm match the individual who is the subject of the background check. This is known as “first-level” or “simple” research.)
  - Refers indeterminate responses requiring more than five minutes of research to the appropriate research section.
  - Incoming calls will alternate between the two call center sections.

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- **Medium Research/Concealed Pistol License (CPL) Support**
  - Reviews indeterminate matches from transactions originating from the CFBC System to make a proceed or denial notification.
  - Serves as backup call takers on an as-needed basis.
  - Researches indeterminate matches needing a medium amount of research that are referred by the Call Center Sections. This second-level research will consist of a review of in-state records that may impact a person's eligibility to possess a firearm.
  - Refers cases needing out-of-state or enhanced research to the appropriate section.
  - Processes applications for concealed pistol licenses (CPLs) submitted by local law enforcement agencies.
  
- **Medium and Enhanced Research/CPL Support**
  - Reviews indeterminate matches from transactions originating from the CFBC System to make a proceed or denial notification.
  - Serves as backup call takers on an as-needed basis.
  - Researches indeterminate matches needing a medium amount of research that are referred by the Call Center Sections. This second-level research will consist of a review of in-state records that may impact a person's eligibility to possess a firearm. This section will also be responsible for researching out-of-state records from nearby states (to be determined).
  - Processes applications for CPLs submitted by local law enforcement agencies.
  
- **Enhanced Research and FFL Support**
  - Reviews indeterminate matches from transactions originating from the CFBC System to make a proceed or denial notification.
  - Serves as backup call takers on an as-needed basis.
  - Researches indeterminate matches needing enhanced research that are referred by the Call Center or other Research Sections. This includes accessing and reviewing out-of-state records from all states and territories.
  - Receives calls from FFLs to answer questions as needed.
  
- **Continuous Quality Improvement, Training and IT Support Section**
  - Continuously monitors CFBC program metrics and business operations to make system and process enhancements as needed.
  - Develops and maintains all training materials for CFBC program staff.

- Works with supervisors to ensure all staff receive initial and ongoing training on all aspects of the CFBC program.
- Provides IT support to program staff and assists FFLs with password resets.
- Develops and maintains a user manual for FFLs regarding how to use the CFBC System.

For all but one section, there is a Lead Worker position (Management Analyst 3) that provides direct supervision in the absence of the section supervisor. Also, each section is designed to give employees promotional opportunities as they gain more skills and experience. This is to assist in recruiting and retaining employees.

In addition to all of the internal and external databases accessed by the CFBC program, all employees conducting medium level or enhanced research will need access to the FBI's Justice Connect NICS Special Interest Group. This website provides detailed information on how to interpret offenses (e.g., felony v. misdemeanor) and disposition (e.g., conviction v. non-conviction) information from all states and territories. There are also international resources available for offenses that may have occurred outside of the United States.

If the WSP is required to perform the rechecks required under Initiative 1639, there will need to be a separate section with 34 employees to conduct the rechecks.

- Corrections Records Technicians – 13 employees
- Corrections Records Technicians Lead – 13 employees
- Management Analyst 3 (Lead Worker Positions) – 4 FTEs
- Management Analyst 4 (Supervisor Staff Positions) – 4 FTEs

The relevant job descriptions presented below can be slightly modified to reflect the duties of employees responsible for the rechecks.

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### Position Descriptions

To develop position descriptions, the WSP's preference is to use existing Washington State Human Resource job classifications. Based on this assumption, the plan preparers reviewed existing classifications currently used by the WSP along with other state agencies to see how closely they aligned to example CFBC position descriptions provided by Nevada, Oregon, Tennessee, Utah, and Virginia.

Based on the level and complexity of the work to be performed, the plan maps the personnel identified in the feasibility study to existing classes as follows:

- **Background check staff positions**
  - Customer Service Specialists 2
  - Customer Service Specialist 3
  - Corrections Records Technician
  - Correctional Records Technician Lead
  - Lead worker positions – Management Analyst 3
  - Supervisor staff positions – Management Analyst 4
  
- **Senior manager positions**
  - Assistant Division Administrator – WMS Position
  - Division Administrator – Special Deputy Position
  
- **Other Positions**
  - Management Analyst – Management Analyst 5
  - Dedicated Trainer – Management Analyst 3
  - Administrative Assistant 3
  - Tech support positions – IT Customer Support - Journey

Note: For planning and budgeting purposes, the implementation plan calls for two technical support positions that will support the CFBC program. These positions are detailed in the Technological Solutions and Support section.

## Washington Exempt Service (WES) Centralized Firearm Background Check (CFBC) Division Administrator

### Typical Work

- Oversees all operations for the CFBC division that will be staffed by 60-100 CFBC Division employees.
- Develops and implements operational policies.
- Recruits and develops a team of senior leaders to manage critical functions of the CFBC.
- Works closely with the Washington State Human Resources to recruit and hire CFBC program staff.
- Organizes, administers, and evaluates the work of the professional, technical, support and operational staff, both in house and contract consultants.
- Supervises and provides the selection, training, professional development and work performance evaluation of staff; makes final determinations on hiring, termination, promotion, and corrective actions as required.
- Reviews reports by subordinate managers to acquire understanding of division operations and devises ways to take remedial actions as needed.
- Ensures commitment to and monitors compliance with all applicable state and federal laws and regulations related to firearms background checks.
- Attends legislative hearings and meetings regarding firearms background checks.
- Monitors and stays abreast of continuous operational, legal, and technological advances that affect the activities and work processes of the CFBC program; carries out improvements to the program to meet changing parameters.
- Develops and maintains positive relationships with key stakeholders.
- Acts as the primary public face of the CFBC program. Presents and explains information about the CFBC to Federal Firearms Licensees (FFL), policymakers, law enforcement officials, media outlets, and the public.
- Engages contractors where necessary to complete projects and deliverables; includes conducting competitive procurements, developing contracts, and supervising contractors.

### Essential Abilities

- Proven ability to translate strategic plans into details, goals, objectives, and results.
- Advanced written and verbal communication skills, including the ability to communicate complex information to diverse technical and non-technical groups.
- Ability to evaluate, develop, and oversee division-wide training needs for new employees, incumbent employees, and supervisory employees.
- Ability to function at a command level with personal and professional integrity in an environment of public administration.

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### Desirable Qualifications

- Master's degree from an accredited institution in public administration, business management, telecommunications, criminal justice, or closely related field. Experience may be substituted year for year for education.
- Five years of progressively responsible senior level management, leadership, and supervision.
- Experience developing sustainable relationships with internal and external stakeholders to identify issues and generate support for changes that enhance firearms background checks.
- Successful experience modeling leadership and performance characteristics that promote professionalism, integrity, accountability, and public service.
- Successful experience formulating, implementing, and encouraging continuous improvements and change.
- Proven experience building successful teams by creating trust, building strong morale, and by delegating and leading effectively.
- Experience making good decisions based upon a mixture of analysis, wisdom, experience, and judgment.
- Organizational, political awareness and savvy.
- Experience with personnel matters, operating budget development and management, program management, project management, policy development, and customer service.
- Experience working with boards, commissions, elected and appointed public officials, legislative staff and legislators.
- Experience with grant programs to include program design, administration, and evaluation practices within the public sector.
- Experience using management principles for continuous process improvement.



## Washington Management Service (WMS) Centralized Firearm Background Check (CFBC) Assistant Division Administrator

### Typical Work

- Provides supervision, leadership, and mentorship to the CFBC staff.
- Develops procedures and policies to accomplish division goals and objectives consistent with the departmental strategic plan and policies.
- Assists with the development and submission of budget documents including funding requests, resource justification, and spending plans/allotments for the program.
- Within approved limits, approves invoices for program expenditures.
- Monitors program expenditures and makes spending adjustments as needed.
- Prepares correspondence for the Division Administrator.
- Manages a departmental training and auditing program to ensure all Federal Bureau of Investigation (FBI), National Crime Information Center (NCIC), National Instant Background Check System (NICS), Law Enforcement Information Exchange (LInX-NW), and The International Justice and Public Safety Network (NIlets) policies and procedures are followed.
- Liaisons with the FBI on training regarding information accessed via the Interstate Identification Index (III), NCIC, N-DEx, and NICS Indices.
- Obtains legal advice from an Assistant Attorney General regarding criminal history information and other records that may disqualify someone from obtaining a firearm.
- Prepares staff work and attends legislative hearings and meetings regarding firearms background checks. Acts in the Division Administrator's absence in these matters as required.
- Answers questions and discusses section programs and policies with WSP Executive Staff, the Governor's Office, legislators and their staff, and members of the media.
- Acts as the business lead for applicable projects providing feedback, completing project tasks, testing, and communications plans to customer base.
- Collaborates with stakeholders, customers, state agencies, and federal agencies to create technology and business improvements.
- Seeks out and submits budget proposals or grant requests to cover costs for projects.

### Essential Abilities

- Ability to support and comply with department policies, goals, and objectives.
- Administrative, managerial, and supervisory abilities and skills.
- Long range planning and organizing skills.
- Knowledge of budgetary requirements/expenditures and ability to assemble and present related policy and legislative issues.
- Ability to communicate and effectively liaison with federal, state, and local criminal justice agencies.

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- Ability to communicate and effectively liaison with FFLs.
- Knowledge of all aspects of the operation, including WACIC, WASIS, NCIC, NICS, Nlets and computer hardware and application systems.
- Ability to communicate verbally and in writing in a clear, concise manner in a variety of environments.
- Specific knowledge of civil service personnel rules and collective bargaining agreements.
- Knowledge of state/federal statutes and regulations regarding entry, retrieval, and dissemination of criminal history and related record information.

### Desirable Qualifications

- Master's degree in business administration, public administration, law, public health, health administration, or a related field and four years of experience conducting research and analyzing policies, laws, rules, or regulations or comparable combination of graduate education and experience.

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## Washington State Patrol Centralized Firearms Background Check Program Customer Service Specialist 2

### Typical Work

- Primary responsibility is to answer telephone calls from FFL seeking to transfer firearms and to enter information into a computer application to initiate a firearms background check. If no potentially disqualifying record is found, the employee will notify the FFL of the proceed status. If additional research is required, the employee will notify the FFL and forward the request to a research queue.
- Provides technical assistance to FFLs via telephone on the correct way to complete the required state and federal forms and documentation to purchase a firearm.

### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- The ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to understand, remember, and follow instructions in English, both verbal and written, as well as the ability to perform job functions with little or short notice. Communicating such information, in-depth or basic, via phone and/or fax while maintaining the confidentiality of the information communicated.
- Ability to handle a high volume of incoming phone calls and providing customers with accurate information in a professional manner.
- Ability to convey information in a clear, professional, easily understood manner over the telephone.
- Listening and comprehension skills over the phone and in person and ability to follow instructions.

### Desirable Qualifications

- Associate's degree AND two years of experience providing assistance to clients/customers regarding inquiries, complaints, or problems; OR a Bachelor's degree; OR equivalent experience providing assistance to clients/customers regarding inquiries, complaints, or problems.

## Washington State Patrol Centralized Firearms Background Check Program Customer Service Specialist 3

### Typical Work

- Primary responsibility is to answer telephone calls from FFLs seeking to transfer firearms and to enter information into a computer application to initiate a firearms background check. If no potentially disqualifying record is found, the employee will notify the FFL of the proceed status. If additional research is required, the employee will notify the FFL and forward the request to a research queue.
- Provides technical assistance to FFL via telephone on the correct way to complete the required state and federal forms and documentation to purchase a firearm.
- Consults with lower level customer service staff on multi-dimensional process/procedure problems.
- Identifies and recommends changes to agency policies and procedures that hamper client/customer access to agency services.
- Coordinates customer service training.

### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- The ability to become WACIC certified within a specific timeframe will be required.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to understand, remember, and follow instructions in English, both verbal and written, as well as the ability to perform job functions with little or short notice. Communicating such information, in-depth or basic, via phone and/or fax while maintaining the confidentiality of the information communicated.
- Ability to handle a high volume of incoming phone calls and providing customers with accurate information in a professional manner.
- Ability to convey information in a clear, professional, easily understood manner over the telephone.
- Listening and comprehension skills over the phone, in person and the ability to follow instructions.

### Desirable Qualifications

- Associate's degree AND three years of experience providing assistance to clients/customers regarding inquiries, complaints or problems; OR a Bachelor's degree AND one year of experience providing assistance to clients/customers regarding inquiries, complaints or problems; OR equivalent experience providing assistance to clients/customers regarding inquiries, complaints or problems.

**Background Check Staff Position**  
**State of Washington Classified Job Specification – Correctional Records Technician**  
**(CRT) Lead**

**Typical Work**

- Performs duties using various programs and office equipment, including but not limited to word processing, spreadsheets, email, internet, fax machine, printers, photocopiers, and scanners.
- Conducts research and assists staff in the coordination and investigation of criminal history and related records for firearm purchasers and CLP applicants.
- Takes information provided by prospective firearms transferees on ATF Form 4473 and Washington Firearms Transfer Application from FFLs via telephone as needed and enters into CFBC System. Reports immediate proceed or denial notifications to FFLs along with a transaction identification number.
- Researches disposition information for arrest cycles in support of the CFBC program.
- Requests disposition information by telephone, email, fax, or letter. Research includes contacting law enforcement, courts, and other criminal justice agencies from other states to gain final disposition information for determining eligibility on the purchase of firearms.
- Analyzes criminal records and other documents to determine if there are prohibiting factors that prevent potential gun buyers or other recipients of firearms from lawfully purchasing or possessing firearms.
- Writes or drafts correspondence, reports, documents, and/or other written materials.
- Provides technical assistance to clients and the public on the correct way to complete the required state and federal forms and documentation to purchase a firearm.
- Ensures that agency and/or state records are properly classified, processed, and controlled.
- Maintains accurate records and logs.
- Performs record maintenance of the Denied Firearms Applicants in the Person of Interest File. This includes entry, modification, and cancelling records.
- Performs record maintenance of the Voluntary Waiver of Firearm Rights in the Person of Interest File and the NICS Indices. This includes entry, modification, and cancelling records.
- Performs record maintenance of the Involuntary Treatment Act Orders in the NICS Indices. This includes entry, modification, and cancelling records.

**Essential Abilities**

- Must have the ability to pass a thorough background investigation.
- The ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.

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- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to conduct lengthy visual review and research of criminal history; federal, state, and local statutes; court dispositions; policies; and procedures, on a computer screen and on paper.
- Ability to organize and prioritize individual work to manage multiple tasks and/or projects with minimal supervision.
- Ability to handle high work speed and volume of work while maintaining required standards.
- Ability to convey information in a clear, professional, easily understood manner over the phone, via email, or legibly in writing.
- Ability to work under time constraints to meet state and federally mandated deadlines.
- Ability to understand complex problems.
- Ability to make decisions using federal and state guidelines for entry of information into the national (NICS Indices) database pertaining to firearm disqualifications.
- Ability to make decisions on Point of Contact firearm background checks and CPL checks that have an impact on a person's ability to purchase or possess a firearm and on the agency's credibility, operations and/or service.

### Desirable Qualifications

- High School diploma or equivalent.
- Two years of experience maintaining or processing offender files such as legal files, property files, grievance files, administrative files, medical files, parole files, counselor files, or custody files, in a governmental law enforcement office, court setting, or an adult or juvenile correctional agency.
- College-level course work in criminal justice, business administration, accounting, social science, or a related field will substitute for one year of experience.

**Background Check Staff Position**  
**State of Washington Classified Job Specification – Correctional Records Technician**  
**(CRT)**

**Typical Work**

- Performs duties using various programs and office equipment, including but not limited to word processing, spreadsheets, email, internet, fax machine, printers, photocopiers, and scanners.
- Searches, retrieves and/or researches criminal history and related records in accordance with applicable state and federal laws governing access to these records.
- Takes information provided by prospective firearm transferees on ATF Form 4473 and Washington State Firearms Transfer Application from FFLs via telephone as needed and enters into the CFBC System. Reports immediate proceed or denial notifications to FFLs along with a transaction control number.
- Analyzes criminal records and other documents to determine if there are prohibiting factors that prevent potential gun buyers or other recipients of firearms from lawfully purchasing or possessing firearms.
- Enters data into a computer system and retrieves, corrects, or deletes previously entered data.
- Conducts research and assists staff in the coordination and investigation of criminal history and related records for firearm purchasers.
- Researches disposition information for arrest cycles in support of the CFBC program.
- Requests disposition information by telephone, email, fax, or letter. Research includes contacting law enforcement, courts, and other criminal justice agencies from other states to gain final disposition information for determining eligibility on the purchase of firearms.
- Responds to challenge calls from transferees and firearm dealers for delayed or denied firearm transfers.
- Provides technical assistance to FFLs and the public on the correct way to complete the required state and federal forms and documentation to purchase a firearm.
- Ensures that agency and/or state records are properly classified, processed, and controlled.
- Maintains accurate records and logs.
- Performs record maintenance of the Denied Firearms Applicants in the Person of Interest File. This includes entry, modification, and cancelling records.
- Performs record maintenance of the Voluntary Waiver of Firearm Rights in the Person of Interest File and the NICS Indices. This includes entry, modification, and cancelling records.
- Performs record maintenance of the Involuntary Treatment Act Orders in the NICS Indices. This includes entry, modification, and cancelling records.

## Personnel

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### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- Ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.
- Ability to sit at a desk with close exposure and extensive use of a computer monitor(s) using repetitive motion for up to 2-hour intervals working up to 10-hour days, 4 days per week. Repetitive motion including but not limited to typing, stapling, using 10 key, stamping, scanning, filing, sorting, and matching.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to understand, remember, and follow instructions in English, both verbal and written, as well as the ability to perform job functions with little or short notice. Communicating such information, in-depth or basic, via phone and/or fax while maintaining the confidentiality of the information communicated.
- Ability to conduct lengthy visual review and research of criminal history; federal, state, and local statutes; court dispositions; policies; and procedures, on a computer screen and on paper.
- Ability to organize and prioritize individual work to manage multiple tasks and/or projects with minimal supervision.
- Ability to handle high work speed and volume of work while maintaining required standards.
- Ability to convey information in a clear, professional, easily understood manner over the phone, via email, or legibly in writing.
- Ability to work under time constraints to meet state and federally mandated deadlines.
- Ability to understand complex problems.
- Ability to make decisions on Point of Contact Firearms background checks and CPL applicants that have an impact on a person's ability to purchase or possess a firearm and on the agency's credibility, operations and/or service.

### Desirable Qualifications

- High School diploma or equivalent.
- Four years of experience maintaining or processing offender records in a governmental law enforcement office, court setting, or an adult correctional agency.
- College-level course work in criminal justice, business administration, accounting, social science, or a related field will substitute, year for year, for up to two years of experience.



## Lead Worker Position

### State of Washington Classified Job Specification – Management Analyst 3

#### Typical Work

- Conducts research and assists staff in the coordination and investigation of criminal history and related records for firearm purchasers. (It is estimated that 50% of the Management Analyst's time will be spent on research.)
- Researches disposition information for arrest cycles in support of the CFBC program.
- Requests disposition information by telephone, email, fax, or letter. Research includes contacting law enforcement, courts, and other criminal justice agencies from other states to gain final disposition information for determining eligibility on the purchase of firearms.
- Responds to challenge calls from transferees and firearm dealers for delayed or denied firearm transfers.
- Provides technical assistance to clients and the public on the correct way to complete the required state and federal forms and documentation to purchase a firearm.
- Makes decisions on CFBC background checks that have an impact on a person's ability to purchase or possess a firearm and on the agency's credibility, operations, and/or service.
- Organizes and prioritizes individual work to manage multiple tasks and/or projects with minimal supervision.
- Makes decisions using federal and state guidelines for entry of information into the national database (NICS Indices) pertaining to firearms disqualifications.
- Acts as the point of contact with other agencies with regards to Washington State criminal history and firearms eligibility.
- Analyzes criminal records and other documents to determine if there are prohibiting factors that prevent potential gun buyers or other recipients of firearms from lawfully purchasing or possessing firearms.
- Organizes and prioritizes the work schedule of others to manage multiple tasks and/or projects.
- In the absence of a unit supervisor, assumes basic supervisory duties.
- Makes prompt decisions at the time of application as to whether or not to approve, deny, or research firearm purchases and when to initiate law enforcement activity based on any outstanding warrants of arrest.
- Initiates criminal investigations by the Washington State Patrol in instances of illegal attempts to purchase firearms.
- Notifies local law enforcement agencies of illegal attempts to purchase firearms.
- Notifies ATF when a firearm has been released to a prohibited person.

#### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- Ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.

## Personnel

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- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to organize and prioritize individual work to manage multiple tasks and/or projects with minimal supervision.
- Ability to handle high work speed and volume of work while maintaining required standards.
- Ability to convey information in a clear, professional, easily understood manner over the phone, via email, or legibly in writing.
- Ability to work under time constraints to meet federally mandated deadlines.
- Ability to understand complex problems.
- Ability to communicate and converse with co-workers to organize the unit's workload with minimal supervision.

### Desirable Qualifications

- Bachelor's degree in business administration, public administration, law, public health, health administration, or a related field and three years of experience conducting research and analyzing policies, laws, rules, or regulations or comparable combination of graduate education and experience.

## Supervisor Position

### State of Washington Classified Job Specification – Management Analyst 4

#### Typical Work

- Conducts research and assists staff in the coordination and investigation of criminal history and related records for firearm purchasers. (It is estimated that 20% of the Management Analyst's time will be spent on research.)
- Researches disposition information for arrest cycles in support of the CFBC program.
- Requests disposition information by telephone, email, fax, or letter. Research includes contacting law enforcement, courts, and other criminal justice agencies from other states to gain final disposition information for determining eligibility on the purchase of firearms.
- Responds to challenge calls from transferees and firearm dealers for delayed or denied firearm transfers.
- Coordinates efforts with local law enforcement agencies in apprehensions of fugitives attempting to purchase a firearm.
- Makes decisions on CFBC background checks that have an impact on a person's ability to purchase or possess a firearm and on the agency's credibility, operations, and/or service.
- Makes decisions using federal and state guidelines for entry of information into the national database (NICS Indices) pertaining to firearm disqualifications.
- Acts as the point of contact with other agencies with regards to Washington State criminal history and firearms eligibility.
- Analyzes criminal records and other documents to determine if there are prohibiting factors that prevent potential gun buyers or other recipients of firearms from lawfully purchasing or possessing firearms.
- Provides day-to-day supervision of program staff to include training, evaluation, workflow assessment, delegation, shift scheduling, modifying work performance standards, providing leadership, disciplinary action, and termination recommendations.
- Schedules, organizes, develops, and maintains current training materials for new and incumbent staff.
- Maximizes performance and morale through effective leadership.
- Supervises assigned staff by establishing priorities, evaluating performance, assessing developmental needs, and correcting substandard performance and discipline issues as they occur.
- Communicates clearly and concisely with staff and encourages staff to maintain open communications.
- Effectively identifies and resolves personnel conflicts.
- Directs cross training of subordinate staff.
- Performs supervisory responsibilities in the Washington State Patrol CFBC Division, including Call Center.
- Notifies local law enforcement agencies of illegal attempts to purchase firearms.
- Notifies ATF when a firearm has been released to a prohibited person.

## Personnel

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### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- Ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to organize and prioritize individual work to manage multiple tasks and/or projects.
- Ability to handle high work speed and volume of paperwork while maintaining required standards.
- Ability to convey information in a clear, professional, easily understood manner over the phone, via email, or legibly in writing.
- Ability to work under time constraints to meet state mandated deadlines.
- Ability to understand complex problems.
- Ability to communicate and converse with co-workers to organize the unit's workload.

### Desirable Qualifications

- Bachelor's degree in business administration, public administration, law, public health, health administration, or a related field and four years of experience conducting research and analyzing policies, laws, rules, or regulations or comparable combination of graduate education and experience.

## Continuous Quality Improvement Specialist State of Washington Classified Job Specification – Management Analyst 5

### Typical Work

- Under limited supervision and direction of the Division Administrator and Assistant Division Administrator, the incumbent will provide directions, coordinate, and provide day-to-day monitoring of the Centralized Firearms Background Check (CFBC) Program.
- Responds to challenge calls from transferees and firearm dealers for delayed or denied firearm transfers.
- Coordinates efforts with local law enforcement agencies in apprehensions of fugitives attempting to purchase a firearm.
- Interprets federal, state, and local laws to promote awareness and understanding of said laws to the Washington State Patrol and the public.
- Maintains and provides statistical reports which are generated daily from CFBC System and phone (VOIP) logging databases and provides reports to senior management upon request.
- Recommends, develops, and implements program policy and standard operating procedures upon senior management approval.
- Assists in the development and implementation of goals and objectives of the programs administered through improved operational work methods.
- Develops and maintains a quality assurance review program to monitor the accuracy, effectiveness, and completeness of CFBC background checks.
- Makes decisions using federal and state guidelines for entry of information into the national database (NICS Indices) pertaining to firearm disqualifications.
- Acts as the point of contact with other agencies with regards to Washington State criminal history and firearms eligibility.
- Analyzes criminal records and other documents to determine if there are prohibiting factors that prevent potential gun buyers or other recipients of firearms from lawfully purchasing or possessing firearms.
- Provides day-to-day supervision of IT program and training staff to include training, evaluation, workflow assessment, delegation, shift scheduling, modifying work performance standards, providing leadership, disciplinary action, and termination recommendations.
- Schedules, organizes, develops, and maintains current training materials for new and incumbent staff.
- Ensures all mandatory training requirements are met for both incumbent and new staff.
- Represents Washington as the POC state in various venues and when interacting or corresponding with various entities statewide and nationwide.
- Maximizes performance and morale through effective leadership.

## Personnel

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- Supervises assigned staff by establishing priorities, evaluating performance, assessing developmental needs, and correcting substandard performance and discipline issues as they occur.
- Communicates clearly and concisely with staff and encourages staff to maintain open communications.
- Effectively identifies and resolves personnel conflicts.
- Develops procedures to ensure continuity of operations.
- Notifies local law enforcement agencies of illegal attempts to purchase firearms.
- Notifies ATF when a firearm has been released to a prohibited person.

### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- Ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Ability to organize and prioritize individual work to manage multiple tasks and/or projects.
- Ability to handle high work speed and volume of paperwork while maintaining required standards.
- Ability to convey information in a clear, professional, easily understood manner over the phone, via email, or legibly in writing.
- Ability to work under time constraints to meet state-mandated deadlines.
- Ability to understand complex problems.
- Ability to communicate and converse with co-workers to organize the unit's workload.

### Desirable Qualifications

- Master's degree in business administration, public administration, law, public health, health administration, or a related field and four years of experience conducting research and analyzing policies, laws, rules, or regulations or comparable combination of graduate education and experience.

## Dedicated Trainer

### State of Washington Classified Job Specification – Management Analyst 3

#### Typical Work

- Develops training materials for all Centralized Firearms Background Check (CFBC) staff.
- Conducts training programs for all CFBC staff.
- Works with managers and supervisors to schedule training programs for all staff.
- Ensures that all training materials are compliant with state and federal laws and regulations governing firearms transfers.
- Recommends strategies to increase the efficiency and effectiveness of firearms background checks.
- Interacts with managers and supervisors to determine the specific training requirements for each job description.
- Independently conducts and provides all type and levels of training to CFBC staff on the following systems/applications:
  - Washington State Identification System (WASIS)
  - Washington Crime Information Center (WACIC)
  - Administrative Office of the Courts (AOC), Enterprise Data Repository (EDR)
  - Washington State Health Care Agency (HCA)
  - Interstate Identification Index (III)
  - National Crime Information Center (NCIC)
  - NICS Indices
  - Law Enforcement Information Exchange (LInX-NW)
- Prepares recommendations to management for the development of proposed training.
- Develops and analyzes reports, training methods, and training curriculum and provide reports to management
- Develops training curriculum and materials based on review and analysis of applicable law, statute, policies, etc. and assures that materials can be adapted to meet different training styles and methods and delivery modes (online, classroom, etc.).
- Works closely with the FBI to develop training materials to reflect evolving NICS program requirements.

#### Essential Abilities

- Must have the ability to pass a thorough background investigation.
- Ability to become proficient in state and federal laws when determining a disqualifier within a specific timeframe.
- Ability to work irregular shift hours (i.e., weekends, holidays, modified, flex, or overtime shifts as needed).
- Must have excellent verbal and written communication skills.
- Must have the ability to engage trainees in discussions during training sessions.

## Personnel

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- Ability to use Microsoft Word, PowerPoint, and other software applications used by the Washington State Patrol to produce training materials.
- Ability to analyze and assess criminal justice agency business practices related to the use of CFBC services and make effective recommendations to ensure complete, accurate, and timely data and authorized use.
- Ability to act as a liaison between technical and non-technical stakeholders and act as a resource to each other.
- Must have public speaking/presentation skills, critical/analytical skills, and technical and curriculum development abilities.
- Ability to perform qualitative and quantitative analysis sufficient to evaluate program information and reports, diagnose problems and research alternative methods of service.

### Desirable Qualifications

- Bachelor's degree in business administration, public administration, law, public health, health administration, or a related field and three years of experience conducting research and analyzing policies, laws, rules, or regulations or comparable combination of graduate education and experience.



## Washington State Patrol Centralized Firearms Background Check Program Administrative Assistant 3

### Typical Work

- Evaluates costs and/or approves purchases for expenditures such as equipment, supplies, and furniture; develops cost estimates for equipment needs, space renovations, and projects.
- Participates in budget preparation; develops budget estimates; monitors budget status and expenditures.
- Assists in devising unit standards/procedures to ensure adherence to policies regarding tasks such as budgeting, purchasing, and contract administration.
- Coordinates, organizes, and/or directs the operation of a program or major program activity.
- Represents management and serves as the primary contact in assigned program areas.
- Reorganizes and/or assigns office space; modifies workflow process to achieve efficient use of space, equipment, and personnel.
- Prepares reports, budget, contract, or grant proposals.
- Coordinates personnel issues such as recruitment, selection, appointment, and promotion.
- Issues news releases; represents supervisor at meetings.
- Conducts and/or responds to surveys and studies; composes narrative portions of documents such as brochures and policy statements.
- Coordinates with other departmental staff members on administrative practices and procedures.
- Serves as a liaison between supervisor and other staff members, relaying assignments and requesting status information.
- Provides secretarial support to supervisor; coordinates office operations; keeps supervisor's calendar; makes travel arrangements; screens, prioritizes, and distributes mail; transcribes minutes; screens calls and visitors.

### Essential Abilities

- Working knowledge of office practices, procedures, and working experience in word processing systems such as Microsoft software applications.
- Good customer service, organizational and time management skills are needed.
- Demonstrated skill in typing, filing, data entry, record retrieval, and maintenance of records.
- Demonstrated ability to work independently and to follow written and oral instructions and policies.
- Demonstrated ability to read, understand, and interpret policies and procedures.
- Ability to develop written reports.
- Close attention to detail, and ability to work well with others and effectively communicate with the general public and external criminal justice agencies.

**Desirable Qualifications**

- High school graduation or GED.
- Three years of progressively responsible experience in office/clerical, secretarial, bookkeeping, accounting, or general administrative work.
- Formal education will substitute year-for-year for experience.

## External Agency Staffing Needs

The following staffing descriptions were taken from the final fiscal note accompanying E2SHB 2467, outlining non-WSP positions needed to support the CFBC program.

### Washington State Office of the Attorney General

- **Assistant Attorney General (.75 FTE) and Legal Assistant (.4 FTE) – Estimated annual cost - \$192,000**

Laws governing firearms background checks are complex and evolving, so the plan recommends having an attorney and legal assistant available to support the WSP's CFBC program. The attorney and legal assistant will be responsible for:

- Reviewing standard operating procedures implemented within the CFBC to ensure that they conform with all state and federal statutory requirements relative to firearms transfers;
  - Reviewing all training materials used within the CFBC program on an ongoing basis to ensure that they are complete and up to date based on the most current state and federal firearms legislation;
  - Assisting CFBC staff with interpreting Washington and out-of-state statutes to see if criminal history and related information discovered during a background check prohibits someone from owning or possessing a firearm;
  - Handling appeals resulting from denials as needed;
  - Providing defense of lawsuits against the WSP related to denials of firearms transfer applications; and
  - Providing advice and representation concerned with information technology procurement.
- **Administrative Office of the Courts (AOC)**

The following business and technical resources were identified by the AOC for the fiscal note for E2SHB 2467 as necessary to support the CFBC program:

- Developer (1 FTE) - Estimated Annual Cost – \$152,000
- Management Analyst (1 FTE) - Estimated Annual Cost – \$141,000
- Administrative Assistant (1 FTE) - Estimated Annual Cost – \$86,000
- Business Analyst (1 FTE) - Estimated Annual Cost – \$152,000
- Senior Legal Assistant (1 FTE) - Estimated Annual Cost – \$135,000
- Total AOC Staff – 5 FTEs - Estimated Annual Cost – \$666,000

AOC staff will be responsible for:

- Analyzing evolving state and federal firearms laws to identify any needed changes to the court case management system to respond to new requirements;
- Analyzing legal standards regarding eligibility and disqualification criteria, record privacy laws, sealing and destruction standards, and supporting technology;
- Working with all of the state’s courts and clerks to promote best practices for data entry and reporting;
- Configuring the statewide data repository and statewide case management systems to capture and report data as required; and
- Building and maintaining functional and secure data exchanges.

In addition to having administrative responsibilities and management control over the state's criminal history records repository program, the WSP is responsible for:

- Setting and establishing policies and procedures that are associated with the maintenance and statewide use of the Washington Crime Information Center (WACIC) and the Washington State Identification System (WASIS).
- Also, the WSP serves as the state's representative and CJIS Systems Agency (CSA) for accessing and providing information to nationally administered systems that are available to statewide criminal and non-criminal justice communities. Included are all systems that are administered by the FBI's Criminal Justice Services Division that encompass the Interstate Identification Index (III), the National Crime Information Center (NCIC), the National Instant Criminal Background Check System (NICS), and the National Data Exchange (N-DEx).
- Lastly, the WSP is also responsible for ensuring that system disciplines are adhered to in Washington's access and use of information that is inquired upon and received through the International Justice and Public Safety Network (Nlets), located in Phoenix, Arizona, and the Western Identification Network (WIN), a regional consortium of eight western states that share fingerprint images and criminal history record information located in Sacramento, California.

Because WSP personnel who work in the CFBC unit will have direct and indirect access to all of these systems, and will receive and review sensitive information from each, they are required to be trained, proficiency tested, and certified in accordance with recognized training requirements that are imposed by WACIC and the FBI's CJIS Security Policies.

WACIC policy indicates there are two levels of system users throughout Washington:

- Level one users who only have inquiry access to any of the above systems; and
- Level two users who have inquiry access and the ability to enter, clear, cancel and modify records.

Because CFBC personnel will need full access and functionality to these systems, they will need to be trained, proficiency tested, and certified as Level two users and be retrained, retested, and recertified every two years thereafter. Fortunately, this training and certification testing is well established and in use throughout the WSP at different times throughout the year.

Consequently, the WSP will expand its current use and deployment of Peak Products and nexTEST solutions to train, test, and certify CFBC personnel pursuant to the WACIC and FBI CJIS Security Policy. Also, WSP trainers and CFBC lead/supervisory personnel will provide program-specific training to CFBC examiners and other unit employees that include the following areas of concentration:

## Training

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- FFL relationships, business functions, and how to establish a new FFL account.
- Telephone etiquette, program record keeping requirements, and user fee billing/FFL account maintenance.
- Statutory authority and program requirements, state and federal prohibitors.
- Timelines to complete transactions and making notifications to FFLs.
- Operational awareness training on the use and functionality of the CFBC system and other systems/databases accessed (WACIC, WASIS, AOC-EDR, HCA, NCIC, III, NICS Indices, LInX-NW).
- Mandatory and optional data fields for making an inquiry.
- Transaction types – handgun, long gun, gun part (other), CPL permitting, etc.
- Reading in-state and out-of-state police reports, criminal history records, wanted person records, orders of protection, mental health records, etc.
- WACIC and NCIC hit confirmation requirements concerning wanted persons, missing persons, protection orders, known and suspected terrorists, and U.S. Secret Service protectees.
- Record research methodologies and identifying needed information from the initial arrest cycle to the final disposition/judgement of conviction.
- Response types – proceed, deny and indeterminate.
- Updating the CFBC system and the NICS Indices.
- Appeals process and restoration of rights to possess firearms.

CFBC lead/supervisory training to CFBC staff will also be augmented by training materials, training manuals, and technical and operational bulletins that are produced, published, and made available to the state by FBI NICS and other FBI CJIS Divisions. Onsite training by FBI NICS personnel will also be provided to state CFBC staff, as it may be requested by the WSP. Records of individual CFBC staff training, basic security awareness training, and specific information system security training shall be documented and kept current for use in both internal and FBI CJIS triennial audits.

Because FFLs will not have access to any of the systems or information that is derived from conducting a background check, proficiency testing and certification as a Level one or Level two user is not required. As such, FFLs will not receive the same level of training as CFBC personnel. Rather—and upon making an application to establish an account with the CFBC program and upon approval—FFLs will be provided a user's guide that provides the statutory

provisions surrounding the CFBC program and a step-by-step guide for making inquiry of the CFBC program electronically or by telephone or fax. It also will provide significant detail explaining the collection of user fees and system responses (proceed, deny, and indeterminate) that will be received following the launch of each transaction and all requirements concerning the maintenance of a Transaction Identification Number (TIN) on ATF required paperwork. This same guide will be provided and made available to all FFL accounts electronically through the CFBC system. CFBC personnel will also be available during CFBC business hours to answer any questions, discuss program requirements and to provide any needed information an FFL may require to successfully use the CFBC program.

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A program providing firearms background checks has many stakeholders, all of whose interests and needs must be taken into account in the program’s implementation and operation. This section identifies these stakeholders and documents the expected needs and interests of each.

<b>Stakeholder Group or Organization</b>	<b>Interests and Needs</b>
Citizens of Washington and other states (includes all other stakeholders)	<ul style="list-style-type: none"> <li>• Implement requirements of state and federal law.</li> <li>• Efficiency of program operations.</li> <li>• Prevent acquisition of firearms by persons prohibited from possessing them.</li> </ul>
Firearms purchasers	<ul style="list-style-type: none"> <li>• Minimize the effort and time required to obtain a background check.</li> </ul>
Firearms dealers (FFLs)	<ul style="list-style-type: none"> <li>• Minimize the effort and time required to obtain a background check.</li> <li>• Single point of contact for understanding and fulfilling legal obligations related to background checks.</li> <li>• Availability of assistance regarding use of and interaction with the program.</li> <li>• Clarity of expectations, instructions, and processes.</li> </ul>
Local law enforcement agencies	<ul style="list-style-type: none"> <li>• Perform fingerprint-based background checks for concealed pistol license (CPL) applications efficiently.</li> <li>• Ensure availability of accurate data concerning CPL holders and persons denied firearms (in accordance with state law).</li> </ul>
State agency data sharing partners: <ul style="list-style-type: none"> <li>• Department of Licensing</li> <li>• Administrative Office of the Courts</li> <li>• Health Care Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Clarity and formalization of requirements for interagency information exchanges.</li> <li>• Mutual support for agencies’ data-sharing policies and obligations under state law.</li> <li>• Collaboration and coordination when information exchange requirements need to change.</li> </ul>
Office of Financial Management	<ul style="list-style-type: none"> <li>• Obtain information about program budget and finances.</li> <li>• Obtain information about program performance.</li> </ul>
Oversight Board	<ul style="list-style-type: none"> <li>• Obtain information about program operations consistent with the Board’s duty under state law.</li> <li>• Efficient and effective mechanisms for providing oversight and input concerning program operation.</li> <li>• Support for Board discussions and operations.</li> </ul>

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Technology and automation will be a core element of the CFBC program, in order to keep operational costs as low as possible while streamlining the background check process for FFLs. This section describes the technology components envisioned to support the program and the support model around those components.

## Technology Architecture

The technology architecture for the CFBC program identifies the functional or business requirements, technical requirements, and supporting infrastructure necessary to support the Program with functional, reliable technology components. The architecture is organized into *views* that address the interests or needs of identified stakeholder groups:

- A **software requirements view** that establishes the functionality provided by the technology, to include:
  - Functional requirements: the actors or beneficiaries of the system, the goals they accomplish using the technology, and how they accomplish those goals through interactions with the technology.
  - Non-functional (or “technical”) requirements: mechanisms put in place to protect the interests of stakeholders, enforce policies, and protect information as the functional requirements are being carried out.
- A **hardware view** that provides an inventory of the hardware components (software delivery platforms) necessary to enable users to use the technology.
- A **deployment view** that depicts the physical location of each hardware component, the software component(s) delivered via that component, and the network connections and components necessary to establish secure connectivity between components.

The following sections detail each of these views.

## Software Requirements View

The software components necessary to support the CFBC program are described in detail in the Requirements Model appendix, organized into subsystems (components internal to the new CFBC software implementation) and external systems (existing or new software systems that are out-of-scope of the CFBC software implementation, but that will interact with the CFBC software). Each subsystem supports a set of use cases [descriptions of interactions between human users (actors) and the subsystem] and interfaces (descriptions of interactions between external systems and the subsystem). External systems in the model only contain interfaces, which document only the data or functionality of those external systems on which the CFBC software depends. Interfaces capture detailed requirements in terms of endpoints that perform a particular exchange of information or expose particular functionality to other systems.

The model identifies five subsystems:

- **Dealer Portal Subsystem**

A web-based application that an FFL can use on a desktop computer or mobile device to submit a firearms background check, determine the status of pending checks, and report transfers of firearms to approved transferees.

- **Staff Portal Subsystem**

A web-based application that CFBC program staff use to process background checks that require manual intervention and disposition; includes interfaces that other subsystems use to report data involved in a background check, and to coordinate the business processes that occur following the disposition of a check (e.g., handling of denials).

- **Federated Query Subsystem**

A software component that brokers background check queries by distributing them to various information systems at the WSP and partner agencies as required by federal and Washington State law, then receiving the responses and aggregating the responses into a single intermediate determination (lights-out proceed, lights-out deny, or an indeterminate result that requires manual disposition).

- **Denied Transaction Handler Subsystem**

A software component that facilitates the handling of denied background checks, including notifying entities as required by law, and updating a database of denied transactions.

- **Law Enforcement Interfaces Subsystem**

A software component with interfaces to receive fingerprint-based and name-based background checks from other systems at the WSP [e.g., the Washington Access to Criminal History (WATCH) portal] and submit those requests to other subsystems for processing.

The model also identifies four external systems:

- **Accounts Receivable External System**

An existing software system or capability at the WSP for handling accounts receivable.

- **Driver License/ID Verification External System**

A system at the Department of Licensing with the capability to verify a driver license or state identification by number and retrieve information about the person to whom the license or identification was issued.

- **Firearm Transfer Application External System**

A system (currently at the Department of Licensing) that receives and records information about transfers of handguns and semi-automatic rifles in Washington State.

- **Background Check Data Source External Systems**

A collection of external system interfaces that provide information on prohibitors as part of a background check.

The following table summarizes the subsystems and external systems necessary to provide required functionality for the CFBC program:

Component	Type	Requirements
Dealer Portal Subsystem	Subsystem	Use Cases: <ul style="list-style-type: none"> <li>• Submit Background Check</li> <li>• Receive Status Notification</li> <li>• View Background Checks (for Dealer)</li> <li>• Report Firearms Transfer</li> <li>• Add FFL User</li> <li>• Inactivate FFL User</li> </ul>
Staff Portal Subsystem	Subsystem	Use Cases: <ul style="list-style-type: none"> <li>• Review Background Check</li> <li>• View Background Checks (CFBC Staff)</li> <li>• Assign Manual Review</li> <li>• Onboard FFL</li> <li>• Inactivate FFL</li> <li>• Manage Appealed Denial</li> </ul> Interfaces: <ul style="list-style-type: none"> <li>• Background Check Management Interface               <ul style="list-style-type: none"> <li>— Record Pending Background Check Endpoint</li> <li>— Record Query Results Endpoint</li> <li>— View Background Checks Endpoint</li> <li>— Dispose Background Check Endpoint</li> <li>— Batch Background Check Submission Endpoint</li> </ul> </li> </ul>
Federated Query Subsystem	Subsystem	Interfaces: <ul style="list-style-type: none"> <li>• Federated Query Interface               <ul style="list-style-type: none"> <li>— Query Endpoint</li> </ul> </li> </ul>
Denied Transaction Handler Subsystem	Subsystem	Interfaces: <ul style="list-style-type: none"> <li>• Denied Transaction Handler Interface               <ul style="list-style-type: none"> <li>— Notify of Denied Transaction Endpoint</li> <li>— Notify of Reversed Denial on Appeal Endpoint</li> </ul> </li> </ul>

## Technological Solutions and Support

Component	Type	Requirements
Law Enforcement Interfaces Subsystem	Subsystem	Interfaces: <ul style="list-style-type: none"> <li>• Fingerprint-based Background Check Interface               <ul style="list-style-type: none"> <li>— Submit Fingerprint-based Background Check Request Endpoint</li> <li>— Submit Name/Date of Birth Based Background Check Request Endpoint</li> <li>— Notify of Completed Background Check Endpoint</li> </ul> </li> </ul>
Accounts Receivable External System	External System	Interfaces: <ul style="list-style-type: none"> <li>• Accounts Receivable Interface               <ul style="list-style-type: none"> <li>— Create Account Endpoint</li> <li>— Record Receivable Endpoint</li> </ul> </li> </ul>
Driver License/ID Verification External System	External System	Interfaces: <ul style="list-style-type: none"> <li>• Driver License/ID Verification Interface               <ul style="list-style-type: none"> <li>— Verify Endpoint</li> </ul> </li> </ul>
Firearms Transfer Application External System	External System	Interfaces: <ul style="list-style-type: none"> <li>• Firearms Transfer Application Interface               <ul style="list-style-type: none"> <li>— Notify of Transferred Firearms Endpoint</li> </ul> </li> </ul>
Background Check Data Source External Systems	External System	Interfaces: <ul style="list-style-type: none"> <li>• Court Records Interface               <ul style="list-style-type: none"> <li>— Court Records Query Endpoint</li> </ul> </li> <li>• Health Records Interface               <ul style="list-style-type: none"> <li>— Health Records Query Endpoint</li> </ul> </li> <li>• State/National Law Enforcement Records Interface               <ul style="list-style-type: none"> <li>— Law Enforcement Records Query Endpoint</li> </ul> </li> <li>• Local Law Enforcement Records Interface               <ul style="list-style-type: none"> <li>— Law Enforcement Records Query Endpoint</li> </ul> </li> </ul>

A core requirement of the CFBC software is that background checks will be asynchronous. This means that once a background check query is launched, multiple systems will be queried at once and the results from each system will be delivered independent of the others. Implementing asynchronous interactions is a common best practice for distributed systems, and

is especially relevant for potentially long-running or discontinuous processes like background check queries.

A Washington firearms background check will involve queries to the Health Care Authority (HCA), for example, and could involve manual investigations by HCA staff if an automated query is unable to produce a definitive response. From both user experience and technical performance perspectives, it is undesirable for software processes to wait for all components of a query to complete; instead, an asynchronous approach involves component systems sending a response message to the initiating component when it is available. Users see this manifest as an application function to view pending checks, which will update as information from component systems is retrieved. The Background Check Management Interface of the Staff Portal Subsystem is intended to receive these asynchronous messages and manage their handling by human users (CFBC staff).

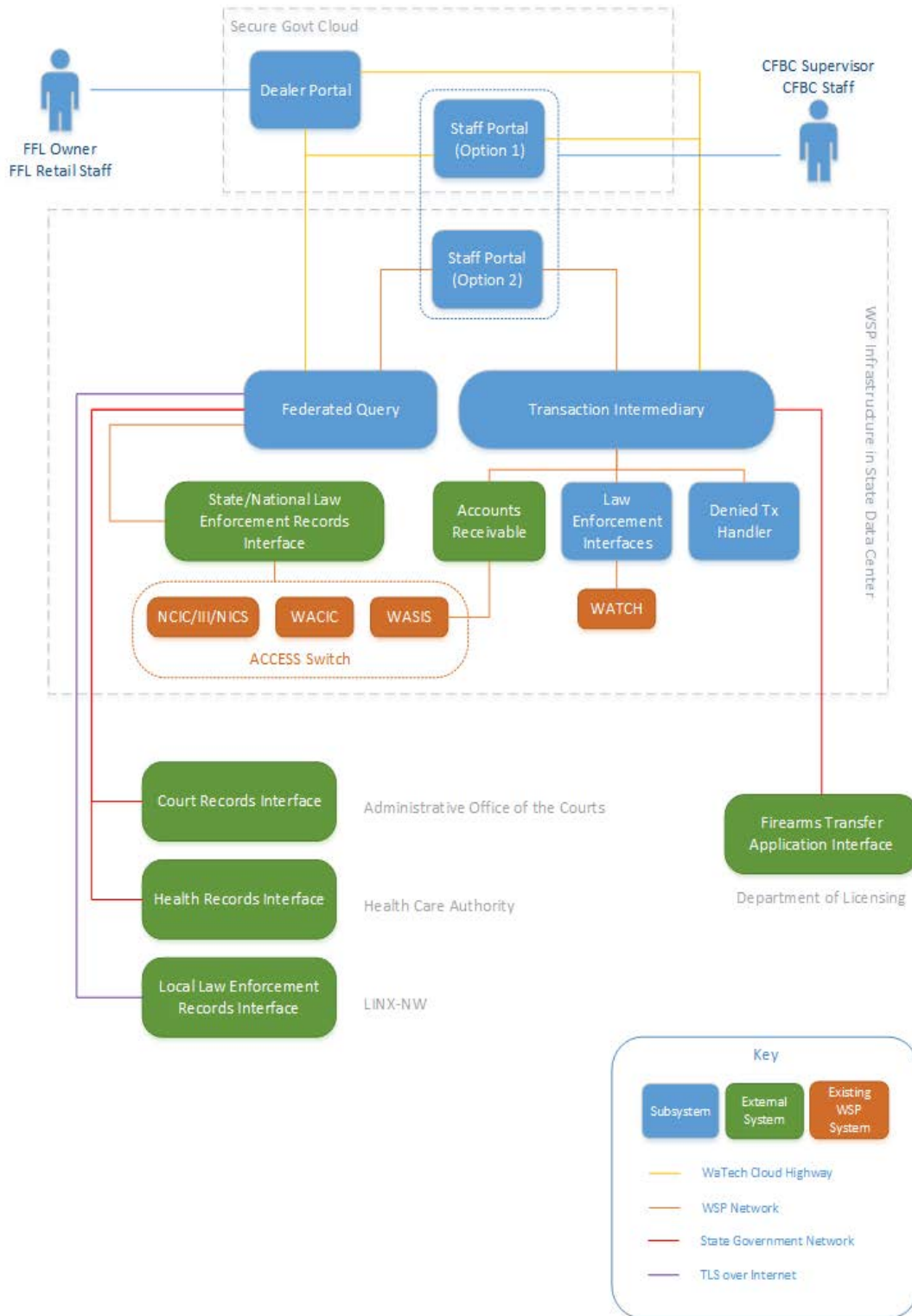
The WSP can implement each subsystem in the requirements model independently. “Implementation” in this sense could mean procuring the subsystem from a software vendor and modifying the vendor’s off-the-shelf offering as needed, or engaging a software development vendor to build the subsystem from the requirements in the model, or implementing the subsystem internally (using WSP development teams). Given the WSP’s general preference and strategy for avoiding in-house built software systems, the plan assumes that the WSP will conduct a procurement for each subsystem. The expected procurement strategy for the CFBC software and technology services is detailed in a subsequent section.

In addition to the use cases and interfaces described above, the Requirements Model also identifies a set of “non-functional requirements” that enforce policies, standards, and rules that underlie the use cases and interfaces.

Use cases are not intended to define how software user interfaces should look, feel, and operate; as such, the requirements in the Requirements Model place no constraints on the design of user interfaces of potential subsystems procured by the WSP. It is expected that vendors will demonstrate user interface designs in their responses to an eventual RFP, and that user interface details would be agreed upon by the vendor and the WSP. In addition, the vendor and the WSP will negotiate the details of subsystem behavior during the implementation project. The level of detail provided in the requirements model provides an overall outline of the scope that ensures that all capabilities and components are included in the cost estimates.

## **Deployment View**

The following diagram depicts the environments in which WSP plans to deploy the subsystems and interfaces identified in the requirements model.





The WSP plans to host the Dealer Portal subsystem in a secure, commercially operated, government-specific cloud (such as Amazon Web Services or Microsoft Azure) for the cost, scalability, and reliability benefits available from cloud deployment. The WSP may host the staff portal there as well, but reserves the option to host the staff portal on an application server in the WSP-controlled area of the WaTech state data center. Architecturally, either option would be viable, but a security review (including a review of FBI Criminal Justice Information Services (CJIS) Security Policy requirements) may incline the agency to deploy in the WSP environment. This decision will be deferred to the implementation project.

The plan to host the portal subsystems in a secure government cloud environment is intended to be inclusive of an option in which a vendor provides these applications in a software-as-a-service (SaaS) model. Responses to WSP's Request for Information (RFI) suggest that vendors that offer a SaaS model do so using one of the existing commercial government cloud environments. The envisioned architecture could include vendor-provisioned application hosting environments outside of commercial government cloud environments as well, as long as the vendor-provisioned solutions meet all requirements (in particular, WSP and FBI CJIS security and availability requirements).

The portal applications will connect to an intermediary layer via the WaTech Cloud Highway<sup>1</sup> service, for portal applications hosted in the cloud, or via the WSP network, for portal applications hosted in the WSP infrastructure in the state data center. The "transaction intermediary" may be a physical or conceptual layer; it is feasible for the portal applications to interact directly with the interfaces depicted behind the transaction intermediary gateway on the diagram (it is included only to convey the difference between interfaces that participate in the federated query, versus those that do not).

The WSP will maintain interfaces to the ACCESS Switch (which enables the federated query to perform National Instant Criminal Background Check System (NICS) firearms queries of state and national law enforcement sources), an interface to the Washington State Identification System (WASIS) accounts receivable/invoicing module, the Washington Access to Criminal History (WATCH) portal (for submission and management of background checks by law enforcement agencies), and the Denied Transaction Handler external system. The denied transaction capability will reside with the WSP; the implementation of this external system will adjust accordingly.

The federated query intermediary will interact with external state agency interfaces (Administrative Office of the Courts and Health Care Authority) via the state government network (SGN), and with LInX-NW via transport-level security over the public Internet.

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<sup>1</sup> <https://watech.wa.gov/services/Cloud-Highway>

## Hardware View

In order to gain the widest practical adoption of the Dealer Portal software, it is important that the WSP place minimal requirements on the hardware and operating systems in use by FFLs. As such, the plan assumes only that FFLs access the portal with a desktop or mobile computing device (e.g., an iOS or Android smartphone or tablet) capable of loading HTML and JavaScript; or, in the case of mobile devices, a device app suitable for install on the two prominent platforms. No other assumptions will be made about the FFLs computing environment, other than conformance to the non-functional requirements identified in the Requirements Model.

The plan assumes that all WSP staff in the CFBC program will use a standard personal computer (PC) workstation configuration assigned to office-based or home-office based staff in the agency.

The plan assumes that components of subsystems deployed on WSP-managed infrastructure in the state's data center will utilize virtual machines on existing hardware.

## Procurement Strategy

The WSP conducted a Request for Information (RFI) in May-June 2020, seeking input from the software vendor community on feasibility of their being able to meet the WSP's high level requirements for the CFBC Program software, and the range of existing implementations. Ten vendors responded to the RFI, representing a broad range of experiences, technology architectures, and existing implementations.

The key findings from the RFI were as follows:

- There is no single off-the-shelf software package that is likely to meet the complete set of CFBC requirements without customization.
- Similar background check implementations have leveraged content management or case management platforms to assemble a solution aligned with a specific customer's (jurisdiction or agency) requirements.
- It is likely that components from existing implementations could effectively cover portions of the CFBC requirements model, with WSP-specific customizations necessary to implement the overall CFBC workflow and specific requirements unique to Washington State.

In addition to the RFI, during the same time period, the WSP and the implementation plan consulting team interviewed counterparts from other centralized, full point-of-contact states to explore their supporting technology and document those states' lessons learned from technology implementation. Three of these states (Florida, Utah, and Virginia) elected to build fully custom software systems to support their firearms background check programs. This

underscores that Washington State should expect a great deal of customization to be necessary in its technology implementation. In addition, the State of Florida offered to share the software source code to its system at no cost to the State of Washington, presenting a potentially beneficial cost savings to Washington if Florida's system contains functionality or components that fit Washington State's requirements well.

Taking into consideration the responses to WSP's RFI and the learnings from current point-of-contact states, the WSP should conduct a procurement for CFBC support software as follows:

- Prior to issuance of a Request for Proposal (RFP) for CFBC software support, offer prospective bidders an opportunity to review Florida's source code under a non-disclosure agreement, so they may evaluate the viability of including modification of some or all of Florida's code as part of their proposal.
- Issue an RFP for a vendor, or team of vendors, to implement the requirements model in accordance with WSP and State of Washington policies and standards. The RFP will be flexible as to implementation model, to include a custom "from-scratch" software build, assembly, and customization of existing off-the-shelf components, combinations of off-the-shelf components from multiple software vendors, and/or reuse and customization of Florida's source code.
- Include in the scope of the RFP that the vendor, or team of vendors, will provide ongoing support and maintenance for all software components. The WSP will use its current contract with Leidos for the W3 system as a model for structuring the vendor support agreement.
- If a team of vendors bids on the RFP, one vendor will be designated as the prime vendor with whom the WSP enters into a contract for products and services.

The WSP will conduct a separate procurement, and enter into a contract with a vendor that is independent of any implementation vendor(s), for development of the RFP, assistance with the procurement, and project management and technical oversight of the implementation.

The RFP, and subsequent evaluation of vendor proposals, should emphasize the importance of an effective, innovative implementation of the federated query subsystem. As indicated in the Requirements Model, the degree to which the federated query is able to effectively categorize results in a lights-out manner and assess the probability of a prohibitor where a lights-out determination cannot be made will be a key determinant of the efficiency (and therefore the cost) of the CFBC program overall. The WSP plans to provide actual (fictitious but realistic) test cases of consolidated query responses to finalist vendors and evaluate their solutions on their effectiveness at appropriately categorizing the results of these test cases (or, alternatively, describing thoroughly the techniques the vendor will use to build a categorization mechanism into their solution).

## Cost Estimates

The estimated total technology cost for the CFBC program can be broken down into software costs, hardware costs, networking costs, and application hosting costs.

### Software Costs

The RFI that the WSP issued in support of the implementation plan asked respondents to estimate a cost for implementing the software to support a centralized firearms background check function, broadly defined. It is important to note that the RFI did not include a full, detailed expression of the envisioned requirements, but rather asked vendors for estimates of costs to support a general statewide centralized background check function. Six of the ten RFI respondents elected to provide a cost estimate (or range). Three of these responses estimated costs in a range of \$750,000 to \$1.7 million. A fourth was around \$400,000, a fifth estimated \$150,000 with potential additional costs for customizations, and the sixth was an outlier at around \$50,000.

In addition to cost estimates provided by RFI respondents, the WSP collected cost estimates from two non-vendor sources. The State of Florida reported that the initial development costs for their custom-built firearms background check system were approximately \$560,000. While Florida's statutory requirements differ somewhat from Washington's, the overall background check process is similar enough for this to be a valid "ballpark" data point. Separately, Cascadia Analytics LLC developed an independent estimate of the cost of a fully custom application development effort to implement the requirements in the CFBC Requirements Model. The details of this estimate are provided in an appendix; the total estimated cost inclusive of project management and contingency is approximately \$690,000.

Taking all data points into consideration, conservative planning would suggest a cost estimate of \$1 million - \$1.25 million for the subsystems and external system interfaces identified in the requirements model. The implementation plan budget will use the high end of this range (\$1.25 million).

The WSP plans to engage a project manager, architect, and quality assurance consultant via a contract to oversee and manage the implementation project, and ensure conformance with all Office of the Chief Information Officer (OCIO) processes and requirements. The plan assumes:

- 1.0 of a Project Manager FTE and .25 of a Quality Assurance Consultant FTE from February 1, 2021 through June 30, 2023 (29 months).
- .5 of an architect FTE from February 1, 2021 through June 30, 2022, and .25 of an architect FTE from July 1, 2022 through June 30, 2023.

Using an hourly rate of \$150 for the project manager and architect, and \$125 for the quality assurance consultant (typical for these roles in the current Department of Enterprise Services (DES) IT Master contract), the plan estimates a cost of \$1,228,700 for this oversight and project management contract.

The standard model that software vendors use for maintenance and support is to charge a fixed percentage of the implementation contract price as an annual maintenance fee. A typical percentage seen in the market is 10-20%. RFI respondents were asked to provide an estimated annual maintenance cost, and of the vendors who elected to do so, the percentages were generally in this range. Recent experience at the WSP with information technology maintenance contracts confirms a percentage in the upper end of this range, as well. Thus, for planning and budgeting purposes, the WSP will assume a 20% annual maintenance percentage, or \$250,000 annually.

Overall software costs for supporting the CFBC program will include the cost of implementing and maintaining interfaces at partner agencies. These agencies have contributed the following estimates during the planning phase:

- **Administrative Office of the Courts**
  - \$666,000 per year for five staff FTE positions, as indicated in the final fiscal note for E2SHB 2467.
  - No contract/vendor/license, network, or hardware costs.
  - AOC did not distinguish between initial implementation and ongoing maintenance/support costs.
- **Health Care Authority**
  - \$1 million to implement the query interface at HCA.
- **Department of Licensing**
  - \$324,100 to implement the interface to the DOL firearms database

## **Networking and Telephony Costs**

The WSP Electronic Services Division estimates up-front networking telephony and networking (equipment) costs as follows.

If the CFBC program unit is housed at the Helen Sommers Building, the costs are estimated to be:

- \$146,081 up-front costs and \$35,696 annual costs without Initiative 1639 annual rechecks.
- \$165,228 up-front costs and \$36,642 annual costs with Initiative 1639 annual rechecks.

If the CFBC program unit is housed in a facility other than the Helen Sommers Building, the costs are estimated to be:

- \$166,780 up-front costs and \$69,310 annual costs without Initiative 1639 annual rechecks.
- \$185,927 up-front costs and \$70,075 annual costs with Initiative 1639 annual rechecks.

The WSP will utilize the WaTech Cloud Highway service for connectivity between the state government network and the cloud provider that hosts the portal application subsystems. The Cloud Highway service incurs the following costs (assuming a 200 Mbps connection):

- \$8,100 up-front consulting and design fee.
- \$9,300 annually for core Cloud Highway service.
- \$2,100 annually for AWS off-ramp via Equinix Cloud Exchange fabric.

## Hardware and Desktop Software Costs

Assuming a per-workstation cost of \$2,500 for desktop computer and accessories, and \$1,400 per device for system software, the hardware and system software acquisition costs for the CFBC program unit will be:

- \$240,581 for 62 staff, if the CFBC program unit does not perform annual rechecks.
- \$372,660 for 96 staff, if the CFBC program unit does perform annual rechecks.

Recurring costs for STR and annual software licensing will be:

- \$60,145 if the CFBC program unit does not perform annual rechecks.
- \$93,165 if the CFBC program unit does perform annual rechecks.

All other hardware costs are covered elsewhere in this section.

Note that the above costs are based upon purchasing one desktop computer (and accessories) per staff person, rather than per workstation, to provide some buffer for laptops and docking stations for staff that might work remotely.

## Application Hosting Costs

Annual costs for hosting WSP-managed components in a secure government cloud (portal software subsystems) and the WSP-managed infrastructure in the state data center (intermediary subsystems and interfaces) are as follows:

- AWS GovCloud-US West t3.2xlarge Linux EC2 instance as a primary host @ \$.3904 per hour: \$3,419
- AWS GovCloud-US East t3.xlarge Linux EC2 instance as a secondary host @ \$.1952 per hour: \$1,709
- Annual maintenance on 2 Windows virtual machines: \$526.87

The WSP will incur an up-front licensing cost of \$4,108.80 for 2 Windows virtual machines in the standard WSP configuration (10-core CPU, 20GB RAM, and 300GB HDD).

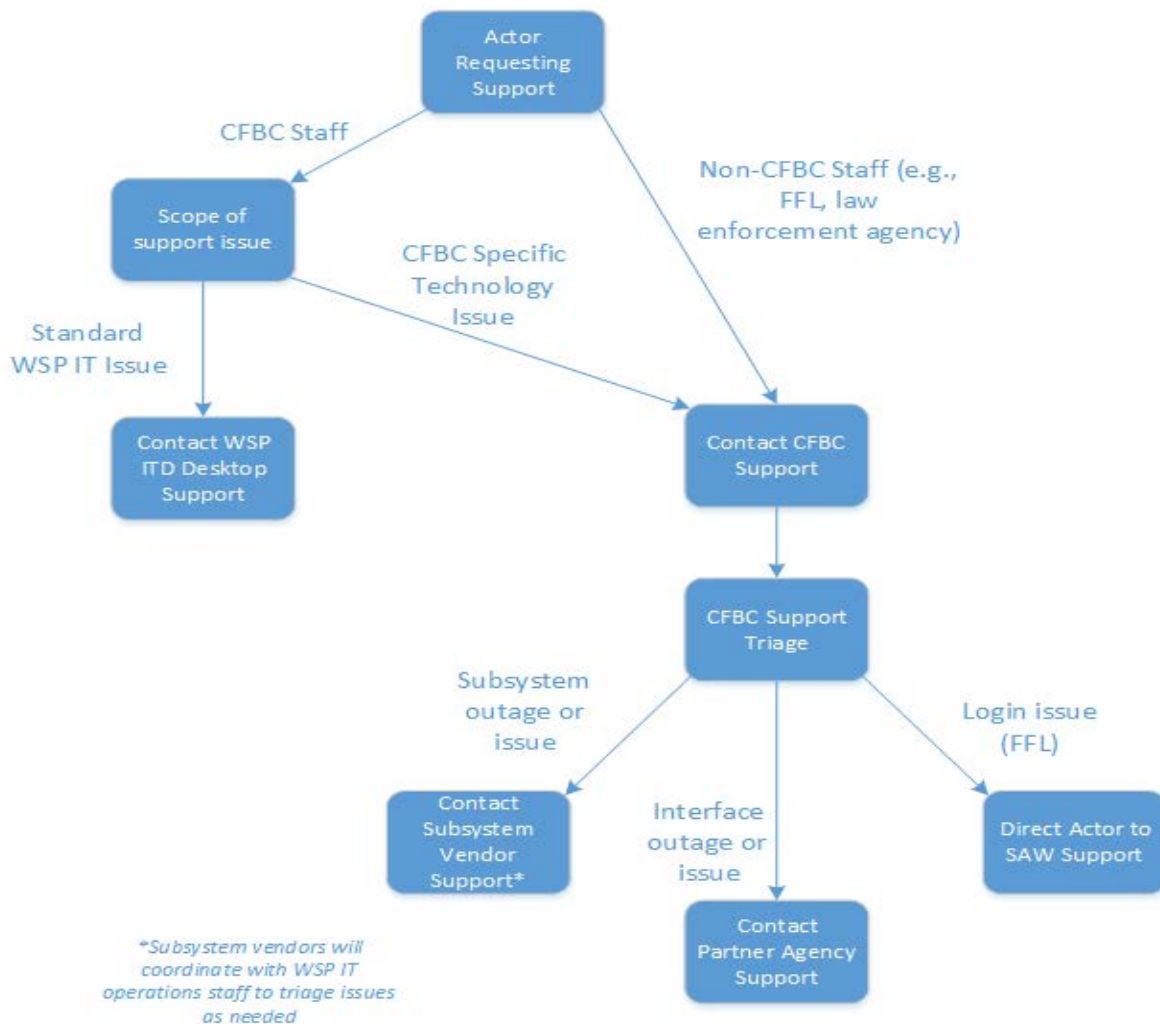


A t3.2xlarge instance is the closest available EC2 instance to the standard WSP application server configuration. The plan assumes a Linux server, as this server will be vendor-managed rather than WSP-managed. If a vendor requires Windows, the cost is approximately 35% higher.

## Support Model

Support for technology in the CFBC program will exist in the context of both standard information technology support infrastructure at the WSP and state government, as well as the general CFBC Program operational support strategy outlined in the Management Overview section of the implementation plan.

The following diagram depicts the high-level support model for CFBC technology:



## Technological Solutions and Support

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The path of a support issue begins with identifying the source as a CFBC staff person or a non-staff person. Because CFBC staff are WSP employees, they will utilize existing WSP support for standard desktop and enterprise software support issues. Examples of these issues include: faulty desktop workstation equipment, support for shared office equipment such as printers, and support for enterprise software such as email, office software, and intranet applications.

Support issues that concern CFBC-specific software—that is, subsystems in the CFBC requirements model—will be addressed to and handled by designated CFBC support staff, as described in the overall CFBC support model in the **Management Overview** section of the plan. Having the CFBC support team handle these issues will enable them to approach such issues holistically. What may seem to the reporting user to be a software problem might actually be an operational, process, or policy issue; helping users navigate such issues requires a holistic view of the entire CFBC program and its resources.

If the CFBC support staff determine that an issue is in fact a technology issue, then they will follow standard guidelines (developed initially during the implementation phase and updated over time as additional support scenarios unfold) to triage the issue and direct the resolution down the proper path, utilizing the two dedicated information technology (IT) support positions in the staffing model to perform the triage.

If an issue concerns a subsystem, the CFBC dedicated IT staff will contact that subsystem's vendor via the contractually specified support mechanism, with simultaneous notification to appropriate WSP network and data center support staff as needed (e.g., if the issue involves an application outage that may be due to network or data center service outages). If the issue concerns an FFL's authentication (e.g., password reset, forgotten account information, etc.), the staff will direct the user to Secure Access Washington (SAW) support at WaTech. If the issue concerns an interface to an external system, the staff will coordinate resolution with the support point-of-contact designated in the interagency agreement governing that interface.

To facilitate support on network and data center issues, the WSP Electronic Services Division will dedicate 1 ITS4 FTE to the CFBC program unit.

All contracts with vendors to provide subsystems will include robust support, using the WSP's recent contract with Leidos, Inc. for the Washington State Identification System (WASIS), Washington Crime Information Center (WACIC), and Washington Access to Criminal History (WATCH) systems as a baseline framework for vendor support. Vendors will require the necessary security authorization to enable the access to networks, server platforms, applications, and data appropriate and necessary for their staff to provide problem investigation, resolution, and support.

## Support Costs

The staffing model identifies two dedicated ITS3 customer support FTE positions to support the CFBC Support function discussed in the prior section. The fully loaded cost of these two



positions is \$226,581. The staffing model also identifies one dedicated ITS4 network support position at a fully-loaded cost of \$123,330. All other support costs for CFBC program technology are covered elsewhere in the plan; specifically:

- WSP information technology infrastructure support (e.g., network, telephony, desktop) is covered via indirect costs allocated in the budget.
- Vendor support costs are subsumed in the ongoing annual maintenance costs documented in the “Cost Estimates” section above.
- Costs incurred by partner agencies in supporting interfaces are subsumed in the ongoing annual interface maintenance costs documented in the “Cost Estimates” section above.

### Implementation Timeline

The timeline for implementation of technology to support the CFBC program assumes that implementation work will begin spring 2021, and that core initial staff are in place by March 1, 2021, as called for in the staffing section of the plan. The timeline outlined below targets having the technology subsystems available as the first FFL begins utilizing the CFBC program services, in pilot mode, on July 1, 2023, with a gradual statewide rollout to all FFLs in late 2023. It is assumed that facilities and equipment will be in place for occupancy by CFBC program staff by February 1, 2023.

With these constraints in mind, the WSP plans to implement the CFBC support technology along the following timeline:

Task	Start Date	Completion Date
Engage Project Management/Architecture Consultant	1/1/2021	1/31/2021
Draft and issue RFP for subsystems	2/15/2021	5/15/2021
Subsystem vendors respond to RFP	5/15/2021	6/15/2021
Selection of and negotiation with subsystem vendor	6/15/2021	8/31/2021
Implementation of subsystems (iterative and incremental delivery/deployment of functionality)	8/31/2021	3/31/2023
Installation of all hardware, networking, and telephony equipment in CFBC program facility/workspace	12/1/2022	1/31/2023
Initial setup and configuration of software hosting (server) environments in state data center and cloud provider	2/1/2023	2/30/2023
Partner agencies implement interfaces	4/1/2021	11/30/2022
First background checks performed by CFBC Program using technology	<b>7/1/2023</b>	

To mitigate the risk of misalignment of the CFBC software subsystems with business requirements and to gain user feedback on implementation, the project to implement the subsystems identified in the requirements model will be conducted in an iterative and incremental fashion, with significant production-quality features delivered in the first month of development, and monthly thereafter. Vendors' plans for and proven abilities to deliver software in an agile manner should factor significantly into the RFP evaluation and selection of a vendor. WSP acceptance testing will occur monthly throughout the project, with a final acceptance testing period occurring in October 2023.

Note that the installation of hardware, networking, and telephony equipment in the timeline assumes that associated tenant improvements have been completed by July 2023. These include installation of circuits to connect the facility to the state government network (SGN) and of cabling to employee workspaces.

The subsystem vendor will need to support parallel development of interfaces at the partner agencies, based upon the interface requirements documented in the Requirements Model and the architecture established in the **Interagency System Integration** section of the implementation plan. It is expected that the subsystem vendor will accomplish this by developing simple temporary implementations of all interfaces as needed to mitigate timeline risks associated with interface dependencies. Four months have been allocated (July-October 2023) from the end of agency interface implementation to final implementation of the CFBC subsystems to enable integration and testing of agency interfaces.

Firearms background checks in Washington necessitate consulting several data sources to search for prohibitors. Minimizing the costs and maximizing the efficiency of these checks calls for automating the consultation of these data sources using a *federated query* architecture. In this approach, a query orchestrator submits the prospective transferee's identifying information (collected by the firearms dealer at the point of sale) to each required data source. Each source searches for matching records based upon the identifying information provided and returns any matches back to the orchestrator for consolidation into a single response.

The information needed to complete a firearms background check is controlled and managed by several separate organizations. The Administrative Office of the Courts (AOC) maintains information on criminal and juvenile court cases, including information about arrests, dispositions, and sentences where fingerprints were not captured at any point in the case lifecycle (and therefore are not available in Washington's criminal history database). The Health Care Authority (HCA) maintains information on mental health and substance abuse treatment history necessary to determine if federal and Washington State prohibitors related to involuntary commitments to treatment apply to a prospective transferee.

Local law enforcement records are a key part of current Washington State firearms background checks for handgun and semi-automatic rifle transfers. Maintaining access to these records in the centralized process is an important goal; however, building interfaces to hundreds of law enforcement agencies' systems across the state would likely be difficult and costly. As such, the WSP plans to access these records via LInX-NW, which is a regional law enforcement data service to which most agencies in Washington submit at least some data. At the time of publication of this plan, LInX-NW does not yet offer an automated interface for querying information, but the WSP plans to pursue this via its seat on the LInX-NW governance board.

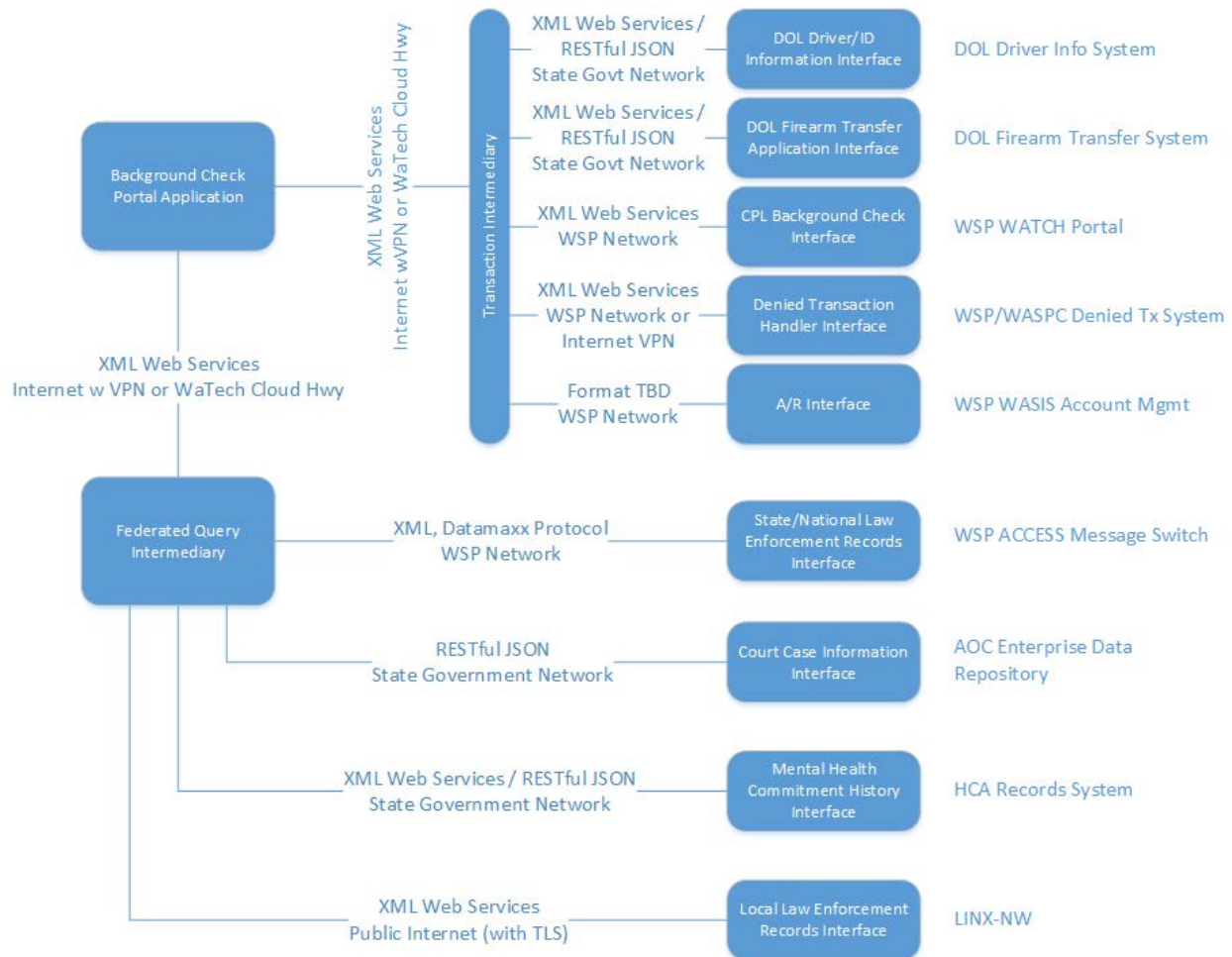
Several additional interfaces outside of the federated query will support the effective automation of firearms background checks. The Department of Licensing (DOL) maintains information about residents' driver licenses and state identification; an interface to this information will enable the portal through which firearms dealers submit background checks to validate a prospective transferee's identification and retrieve identifying information to assist the dealer in confirming the identity of the transferee at the point of sale. Upon completion of a firearms transfer, information about the transaction will be shared with DOL via an interface that updates the agency's firearms transfer application database.

This section describes this architecture in detail. Agreement among all participating agencies on a common architecture for information exchange is a key element of ensuring the implementation of an efficient and effective firearms background check system. Without consensus on protocols and exchange formats, the overall cost of operating the system will tend to grow linearly in the number of participating agencies. On the other hand, settling on standard protocols and formats tends to streamline technology implementations and lower long-term costs of ownership.

This section captures the requirements and architecture for interagency information exchanges generally. The descriptions of (and requirements for) each of the specific interfaces involved in completing a background check are documented in the Requirements Model.

## Integration Architecture

The following figure depicts the interagency system integration architecture for the Centralized Firearms Background Check Program:



There are three types of components depicted in the architecture (consult the Requirements Model for detailed descriptions of the requirements for these components):

- **Background Check Portal Application**

The application that firearms dealers and CFBC staff use to facilitate submission of and disposition of background checks. Consists of several subsystems and internal interfaces to manage different aspects of the background check process.

- **Intermediaries (Federated Query and Transaction)**

Intermediaries expose a streamlined, secure interface to the background check portal with access to all interfaces external to the portal application—both WSP-provided interfaces, and interfaces provided by other agencies.

- Eight interfaces segmented into two groups:
  - Interfaces that are “transactional” in nature, in that they support automation of various steps in the background check process or operation of the portal application itself.
  - Interfaces that participate in the federated query that occurs as part of conducting each background check.

## Deployment Architecture

The integration architecture assumes that the background check portal application will be hosted in a secure government cloud; reference the Technological Solutions and Support section of the plan for further details. The two intermediary components will be hosted within the WSP-managed infrastructure in the State Data Center. Each interface will be hosted by the agency that owns the system(s) and data to which that interface provides access.

The background check portal application will connect to the two intermediaries via a secure public Internet connection between the State Data Center and the secure government cloud environment. This secure connection will either be a virtual private network (VPN) managed by WSP, or the WaTech Cloud Highway service (see <https://watech.wa.gov/services/Cloud-Highway>).

Intermediary connections to interfaces maintained by partner state agencies will occur over the State Government Network (SGN). Intermediary connections to WSP interfaces will occur over the WSP network. Intermediary connections to LINX-NW will occur over a secure Internet connection (either http/s with TLS or a VPN, depending on LINX-NW requirements).

## General Interaction Requirements

Except where noted below, all interfaces are implemented as XML web services that conform to the Web Services Interoperability (WS-I) Basic Profile version 2.0. Communication between web service client and server will occur over https using Transport Layer Security (TLS) version 1.3 with mutual authentication. Interfaces should be available 99.9% of the time, 24 hours per day, 365 days per year.

An exception to the above is interaction with interfaces to the WSP ACCESS message switch. These interfaces adhere to the Datamaxx Message Processing Protocol (DMPP-2020). The DMPP-2020 uses XML, but in a proprietary exchange protocol that differs from standard web services.

A further exception to the above is that the WSP and individual agencies may agree to use a RESTful service with a message payload in JavaScript Object Notation (JSON) format, where the JSON structure is equivalent to the specified XML for a particular interface. This choice will be made during implementation if the agencies agree that a RESTful/JSON approach would be more cost-effective or otherwise beneficial.

## Interagency System Integration

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All interfaces should expect to operate under the assumption that the CFBC program will handle 1,800 background checks per day, with 25% of days handling 2,100 background checks, and a maximum daily volume of 6,000 checks. Note that background checks do not occur evenly spaced throughout the day; on the few high-volume days that occur, interfaces should expect to receive as many as 500-700 requests per hour.

### Asynchronous Messaging

The system integration architecture will support asynchronous web services exchanges, in which the web service client receives the substantive response to a request in a separate message initiated by the service implementation. Correlation of responses with requests will occur via use of a globally unique identifier created by the service client and transmitted with the request message. When the service implementation sends the response to a request, it includes the globally unique identifier to enable the service client to match the response with the original request.

In the event an agency finds it impossible or cost-prohibitive to implement an asynchronous service, and where performance on the service client side compels an asynchronous exchange, then the agency on the service client side may implement an adapter that maintains a queue of requests to the synchronous service.

### Technical Interface Specifications

The system integration architecture recommends that the message format for each interface endpoint conforms to the National Information Exchange Model (NIEM) guidelines at <https://www.niem.gov/>. NIEM is a national justice community standard for interagency message exchange and has been used in Washington State for many years for various justice information exchanges. This recommendation notwithstanding, if an agency's technology architecture or practice calls for utilizing an alternative vocabulary as the basis for message formats (or no vocabulary at all), the WSP and that agency will utilize the alternative, to be mutually agreed between the agencies during implementation.

Interfaces that already exist (and therefore already have a specification) are noted below. Specifications for new interfaces to support the CFBC program are attached to the implementation plan as NIEM Information Exchange Package Documentation (IEPD) artifacts. If the WSP and a partner agency elect not to use NIEM XML for a particular exchange, the attached IEPD artifacts can serve as documentation of the required message contents, rather than as a technical specification for the message; the technical specification for such an exchange will be mutually agreed by the agencies during implementation.



Interface	Specification
DOL Driver/ID Information Interface	Request/Response: CFBC Driver License Inquiry IEPD
DOL Firearm Transfer Application Interface	Request: CFBC Background Check IEPD (fta document schema) Response: None (acknowledgement)
CPL Background Check Interface	Request: CFBC Background Check IEPD (bgc-request document schema) Response: None (acknowledgement)
Denied Transaction Handler Interface	Request: CFBC Background Check IEPD (denial document schema) Response: None (acknowledgement)
State/National Law Enforcement Records Interface	Datamaxx Omnix XML Protocols <a href="http://www.wsp.wa.gov/secured/access/docs/xml_resources/XML_Resource_Center/intro.htm">http://www.wsp.wa.gov/secured/access/docs/xml_resources/XML_Resource_Center/intro.htm</a>
Court Case Information Interface	Request: CFBC Background Check IEPD (bgc-request document schema) Response: CFBC Court Records Query IEPD
Mental Health Commitment History Interface	Request: CFBC Background Check IEPD (bgc-request document schema) Response: CFBC Mental Health Records Query IEPD
Local Law Enforcement Records Interface	N-DEX Incident/Arrest IEPD <a href="https://www.fbi.gov/file-repository/n-dex-iepd-incident-arrest.zip/view">https://www.fbi.gov/file-repository/n-dex-iepd-incident-arrest.zip/view</a>

In addition to the interfaces listed above, the Accounts Receivable interface will consist of either an application programming interface (API) or an exposed database connection, allowing the CFBC portal application to submit transactions to the existing WSP Washington State Identification System (WASIS) account management subsystem. This subsystem is already configured to produce invoices and perform all necessary interactions with the WSP and state financial systems.

In addition, use of this approach will prevent a need to change the CFBC systems as the WSP transitions to the new Accounts Receivable system that the Office of Financial Management (OFM) expects to implement in the 2021-2022 biennium.

## **Policy and Governance**

The agencies that own and maintain service client and service implementation software (i.e., the requestors and providers of information via interagency interfaces) will enter into information sharing agreements, as necessary, to establish policies governing the use of the services and the information provided. Such agreements will typically include:

- Scope of information to be exchanged.
- Purpose for which the information is exchanged.
- Constraints on access to, use of, and further dissemination of the information.
- Expectations as to availability of service(s).
- Responsibility for maintenance of interface software.
- Provisions for revisiting and modifying the terms and conditions of agreement.



This section provides an analysis of the physical facility space needed to accommodate the CFBC program.

## Requirements

The CFBC program will be staffed by a unit of 62 full-time equivalent employees<sup>1</sup>, consisting of a Division Commander, Assistant Division Commander, 8 supervisors, and 52 individual contributor positions. While people from outside the unit will occasionally visit for meetings with unit staff, the staff will not habitually interact with the public (in particular, no in-person background check services will be provided).

Because unit staff will habitually view and interact with criminal justice information (CJI) as defined in the FBI Criminal Justice Information Services (CJIS) Security Policy<sup>2</sup>, the facility housing the unit must comply with the Physical Protection policy area requirements of the CJIS Security Policy. Specifically, the area in which unit staff work must be accessible only to staff and secured via physical security mechanisms that require staff to present credentials prior to entry. In practice, this plan assumes that all entry points to the unit's work space will be secured via individually-issued electronic key cards. All unit staff will have access to the entire workspace (i.e., there need be no areas of the workspace accessible to some staff but not others). However, some staff (e.g., supervisors) will require the capability to secure confidential documents in a locked compartment or cabinet, either in their workstation or in a cabinet nearby.

The staffing plan for the unit calls for overlapping shifts to accommodate the expected flow of background check volume throughout a typical day. The plan estimates that a maximum of 44 staff will be on duty in the unit at any given time on a typical day. However, as the **Management Overview** section's analysis of recent NICS volumes for Washington State indicates, the 75th percentile daily volume is about 23% higher than the median. This suggests that about 25% of the time, the unit will handle more than 2,100 background checks per day, rather than the median volume of around 1,700. The facilities supporting the unit need to accommodate these higher-volume days with adequate workspace for the staff; specifically, we will plan for 55 work spaces (25% increase over typical shift headcount of 44).

If the CFBC program is directed to accommodate the annual rechecks required under Initiative 1639, the number of workstations increases to 77.

The CFBC program facilities plan has applied the Office of Financial Management (OFM) State Facilities Workplace Strategy and Space Use Guidelines<sup>3</sup> in determining the following:

- All positions in the CFBC program unit perform concentrative tasks for the majority of their time at work.

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<sup>1</sup> Reference the staffing section of the plan for analysis of staffing estimates

<sup>2</sup> [https://www.fbi.gov/file-repository/cjis-security-policy\\_v5-8\\_20190601.pdf/view](https://www.fbi.gov/file-repository/cjis-security-policy_v5-8_20190601.pdf/view)

<sup>3</sup> <https://www.ofm.wa.gov/sites/default/files/public/legacy/budget/facilities/documents/StatewideSpaceUseGuidelines.pdf>

## Facilities

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- Senior manager, supervisor, management analyst, and administrative assistant positions are not internally mobile (the nature of their work suggests a necessity of each worker using the same workspace each day).
- Customer service specialist, corrections record technician, and corrections record technician lead positions can be internally mobile.
- The nature of background check work suggests that mentoring and collaboration are key elements in ensuring the productivity of new or junior staff; as such, adequate space for collaborative work in pairs is essential.
- It is likely that the two senior manager positions and four supervisor positions will meet the OFM guidelines threshold of 60% of their work time spent in confidential discussions or collaborative meetings that would benefit from allocation of an office to each position.

Based upon these applications of the OFM guidelines, the facilities plan for the CFBC program unit includes:

- 6 office workspaces (plus 4 if annual rechecks are to be accommodated).
- 51 workstation workspaces (73 with annual rechecks), consisting of:
  - 47 unassigned (shared) workstations (16 of which should have adequate space for two staff to work collaboratively, sharing a computer); with annual rechecks, 69 total unassigned (shared) workstations will be required, with 20 having adequate space for work in pairs.
  - 4 assigned workstations (all of which should have adequate space for two staff to work collaboratively, sharing a computer).
- Three (3) touchdown workspaces for visitors, contractors, etc.
- Standard shared space and conference room facilities for a unit of 62 full-time equivalent staff (96 if annual rechecks are to be accommodated)
- 900 square feet for installing lockers to be used for staff assigned to shared workspaces to store personal belongings.

## Facility Options and Cost Estimates

The implementation plan identifies two options for housing the CFBC unit: Office space in the Helen Sommers Building in Olympia and another Thurston County location. This section describes each of these options and outlines the expected tenant improvements and other activities (including cost estimates) associated with each option.

Regardless of the selected office location, the plan assumes a standard one-time Tenant Improvement cost of \$19 per square foot and a fixed one-time building security installation cost of \$10,000. These are standard cost estimates recommended by OFM. The plan also assumes

one-time technology costs associated with networking; these are addressed in the **Technological Solutions and Support** section.

Based upon the workspace allocations determined in the prior section, the estimated footprint of the unit is 13,013 square feet (18,170 square feet if annual rechecks are to be accommodated).

#### **Option 1: Helen Sommers Building (HSB)**

Under this option, the CFBC program unit will occupy space in the Helen Sommers Building. This option would necessitate an existing tenant agency vacating currently occupied space; the relocation costs incurred by the current tenant are not included in the plan budget.

This option involves an annual lease cost of \$32.10 per square foot (\$439,879 for the 14,603 estimated footprint of the unit, or \$627,555 if annual rechecks are to be accommodated).

#### **Option 2: Thurston County Location other than HSB**

Under this option, the CFBC program unit will occupy space in a private sector leased property somewhere in Thurston County. The WSP would seek approval from OFM Facilities Planning to lease the space, then work with the Department of Enterprise Services Real Estate Service to secure suitable space.

This option involves an annual lease cost of \$23.97 (the 75% market rate value from Q4 2019, per OFM). This amounts to \$328,470 for the unit's estimated footprint, or \$468,614 if annual rechecks are to be accommodated.

This option would require up-front and ongoing expenditure on a network circuit sufficient to handle the communications requirements (including reliability) for the unit. Details as to circuit specifications and costs are documented in the **Technological Solutions and Support** section of the plan.

### **Preferred Option**

Locating the unit in the Helen Sommers Building is the preferred option, despite the higher annual lease cost, because:

- Firearms background checks rely heavily on data sources and information management practices in the Criminal Records Division, which is housed in the HSB; locating the division in the same building will ease the collaboration and communication essential to the effective functioning of the new unit.
- The higher annual lease cost at the HSB is partially offset by additional costs of maintaining a network circuit to a separate Thurston County location.

## Facilities

### Cost Estimates

The up-front and ongoing costs associated with the two options (inclusive of network and telephone costs, as detailed in the **Technological Solutions and Support** section, but exclusive of non-technology equipment, furnishings, and materials costs as detailed in the next section) are as follows:

Option	Up-front Costs		Ongoing (annual) Costs	
	No rechecks	Rechecks	No rechecks	Rechecks
Helen Sommers Building	\$419,008	\$551,802	\$475,702	\$664,450
Other Thurston Location	\$439,707	\$572,501	\$397,727	\$538,942

### Equipment, Furnishings, and Materials

The CFBC program unit at the WSP will require a one-time investment of \$6,500 per-workspace for equipment and furnishings. This is a standard amount budgeted by WSP Budget and Fiscal Services for establishing an office employee workspace. It is not expected that CFBC program unit staff will have unique equipment or furnishings beyond those provided to WSP office-based employees generally.

The plan budgets \$10,000 for additional furnishings for the CFBC program unit generally (above and beyond the per-workstation furnishings mentioned above). The plan assumes that any additional equipment costs are subsumed within indirect costs in the budget.

Total up-front equipment, furnishings, and materials costs (exclusive of costs covered by indirect) are \$397,270 (or \$562,500 if annual rechecks are to be accommodated).

The above discussion of equipment, furnishings, and materials does not include requirements for technology equipment and materials (desktop computers, telephone equipment, network equipment, etc.). These items are addressed in the **Technological Solutions and Support** section of the plan.

The requirements for Washington State background checks for firearms are found in the text of Engrossed Second Substitute House Bill 2467 (E2SHB 2467), which will be codified in the Revised Code of Washington [RCW] chapter 43.43. The purpose of this document is not to reiterate the entire text of the law, but rather to identify how the requirements are to be met.

To comply with E2SHB 2467 as currently enacted, the following databases must be searched.

- Washington State Identification System (WASIS) – Contains Washington state criminal history record information maintained by the Washington State Patrol (WSP) that produces what is commonly known as a rap sheet.
- Washington Crime Information Center (WACIC) – Contains Washington wants, warrants, and protection orders.
- Administrative Office of the Courts (AOC), Enterprise Data Repository (EDR) – Contains information on arrests and convictions that are not in III or Washington State Identification System (WASIS) (non-fingerprint arrests and convictions, including juvenile convictions) and court orders (protective orders, orders for involuntary mental health treatment, etc.).
- Washington State Health Care Authority (HCA) – Contains records of involuntary mental health commitments that may be unavailable in the National Instant Criminal Background Check System (NICS) Indices where the minimum required set of data elements to support a NICS entry are unavailable.
- Interstate Identification Index (III) – Contains national criminal history records.
- National Crime Information Center (NCIC) – Contains national wants, warrants, and protection orders.
- NICS Indices – Contain national information on firearms purchase prohibitors entered voluntarily by justice agencies nationwide.
- Federal Bureau of Investigation (FBI) National Data Exchange (N-DEx) system, for information on non-Washington arrests that is not available via III. N-DEx also contains the text of Washington incident reports that may be used to identify victim-offender relationships that are relevant to firearms denials that may be unavailable elsewhere and admissions of unlawful drug use that may be documented in the incident report narrative. **Note: There is a recommendation to repeal and replace this requirement which is discussed later.**

Following each prohibitor is a list of where the information will most likely be obtained.

## Washington State Firearms Prohibitors

The RCW Section 9.41.040 contains most of the Washington State prohibitors. Following is a summary of each followed by the source of information where the CFBC staff can access the information either as a part of the initial federated query search initiated by a FFL through the CFBC System or as a part of follow up research if the initial search does not result in an immediate deny or proceed notification in response to the FFL inquiry.

- Any person previously convicted or found not guilty by reason of insanity in this state or elsewhere of any felony.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices, HCA*
- Any person previously convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices, HCA*
- Any person previously convicted or found not guilty by reason of insanity of the following crimes when committed *by one family or household member against another, committed on or after July 1, 1993*: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices*
- Any person previously convicted or found not guilty by reason of insanity in this state or elsewhere of *harassment when committed by one family or household member against another, committed on or after June 7, 2018*.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices*
- Any person that is subject to a court order issued under chapter [7.90](#) (Sexual assault prevention act), [7.92](#) (Jennifer Paulson stalking protection order act), [9A.46](#) (Harassment), [10.14](#) (Harassment), [10.99](#) (Domestic violence—Official response), [26.09](#) (Dissolution proceedings—Legal separation), [26.10](#) (Nonparental actions for child custody), [26.26A](#) (Uniform parentage act), [26.26B](#) (Miscellaneous parentage act provisions), or [26.50](#) (Domestic violence prevention) RCW that:
  - Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;
  - Restrains the person from harassing, stalking, or threatening the person protected under the order or child of the person or protected person, or engaging in other conduct that would place the protected person in reasonable fear of bodily injury to the protected person or child; and

- Includes a finding that the person represents a credible threat to the physical safety of the protected person or child and by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the protected person or child that would reasonably be expected to cause bodily injury; or Includes an order under RCW 9.41.800 (Surrender of weapons or licenses—Prohibition on future possession or licensing)requiring the person to surrender all firearms and prohibiting the person from accessing, obtaining, or possessing firearms;
  - ❖ *Relevant databases: WASIS, WACIC, AOC EDR, NCIC, NICS Indices*
- After having previously been involuntarily committed for mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047.
  - *Relevant databases: AOC EDR, NICS Indices and HCA*
- After dismissal of criminal charges based on incompetency to stand trial under RCW 10.77.088 when the court has made a finding indicating that the defendant has a history of one or more violent acts, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices*
- If the person is under eighteen years of age, except as provided in RCW 9.41.042.
  - This will be verified on the drivers' license or other government-issued identification (e.g., out-of-state driver's license, military identification card or passport) by the FFL prior to submitting a background check request. For Washington residents, the Washington drivers' license database will be used to verify the date of birth and will deny the purchase transaction if the person's age is under 18.
- If the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense as defined in RCW 9.41.010. (See serious offenses above.)
  - *Relevant Databases: WASIS, AOC EDR, NICS Indices*
  - *Note: The prohibition for persons on bond or persons released on personal recognizance is not included as a category within the NICS indices, but it is possible that these could be included in the "state prohibitor" category.*
- The RCW Section 9.41.090 also contains a prohibition based on warrants. It states "where the applicant [firearms purchaser] has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor, the dealer shall hold the delivery of the pistol or semiautomatic assault rifle until the warrant for arrest is served and satisfied by appropriate court appearance."
  - *Relevant databases: WASIS, WACIC, AOC EDR, NCIC, NICS Indices*



## Federal Firearms Prohibitors

- **Felony Conviction, 18 U.S.C. § 922(g)(1)** – This applies to any person who has been convicted of, or is under indictment for: 1) a federal crime punishable by imprisonment for more than one year (typically a felony); 2) a state crime that is not classified as a misdemeanor and is punishable by imprisonment for more than one year; and 3) a state crime that is classified as a misdemeanor under state law and is punishable by more than two years imprisonment.
  - *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices*
  
- **Fugitive from Justice, 18 U.S.C. § 922(g)(2)** – This term is defined in federal law as “any person who has fled from any State to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.” To deny based on this section, the WSP must establish that the prospective purchaser has: 1) fled the state; 2) has done so to avoid prosecution for a crime or to avoid giving testimony in a criminal proceeding; and 3) is subject to a current or imminent criminal prosecution or testimonial obligation.
  - *Relevant databases: WASIS, WACIC, AOC EDR, NCIC, NICS Indices*
  
- **Unlawful Drug User, 18 U.S.C. § 922(g)(3)** – The prohibition applies to any person who is “an unlawful user of or addicted to any controlled substance.” Though certain states have legalized the use of medical and recreational marijuana, it remains illegal under federal law. Therefore, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) considers people who use marijuana legally under state law unlawful users of a controlled substance.
  - *Relevant databases: III, Law Enforcement Information Exchange (LInX-NW), WASIS, WACIC, AOC EDR, NICS Indices*
  
- **Adjudicated Mental Defective, 18 U.S.C. § 922(g)(4)** – This applies to any person who has been found by a court, board, commission, or other lawful authority to be a danger to self or others, or to “lack the mental capacity to contract or manage [their] own affairs,” as a result of their mental condition or illness. This prohibition also expressly applies when a person has been found incompetent to stand trial or not guilty of a crime due to mental incapacity.
  - *Relevant databases: HCA, WASIS, WACIC, AOC EDR, III, NICS Indices*
  
- **Unlawful Alien, 18 U.S.C. § 922(g)(5)** – This applies to any person who is unlawfully in the United States or has been admitted to the US under a nonimmigrant visa.
  - *Relevant database: NICS Indices*
  
- **Dishonorable Discharge, 18 U.S.C. § 922(g)(6)** – This applies to any person who has been dishonorably discharged from the U.S. Armed Forces.
  - *Relevant database: III, NCIC, NICS Indices*



- **Renounced Citizenship, 18 U.S.C. § 922(g)(7)** – This applies to any person who, having been a citizen of the [United States](#), has renounced his or her citizenship.  
— *Relevant database: NICS Indices*
- **Domestic Violence Protection Order, 18 U.S.C. § 922(g)(8)** – This applies to any person who is subject to an active court order restraining them from harassing, stalking or threatening an intimate partner, their child, or a child of a partner, or from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child.  
— *Relevant databases: WASIS, WACIC, AOC EDR, NCIC, NICS Indices*
- **Misdemeanor Crime of Domestic Violence, 18 U.S.C. § 922(g)(9)** – This applies to any person who has been convicted in any court of a [misdemeanor crime of domestic violence](#). Under federal law, the term “misdemeanor crime of domestic violence” means an offense that (i) is a misdemeanor under federal, state, or Tribal law; and (ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.  
— *Relevant databases: WASIS, WACIC, AOC EDR, III, NICS Indices, LInX-NW*

The WSP will need to ensure that policies and documentation are developed to support all of the searches required to support the CFBC program. The personnel section of the implementation plan calls for an Assistant Attorney General and Legal Assistant within the Washington State Office of the Attorney General to be assigned to provide support to the CFBC program. These individuals will be vital as the WSP develops policies and standard operating procedures for the CFBC program.

It is also important to have legal resources available to assist in interpreting out-of-state statutes that may be disqualifiers for a firearms purchase. The legal staff will also assist in handling appeals of firearms transfer and concealed pistol license (CPL) and providing defense of lawsuits against the WSP related to denials of firearms transfer applications. Having access to dedicated legal resources will be critical to the success of the CFBC program.

## Full and Partial Point-of-Contact (POC) State Requirements

The following 21 requirements were provided to the WSP by the FBI in June 2020, and they reflect what the FBI requires for all full and partial (POC) states.

- The POC must access the National Instant Criminal Background Check System (NICS) via the National Crime Information Center (NCIC) telecommunications network. The POCs must use the appropriate purpose code as part of their background check process. Title 28, Code of Federal Regulations (C.F.R.), Section 25.6

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- The POC shall ensure all Federal Firearm Licensees (FFL) within their state are provided access to the NICS through a designated state POC or network of state and local agencies. 28 C.F.R. § 25.2
- The POC and state CJIS Systems Agency (CSA) shall ensure all authorized permit-issuing agencies within their state are provided access to and/or are compliant with the federal regulations governing the National Instant Criminal Background Check System (NICS). 28 C.F.R. § 25.2
- The POC, along with assistance from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), shall notify the FFLs and authorized users in its state regarding the procedures for contacting the POC and all other procedures related to firearm and firearm permit background checks. The POC shall ensure NICS operational information from the ATF and the FBI is disseminated to all users performing NICS background checks. 28 C.F.R. § 25.6
- The POC and the CSA shall have procedures in place to ensure the NICS background checks are initiated only by authorized personnel (28 C.F.R. § 25.8) and only for purposes authorized by the Brady Handgun Violence Prevention Act of 1993 (Brady Act) under 28 C.F.R. § 25.6(j) and 28 C.F.R. § 25.8.
- The POC and the CSA shall ensure adherence to all applicable federal laws regarding the NICS. 28 C.F.R. § 25.2, 25.6, 25.8, and 25.11
- The POC and the CSA shall ensure a process is in place and personnel are available to review record data, make eligibility determinations, respond to FFLs, and manage and maintain an appeal process, in accordance with federal regulations. 28 C.F.R. § 25.2 and 25.6
- The POC and the CSA must ensure transmittal of a final status (NICS Proceed Notification [NPN] or NICS Denial Notification [NDN]) to the NICS on all firearm transactions relating to a transfer in accordance with the NICS regulation found at 28 C.F.R. § 25.6 (h). This may require the POC to submit an interim status of delay (NICS Delay Notification [NLN]) prior to 24 hours after the transaction was initiated to accommodate variances between any state wait periods and federal retention requirements.
- The POC and the CSA shall adhere to federal guidelines that dictate the purging of proceeded transaction data in accordance to the current retention period as published in the Code of Federal Regulations. If the POC is exceeding this federal guideline, there must be an independent state law authorizing this practice. 28 C.F.R. § 25.
- The POC and the CSA shall ensure an Immigration Alien Query (IAQ) is conducted through the U.S. Immigration and Customs Enforcement (ICE) utilizing the purpose code of F on all non-U.S. citizens. Attorney General Mandate, dated February 13, 2002, and the Brady Act, Section 103(e) of Public Law 103-159

- The POC shall deny firearm transfers and/or ATF-qualified alternate permit applications based on criteria equal to or more stringent than those imposed by the Gun Control Act of 1968 (Title 18, United States Code [U.S.C.], Section 922), as amended. 27 C.F.R. § 478
- The POC shall not deny the transfer of a firearm based on an arrest without a disposition unless there is a state law in place authorizing this practice. 27 C.F.R. § 478 and Attorney General Memo, dated September 24, 1998
- The POC shall not deny or proceed a transaction based solely upon the fact an arrest has the potential to be related to the federal misdemeanor crime of domestic violence prohibition. All users conducting a NICS background check must research the elements of the federal prohibitor as found in 18 U.S.C. § 922(g)(9). 27 C.F.R. § 478
- The POC shall not deny a transaction based solely upon the existence of a drug arrest without consideration being given to federal or state criteria found at 18 U.S.C. § 922(g)(3). 27 C.F.R. § 478
- The POC shall not deny a transaction based solely upon the existence of a protective order without consideration being given to federal criteria, unless supported by state law. 27 C.F.R. § 478, 32(a)(8) and 18 U.S.C. § 922(g)(8)
- The POC shall deny the transfer of firearms and permits to fugitives from justice. 18 U.S.C. § 922(g)(2)
- Any agency that receives a record in response to an NCIC inquiry must confirm the hit on any record which appears to have been entered for the person or property inquired upon prior to taking any official actions based upon the hit NCIC record, including, denying the subject the purchase of a firearm. The International Justice and Public Safety Network (Nlets) is the recommended network for hit confirmations. Even if the initial confirmation is handled via telephone, Nlets should be used for documentation. NCIC 2000 Manual, Introduction, Section 3.5
- The POC shall have an appeal process for individuals who are denied a firearm. The FFL will provide the denied individual the name and address of the POC and the NICS Transaction Number (NTN) or State Transaction Number (STN) associated with the denied NICS background check. The appellant must be notified of their right to appeal through the POC or the FBI. The request for the reason of the denial must be made in writing unless waived by the POC. The denying agency will respond to the individual with the reason for the denial within five business days of receipt of the individual's request. 28 C.F.R. § 25.10
- The POC and the CSA shall ensure that a state-generated STN can be cross-referenced with the NTN generated by the NICS and be provided upon appeal to the appellant and/or the FBI. 28 C.F.R. § 25.6(f)

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- The POC and the CSA acknowledge records submitted into the NICS Indices will be utilized for all allowable NICS uses, including but not limited to explosive checks and firearm background checks for Nuclear Regulatory Commission contracted security personnel. 28 C.F.R. § 25.6(j) and Public Law 109-58, Sections 651 through 657
- The POC and CSA shall participate, support, and/or coordinate federal audits of NICS usage, access, determinations, and state records submitted to the NICS Indices. CJIS Security Policy, 5.1.1.3 and 28 C.F.R. § 25.5

## Performance Management

It will be vital for the CFBC staff and management team to continuously monitor performance within the program. This will allow individual employees to gauge their workloads and will allow senior managers to recognize the need to adjust staffing levels to accommodate variations in workloads. Performance monitoring can also help determine the need for technological enhancements and procedural changes to improve the CFBC program.

The metrics collected as a part of performance monitoring can also be used to inform CFBC management, WSP leadership, the CFBC Oversight Board, the Legislature, and the general public about matters such as:

- The number of and types firearms transactions processed by the CFBC division;
- The number of firearm transactions that were denied and the reasons for denial; and
- Average processing and wait times for firearm transactions.

The WSP will provide annual reports on the CFBC Division Metrics on its website.

The overall goal of this section is to identify measures that quantify the efficiency, effectiveness, and proper functioning of the CFBC program and to identify a plan for measuring, reporting, and using those measures. The implementation plan envisions that the following performance measures will be collected and be available as predefined reports that can be accessed as needed by authorized program staff. *All reports should be configurable to a date range - e.g., day, day of week, week, month, year or a custom date range selected by the end user.* Additionally, the CFBC system should provide authorized users with the ability to generate ad-hoc, custom reports as needed to support program operations.

Operational metrics will be captured from electronic event logs maintained by the CFBC System as described in the Requirements Model and Voice Over IP (VOIP) software logs unless otherwise noted. For example, when a background check is disposed with a disposition of “deny,” the reason for denial is captured by the Staff Portal Subsystem. This information can be aggregated (i.e., summarized by time period) to produce the metrics included in this section. Similarly, it is expected that the Staff Portal Subsystem will record timestamps of the key milestones in the progression of a background check, enabling the computation of timeliness and efficiency metrics identified below.

## CFBC Division Metrics

### Firearm Transfer Background Checks

- Total volume of firearm transfer background check requests received from FFLs
- Checks submitted online versus via telephone
  - Number/percent of checks initiated telephonically
  - Number/percent of checks initiated online via the CFBC System
- Average time to provide a proceed, deny, or indeterminate message to dealers for telephonic inquiries
- Average time to send a proceed, deny, or indeterminate message to dealers for online inquiries initiated via the CFBC System
- Number/percent of background checks by determination status (proceed, deny, indeterminate)
- Number/percent of cancelled transactions
- Number/percent of denials by reason (Note: A full explanation of types of denials is available in the Regulatory section of the Implementation Plan.)
  - Felony conviction
  - Fugitive from justice
  - Unlawful drug user
  - Adjudicated mental defective
  - Unlawful alien
  - Dishonorable discharge
  - Renounced citizenship
  - Misdemeanor crime of domestic violence
  - Domestic violence protection order – federal prohibitor
  - Stalking order – Washington state prohibitor
  - Active warrant – Washington state prohibitor
  - Free on bond – Washington state prohibitor
  - Other state-specific prohibitors
  - Falsification of application
    - ❖ Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Form 4473
    - ❖ Washington Firearm Transfer Application (FTA)
- Information source for denials
  - Number/percent of denials based on III check
  - Number/percent of denials based on NCIC check
  - Number/percent of denials based on NICS Indices check
  - Number/percent of denials based on in-state record checks
    - ❖ Washington State Identification System (WASIS)
    - ❖ Washington Crime Information Center (WACIC)

- ❖ Administrative Office of the Courts (AOC), Enterprise Data Repository (EDR)
- ❖ Washington State Health Care Agency (HCA)
- ❖ Law Enforcement Information Exchange - Northwest LInX-NW
- Appealed denials – Information on appeals will be maintained in a separate database as it cannot be captured using the various subsystems identified in the Requirements Model
  - Number/percent of appealed denials compared to all transactions
  - Number/percent of sustained denials
  - Number/percent of overturned/reversed denials
  - Number/percent of appeals withdrawn/cancelled
  - Number/percent of pending appeals (with no final determination)
- Time needed to process checks
  - Number/percent of checks handled “lights out”
  - Number/percent of checks handled in 5 minutes or less
  - Number/percent of checks handled in greater than 5 minutes up to 10 minutes
  - Number/percent of checks handled in greater than 10 minutes up to 15 minutes
  - Number/percent of checks handled in greater than 15 minutes up to 40 minutes
  - Number/percent of checks handled in greater than 40 minutes
  - Number/percent of checks requiring legal research referred to Attorney General’s office
  - Average resolution time for non-lights out checks
  - Average length of time to address entries in the manual resolution queue (i.e., How long does it take for research to begin when manual research is required?)
- Transaction types processed
  - Number of handgun transfers – Dealer Requests
  - Number of handgun transfers – Private Transfers (i.e., request to proceed with a private-party sale)
  - Number of long-gun transfers – Dealer Requests
  - Number of long-gun transfers – Private Transfers
  - Number of SAR transfers – Dealer Requests
  - Number of SAR transfers – Private Transfers
  - Number of gun part transfers – e.g., silencers and receivers – Dealer Requests
  - Number of gun part transfers – e.g., silencers and receivers – Private Transfers
  - Checks performed by law enforcement agencies (LEAs) prior to returning firearms from evidence
    - ❖ Handguns
    - ❖ Long-guns
    - ❖ SARs
- Stolen gun checks
  - Number of stolen gun checks performed
  - Number of stolen weapons identified

- Wanted person checks
  - Number of wanted person (warrant) checks performed
  - Number of wanted persons identified
- Number/percent of checks performed by county
- Number of checks performed by each dealer
- Number of ATF retrieval letters sent
- Number of CFBC personnel assigned each day of the week

### **Concealed Permit License (CPL) Background Checks**

- Number of Concealed Permit License (CPL) checks performed
  - Number of CPL denials
  - Number of CPL approvals
  - Number of CPL background checks with indeterminate (pending) status
- CPL checks submitted online versus via telephone
  - Number/percent of checks initiated telephonically
  - Number/percent of checks initiated online via the CFBC System
- Number/percent of CPL denials by reason
  - Felony conviction
  - Fugitive from justice
  - Unlawful drug user
  - Adjudicated mental defective
  - Unlawful alien
  - Dishonorable discharge
  - Renounced citizenship
  - Misdemeanor crime of domestic violence
  - Domestic violence protection order – federal prohibitor
  - Stalking order – Washington state prohibitor
  - Active warrant – Washington state prohibitor
  - Free on bond – Washington state prohibitor
  - Other state-specific prohibitors
  - Falsification of CPL Application
- Average time to send a proceed, deny, or indeterminate message to law enforcement agencies requesting CPL background checks for telephonic inquiries



## Documentation

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- Average time to send a proceed, deny, or indeterminate message to law enforcement agencies for inquiries initiated via the CFBC System, broken out by initial (fingerprint-based) checks versus renewal (name-based) checks
- Number/percent of cancelled transactions
- Appealed CPL denials
  - Number/percent of appealed denials compared to all transactions
  - Number/percent of sustained denials
  - Number/percent of overturned/reversed denials
  - Number/percent of appeals withdrawn/cancelled
  - Number/percent of pending appeals (with no final determination)
- Time needed to process CPL checks
  - Number/percent of checks handled “lights out”
  - Number/percent of checks handled in 5 minutes or less
  - Number/percent of checks handled in greater than 5 minutes up to 10 minutes
  - Number/percent of checks handled in greater than 10 minutes up to 15 minutes
  - Number/percent of checks handled in greater than 15 minutes up to 40 minutes
  - Number/percent of checks handled in greater than 40 minutes
  - Number/percent of checks requiring legal research referred to Attorney General’s office
  - Average resolution time for non-lights out checks
  - Average length of time to address entries in the manual resolution queue (i.e., How long does it take for research to begin when manual research is required?)
- Wanted person checks
  - Number of wanted person (warrant) checks performed
  - Number of wanted persons identified
- Number/percent of CPL checks performed by county/agency

## Initiative 1639 Re-Checks

- Number of Initiative 1639 rechecks performed
  - Number of rechecks where no disqualifying record was found
  - Number of rechecks where a disqualifying record was found
- Number/percent of rechecks by type of disqualifying record
- Number of notifications sent to law enforcement agencies when a person is deemed ineligible to possess a firearm based on disqualifier(s) found during rechecks
  - Number of notifications by law enforcement agency
  - Number of notifications by county



- Appealed transactions based on rechecks
  - Number/percent of appealed denials compared to all rechecks
  - Number/percent of sustained denials based on rechecks
  - Number/percent of overturned/reversed denials based on rechecks
  - Number/percent of appeals withdrawn/cancelled based on rechecks
  - Number/percent of pending recheck appeals (with no final determination)
  
- Time needed to process I-1639 checks
  - Number/percent of rechecks handled “lights out”
  - Number/percent of rechecks handled in 5 minutes or less
  - Number/percent of rechecks handled in greater than 5 minutes up to 10 minutes
  - Number/percent of rechecks handled in greater than 10 minutes up to 15 minutes
  - Number/percent of rechecks handled in greater than 15 minutes up to 40 minutes
  - Number/percent of rechecks handled in greater than 40 minutes
  - Number/percent of rechecks requiring legal research referred to Attorney General’s office
  - Average resolution time for non-lights out rechecks
  - Average length of manual recheck resolution queue
  
- Wanted person checks
  - Number of wanted person (warrant) rechecks performed
  - Number of wanted persons identified
  
- Number/percent of recheck performed by county (i.e., firearm owner’s residence)

## General CFBC Program Performance Metrics

- Number of customer calls received and processed – Note: The CFBC’s VOIP software will need to allow operators to capture the origin of each incoming phone call.
  - Number of calls from dealers
  - Number of calls from law enforcement
  - Number of calls from general public
  - Number of “other” calls
  
- Number of resources checked as a part of manual research of online databases
  - III
  - NCIC
  - NICS Indices
  - WASIS
  - WACIC
  - AOC EDR
  - HCA
  - LInX-NW

- Number of external record requests initiated via telephone/email/mail/fax when information cannot be located through electronic databases - Information on external record checks will be maintained in a separate database as it cannot be captured using the various subsystems identified in the Requirements Model
  - Requests to in-state law enforcement agencies
  - Requests to out-of-state law enforcement agencies
  - Requests to in-state courts
  - Requests to out-of-state courts
  - Requests to in-state prosecutors
  - Requests to out-of-state prosecutors
  - Requests to Washington HCA
  - Requests to out-of-state mental health agencies
- Number of ATF retrieval letters sent when subsequent research reveals that a firearm should not have been transferred
- Total number of entries added to NICS Indices
  - Felony conviction
  - Fugitive from justice
  - Unlawful drug user
  - Adjudicated mental defective
  - Unlawful alien
  - Dishonorable discharge
  - Renounced citizenship
  - Misdemeanor crime of domestic violence
  - Domestic violence protection order – federal prohibitor
  - Stalking order – Washington state prohibitor
  - Active warrant – Washington state prohibitor
  - Free on bond – Washington state prohibitor
  - Other state-specific prohibitors
- Total number of NICS Indices validations performed

## **CFBC Personnel Performance Metrics**

The following reports should be generated for each employee and tabulated on a spreadsheet and/or visualization tool that is made available to supervisors and managers. Authorized users should have the ability to select reports for single employees or configurable groups of employees. All reports should be configurable to a date range (e.g., day, day of week, week, month, year, or a custom date range selected by the end user).

Following are the minimum personnel reports anticipated within the implementation plan:

- Background checks processed
  - Total number of background checks processed originating from dealers
    - ❖ Total number of transactions processed originating from dealers telephonically
    - ❖ Total number of online transactions processed originating from dealers via the CFBC System

- Total number of transactions processed originating from law enforcement agencies
  - ❖ Total number of CPL transactions processed
  - ❖ Total number of returns from evidence transactions processed
- Number of customer calls received and processed
  - Number of calls from dealers
  - Number of calls from law enforcement
  - Number of calls from general public
  - Number of “other” calls
- Number of resources checked as a part of manual research
  - III
  - NCIC
  - NICS Indices
  - WASIS
  - WACIC
  - AOC EDR
  - HCA
  - LInX-NW
- Number of external record requests initiated via telephone/email/mail/fax when information cannot be located through electronic databases
  - Requests to in-state law enforcement agencies
  - Requests to out-of-state law enforcement agencies
  - Requests to in-state courts
  - Requests to out-of-state courts
  - Requests to in-state prosecutors
  - Requests to out-of-state prosecutors
  - Requests to Washington HCA
  - Requests to out-of-state mental health agencies
- Time needed to process checks
  - Number/percent of checks handled in 5 minutes or less
  - Number/percent of checks handled in greater than 5 minutes up to 10 minutes
  - Number/percent of checks handled in greater than 10 minutes up to 15 minutes
  - Number/percent of checks handled in greater than 15 minutes up to 40 minutes
  - Number/percent of checks handled in greater than 40 minutes
  - Number/percent of checks requiring legal research referred to Attorney General’s office
  - Average resolution time for non-lights out checks
- Number of ATF retrieval letters sent when subsequent research reveals that a firearm should not have been transferred

- Total number of entries added to NICS Indices
  - Felony conviction
  - Fugitive from justice
  - Unlawful drug user
  - Adjudicated mental defective
  - Unlawful alien
  - Dishonorable discharge
  - Renounced citizenship
  - Misdemeanor crime of domestic violence
  - Domestic violence protection order – federal prohibitor
  - Stalking order – Washington state prohibitor
  - Active warrant – Washington state prohibitor
  - Free on bond – Washington state prohibitor
  - Other state-specific prohibitors
- Total number of NICS Indices validations performed
- Annual rechecks performed as required by Initiative 1639
  - Number of rechecks performed
  - Number of rechecks that identify a disqualified person
  - Number of rechecks where no new prohibiting factor is found
  - Number of indeterminate (pending) rechecks
- Number of notifications sent to law enforcement agencies when a person is deemed ineligible to possess a firearm based on disqualifier(s) found during rechecks
- Number of CPL checks performed
  - Number of CPL denials
  - Number of CPL approvals
  - Number of indeterminate (pending) CPL transactions
- Number of CPL and firearms transfer appeals processed
  - Number of appeals upheld
  - Number of appeals denied
  - Number of indeterminate (pending) CPL transactions

## **Findings and Potential Statutory Changes**

This section of the Implementation Plan catalogs those provisions of current state law and/or policy that could be streamlined or otherwise improved by the legislature or the WSP given the existence of a centralized full point-of-contact system.

### **Proposed Change to Date of Transition to Centralized Point-of-Contact Status**

The WSP's fiscal note for E2SHB 2467 indicated January 1, 2023, as the date on which Washington State would transition to full centralized point-of-contact status. Through the implementation planning process, the WSP has determined that this date is not feasible, and suggests January 1, 2024 as the transition date.

The implementation team reviewed Substitute House Bill 2555, which was passed during the 2020 Regular Session of the Washington State Legislature, to see if an amendment is needed in the event the Legislature moves the implementation date of the CFBC program to January 1, 2024. The statute reads, "Beginning on the date that is thirty days after the Washington state patrol issues a notification to dealers that a state firearms background check system is established within the Washington state patrol, a dealer shall use the state firearms background check system to conduct background checks for purchases or transfers of firearm frames or receivers in accordance with this section." Since there is no date specified within this code section, it will not be impacted if the implementation date is changed.

The State of Washington requested and received an extension from the FBI to the time period during which the FBI NICS Unit would continue performing background checks for "other" firearm-related items. The extension was granted through January 1, 2023, under the assumption that the CFBC program would be in operation then. The state will need to request a further extension to the new date of CFBC Program operation (January 1, 2024).

### **Potential Statutory Change Related to Drivers' License Database Access**

FFLs are required to verify a transferee's identity prior to initiating a firearms sale. Usually the FFL accomplishes this by checking the transferee's driver's license or state identification against the information that the transferee provided on ATF Form 4473 and the Washington State Firearms Transfer Application (FTA). The FFL will enter much of the identifying information from the identity document (license or identification) into the background check request form in the CFBC System.

If the CFBC System supported an automated lookup of the transferee's identification information by driver's license number or state ID number, it could expedite the process for the FFL and reduce the potential for data entry errors while also allowing the FFL the opportunity to verify the information on the license or state ID. The Department of Licensing (DOL) informed the WSP in July 2020 that existing policy and/or regulation would preclude the release of this information to

FFLs. As such, enabling this capability would require statutory direction and authorization to DOL requiring its release.

## Potential Statutory Change Related to N-DEX Searches

Section 1 (2) (b) (iii) of Engrossed Second Substitute House Bill 2467 (E2SHB-2467-SL) specifies that the CFBC shall “perform a check of the federal bureau of investigation [FBI] national data exchange database [N-DEX] and any available repository of statewide local law enforcement record management systems [RMS] information.” After consulting with the FBI, the WSP learned that the state Criminal Justice Information Services (CJIS) Systems Officer (CSO) may authorize Originating Agency Identifiers (ORIs) with the state of Washington to use Purpose Code F to perform N-DEX searches to check for records that would disqualify someone from purchasing a firearm. The guidance provided, however, indicated that users would have to launch the queries through the N-DEX application/user interface. The FBI does not allow the N-DEX database to be accessed via a federated query web service interface for the purpose of conducting firearm background checks. This means every query of N-DEX would be a separate, individual query outside of the federated query that will be developed for the CFBC portal. Given the expected number of firearm transactions conducted annually (600,000), this is not an ideal option for the WSP to implement, as it would preclude lights-out processing since all N-DEX searches would have to be performed manually. Assuming that all secondary N-DEX searches could be completed in 5-10 minutes, the number of Full Time Equivalent (FTEs) to staff the CFBC unit would increase from 62 to 79 employees. This would cause staffing costs to increase from \$5,432,895 to \$6,913,078 annually (an increase of \$1,480,183).

The planning process has determined that another option could be used to effectively replace the N-DEX query to access local law enforcement agency (LEA) records. The implementation plan states that the preferred option would be to create a federated query to LInX-NW that would provide access to LEA records. The following language would remove the requirement to check N-DEX while preserving the Legislature's intent that the check include local law enforcement information:

- **Potential Statutory Change: Amend Section 1(2)(b)(iii) of E2SHB-2467-SL (as codified) to read as follows:** “perform a check of the federal bureau of investigation ~~[FBI]~~ national data exchange database ~~[N-DEX]~~ and any available repository ~~of~~ containing or system of access to statewide local law enforcement record management systems [RMS] information.” Once again, this would satisfy the legislative intent of checking LEA records, while giving WSP flexibility in how they achieve this requirement.

## Potential Statutory Change Related to CPL Issuing Authorities

RCW 9.41 contains Washington State's laws associated with firearms and dangerous weapons. The implementation plan is not intended to restate this code section in its entirety. Rather, the only sections noted herein are ones where there may be a need for statutory changes. Following is a link to RCW 9.41: <https://app.leg.wa.gov/RCW/default.aspx?cite=9.41>.

RCW 9.41.070 (2)(a) requires police chiefs and sheriffs (i.e., issuing authorities) to conduct background checks, which are the same as those conducted for a firearms transfer, prior to issuing a CPL. Once the CFBC program is operational, the WSP will be contacted by the issuing authorities to conduct the background checks on their behalf.

- **Potential Statutory Change: Amend RCW 9.41.070(2)(a) to read as follows:** “The issuing authority shall contact ~~conduct a check through the national instant criminal background check system, the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate,~~ the Washington state patrol to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

## Potential Statutory Change Related to Long Gun Purchases

Although Section 9.41.090 RCW states that firearms dealers shall not deliver a handgun or semiautomatic rifle where an applicant has an outstanding warrant for his or her arrest, Washington State law does not prohibit persons with outstanding warrants from purchasing a long gun. This means that CFBC staff could not deny a long gun transfer solely based on the presence of an active warrant; rather, they would have to apply the federal fugitive from justice standard to see if a denial should take place. The Code of Federal Regulations defines a “fugitive from justice” as any person who has fled from any state to avoid prosecution for a felony or a misdemeanor; or any person who leaves the state to avoid giving testimony in any criminal proceeding. The term also includes any person who knows that misdemeanor or felony charges are pending against such person and who leaves the state of prosecution.

So effectively, any in-state warrant would not be a disqualifier under the federal guidelines, and to deny based on an out-of-state warrant would be predicated on determining that the prospective purchaser has 1) fled the state; 2) has done so to avoid prosecution for a crime or to avoid testimony in a criminal proceeding; and 3) is subject to a current or imminent criminal prosecution or testimonial obligation. Establishing all three of these criteria is very difficult unless there is already an entry in the NICS Indices where the research for this prohibitor has already been conducted. (As of July 31, 2020, there were only 2,567 entries nationwide in the NICS Indices for the fugitive from justice indicator, so this is not a viable option to rely upon.) Washington should deny firearm transfers based on any active warrants for both in-state warrants and out-of-state warrants. Additionally, the Washington Attorney General has advised that any active warrant – not just those for felonies and misdemeanors – is a cause for denial.

- **Potential Statutory Change: Amend RCW Section 9.41.090(4) to include a state firearm prohibitor for any active warrant for all firearms purchases including long guns.** The new language should read: “(4) In any case under this section where the applicant has an outstanding warrant for his or her arrest from any court of competent jurisdiction ~~for a felony or misdemeanor,~~ the dealer shall hold the delivery of the ~~pistol or semiautomatic assault rifle~~ firearm until the warrant for arrest is served and satisfied by appropriate court appearance. The local jurisdiction for purposes of the sale, or the state pursuant to subsection (3)(b) of



## Regulatory Requirements

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this section, shall confirm the existence of outstanding warrants within seventy-two hours after notification of the application to purchase a ~~pistol or semiautomatic assault rifle~~ firearm is received. The local jurisdiction shall also immediately confirm the satisfaction of the warrant on request of the dealer so that the hold may be released if the warrant was for an offense other than an offense making a person ineligible under RCW 9.41.040 to possess a firearm.

### Potential Statutory Change Related to Officials and agencies— Immunity, writ of mandamus

Since local law enforcement agencies will no longer be approving firearms transfers, RCW 9.41.0975 could be modified as follows.

- (2) An application may be made to a court of competent jurisdiction for a writ of mandamus:
- (a) Directing an issuing agency to issue a concealed pistol license or alien firearm license wrongfully refused;
  - (b) Directing a ~~law enforcement agency~~ the Washington state patrol to approve an application to purchase a ~~pistol or semiautomatic assault rifle~~ firearm wrongfully denied;
  - (c) Directing that erroneous information resulting either in the wrongful refusal to issue a concealed pistol license or alien firearm license or in the wrongful denial of a purchase application for a ~~pistol or semiautomatic assault rifle~~ firearm be corrected; or
  - (d) Directing a law enforcement agency to approve a dealer's license wrongfully denied.

### Potential Statutory Change Related to Record Keeping Requirements

RCW 9.41.110 (9)(b) requires dealers to submit copies of the state FTA form to the local LEA and to DOL. Since law enforcement agencies are no longer performing background checks for firearm transfers, they no longer need to receive a copy of the FTA form. Additionally, since the WSP will be sending all the information on the state FTA form to DOL electronically "(once the FFL completes the information in the dealer portal, or calls the CFBC unit, to report that the transfer has actually taken place)", they no longer need dealers to submit copies of the forms.

- **Potential Statutory Change: Amend RCW 9.41.110 (9) to read as follows:**  
(9)(a) A true record ~~in triplicate~~ shall be made of every pistol or semiautomatic assault rifle sold, in a book kept for the purpose, the form of which may be prescribed by the director of licensing and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, and place of birth of the purchaser and a statement signed by the purchaser that he or she is not ineligible under RCW 9.41.040 to possess a firearm.



~~(b) One copy shall within six hours be sent by certified mail to the chief of police of the municipality or the sheriff of the county of which the purchaser is a resident; the duplicate the dealer shall within seven days send to the director of licensing; the triplicate the dealer shall retain for six years.~~

Given that some FFLs currently capture electronic signatures from transferees, a review of all signature requirements in Washington State statutes would be appropriate to determine if explicit allowance of electronic signatures is warranted. Among the language recommended for review is the reference in RCW 9.41.110 (9) above, requiring that the form be 'personally signed'.

RCW 9.41.129 says, "The department of licensing [DOL] shall keep copies or records of applications for concealed pistol licenses provided for in RCW 9.41.070, copies or records of applications for alien firearm licenses, copies or records of applications to purchase pistols or semiautomatic assault rifles provided for in RCW 9.41.090, and copies or records of pistol or semiautomatic assault rifle transfers provided for in RCW 9.41.110."

Because DOL is not a law enforcement agency, they cannot receive copies of the ATF Form 4473, which is the standard form that all prospective firearms transferees in the United States must complete prior to receiving a firearm from an FFL. (The ATF form is designed to capture demographic information about prospective firearm purchasers and requires the transferee to attest that they are not prohibited from obtaining a firearm under any of the disqualifying categories under the Gun Control Act of 1968 as amended by the Brady Law.) Since DOL is not authorized to obtain copies of the ATF Form 4473s, Washington has created a separate state Firearm Transfer Application, which is largely duplicative of the information from the ATF Form 4473, meaning prospective purchasers must fill out two lengthy forms for each transaction.

If the responsibility for maintaining records or applications for concealed pistol licenses, alien firearm licenses, and applications to purchase firearms was assigned to the WSP, they would have the legal authority to receive data captured on ATF Form 4473. This would eliminate the need for transferees to complete two nearly identical forms. Rather, they could complete a very short supplemental form to collect the additional information needed for Washington's state-specific recordkeeping requirements concerning semiautomatic rifles and pistol transfers. Because of the efficiencies created for transferees that could result from moving responsibility for certain record keeping requirements related to concealed pistol licenses to WSP, this concept could be explored more fully in the future.

## **Potential Statutory Change Related to Alien Firearm license**

RCW 9.41.173 (3) requires police chiefs and sheriffs (i.e., issuing authorities) to conduct background checks prior to issuing an alien firearms license. Once the CFBC program is operational, the WSP will be contacted by the issuing authorities to conduct the background checks on their behalf.

- ***Potential Statutory Change: RCW 9.41.173 should be amended as follows: “(3) The sheriff shall check with the ~~national crime information center, the Washington state patrol electronic database, the health care authority electronic database, and with other agencies or resources as appropriate,~~ Washington state patrol to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm.”***

## Risks Related to Implementation Plan Assumptions

The implementation plan cost model makes various assumptions regarding the volume of firearms background checks to be performed and the amount of time needed to perform each check. These assumptions were made based on the technical solutions that will be developed to support the CFBC program, historic information on the number of firearm-related checks performed in Washington State, and information provided by other full point of contact (POC) states with considerable experience in conducting centralized firearm background checks. If any of these assumptions are wrong, the estimated staffing, budget, and facilities needed to support the CFBC program could change significantly.

While the WSP based the assumptions on the best information available from the FBI National Instant Criminal Background Check System (NICS) program and other POC states, this is a brand new business line for the WSP and it is possible that the CFBC program will not realize the efficiencies achieved by other states, which means the amount of research needed would be more than anticipated. If any of the assumptions made regarding the amount of time to conduct checks are wrong, there could be a corresponding impact on staffing and budget.

Volume of checks and the level of effort required to complete each check are the major determinants of the ongoing cost of operating the CFBC Program. Specifically:

- The cost model assumes that the program will process 600,000 total checks in the first year of operation, with a 1% annual rate of growth thereafter.
- The model assumes that 35% of checks will be disposed without staff intervention, 35% will require 5 minutes of staff effort, 15% will require 10 minutes, 10% will require 15 minutes, and 5% will require 40 minutes.
- These assumptions result in a derived assumption that each background check worker will process 12,387 background checks per year. So every 2% error in the assumption of 600,000 checks per year will result in a requirement for an additional background check FTE. That is, if the number of checks in the first year of operation is 612,387 instead of 600,000, then the Program will need an additional FTE.
- Similarly, and by way of illustration, if the distribution of level of effort changes such that 25% of checks require 5 minutes of staff effort, and 20% of checks require 15 minutes of staff effort, but the volume of checks remains the same, then the average productivity per background check worker drops from 12,387 to 10,971, and the number of required background check FTEs increases to 55 from 48.
- The addition of a background check FTE increases staffing costs by around \$80,000 per year, and equipment and facilities costs will increase as well. The cost model spreadsheet can assist in estimating these impacts more precisely.

## Risks

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### Reasons Assumptions Could be Invalid

The level of research that will result from LInX-NW queries is unknown and could result in numerous potential matches that have to be manually reviewed—especially for common names. No other POC states interviewed during the development of the CFBC implementation plan use law enforcement records as a primary database for locating potential firearm disqualifiers, so the assumptions about the amount of work created as a result of these queries could not be validated based on the experience of others. If the WSP uses strict matching criteria for LInX-NW matches (e.g., exact matches on a name plus at least one numeric identifier), there may not be as many potential matches to review. If the search algorithm looks for “close” matches, there could be many more records to review. Also, if the intent is to inspect the narratives in police reports for things like alcohol and drug use, this could be potentially burdensome unless artificial intelligence (or similar automation) can be applied to parse through the unstructured data on police reports.

Also, the other states interviewed do not routinely conduct automatic federated searches of court records. Since they do not perform these searches, comparisons used to develop the implementation plan estimates for lights-out processing v. searches requiring manual intervention may not be representative. On the one hand, the WSP may be able to categorically deny more transferees based on business logic (e.g., multiple drug arrestees meeting the NICS criteria for denial or felony convictions that were previously unrecorded in the state criminal history repository but are available in the court database). On the other hand, more data sources may require more manual follow-up, depending on the quality of court and law enforcement (LInX-NW) records.

### Risks Related to CFBC Program Implementation

#### Integration

The **Technological Solutions and Support** section describes the following interfaces for the FFL and CFBC staff portals. These include:

- Department of Licensing (DOL)
- National Crime Information Center (NCIC)
- III
- NICS Indices
- Washington State Identification System (WASIS)
- Washington Crime Information Center (WACIC)
- Administrative Office of the Courts (AOC) Enterprise Data Repository (EDR)
- Health Care Authority (HCA)
- Law Enforcement Information Exchange - Northwest LInX-NW

This will require careful coordination with other state agencies' IT staff to successfully implement the federated queries that are essential to making the CFBC program operate effectively and efficiently. Since the WSP does not have supervisory authority over external actors, the technical implementation team will have to rely on cooperation from other agencies with competing IT needs and priorities. If the WSP is unable to achieve timely cooperation from external entities, the project could be slowed significantly, resulting in implementation delays. The assumptions for the timing of project completion are based on full participation and cooperation from other state agencies.

To mitigate this risk, the WSP must continue to actively and consistently communicate action items that are dependent on external agencies to ensure that the necessary work required to support systems integration is scheduled and budgeted for to allow for the work to be performed in the timeframe required to launch the CFBC program consistent with statutory requirements. The WSP also needs to ensure external agencies' commitments to their action items on the implementation schedule.

## **Scope**

Any change to the legal framework of background checks could significantly impact the cost of the program. Any change to background check requirements must take into account the costs and properly fund the changes to the infrastructure necessary to accommodate the new requirements.

## **Time and Cost**

While the implementation plan is intended as a roadmap for the creation of the CFBC program, it is possible that additional requirements or hurdles to integration could be identified as the software developers and integrators begin their work. Additional requirements could significantly impact the speed and cost of rolling out the technical solutions needed to support the program.

To mitigate this risk, the WSP has consulted with internal and external stakeholders and other full POC states to identify all hardware, software, and integration requirements so they are fully documented in the RFP that will be issued to contract with a vendor to support the development efforts and infrastructure enhancements needed to support the project.

## **Quality**

The WSP will be dependent on other organizations (e.g., courts and local law enforcement agencies) to enter data into their native records management systems that will be accessed as a part of a federated query to perform background checks (LInX NW). While the WSP has the ability to audit their own records (e.g., entries into NCIC and the criminal history repository), they do not necessarily have a mechanism to ensure the integrity of data provided by other agencies beyond current practices for compliance reporting that focus on complete submissions to the

## Risks

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state criminal history repository. Since the CFBC queries are name-based searches, simple data entry errors can result in false positives and false negatives unless these can be accounted for by using advanced search algorithms.

The WSP could develop auditing procedures similar to what other states have done to improve data quality. To accomplish this, the WSP could develop a methodology for sampling records from the state computerized criminal history repository and comparing them to records in the records management systems of contributing agencies to see how names, demographic information, and numeric identifiers compare across systems. Once common types of discrepancies are identified, the WSP could work with partner agencies to develop improved data entry and validation protocols to ensure that data are consistently represented in the disparate databases.

## Human Resources

As detailed in the Personnel section, the CFBC program will be staffed by 62 employee FTEs (96 if I-1639 rechecks are to be accommodated). Staffing such a large division may be challenging to accomplish. Also, other POC states reported that staff turnover presents challenges, and this may be an ongoing issue for the WSP as well. Additionally, if the current trend of increased gun sales continues—coupled with the annual increase in the number of people in DOL's firearms transfer database—the number of staff required to support the program will likely continue to grow each year. Based on historic checks performed, which were provided by the FBI NICS Unit, the WSP estimates a 1% annual increase in the number of firearms background checks performed each year, which translates to the following:

- First full year of implementation = 600,000 checks (62 employees – \$5,432,895 staffing cost)
- Second full year of implementation = 612,000 checks (63 employees – \$5,524,872 staffing costs)
- Third full year of implementation = 624,420 checks (64 employees – \$5,618,690 staffing costs)
- Fourth full year of implementation = 636,725 checks (65 employees – \$5,714,385 staffing costs)
- Fifth full year of implementation = 649,460 checks (66 employees – \$5,811,996 staffing costs)

The implementation plan also assumes that if the I-1639 Rechecks are required, the volume of these transactions will increase by 100,000 per year based on figures provided by DOL. The staff needs listed below are in addition to the staff needs listed above.

- First full year of implementation = 1,300,000 rechecks (34 employees – \$2,916,563 staffing cost)

- Second full year of implementation = 1,400,000 rechecks (36 employees – \$3,140,914 staffing costs)
- Third full year of implementation = 1,500,000 rechecks (39 employees – \$3,365,265 staffing costs)
- Fourth full year of implementation = 1,600,000 rechecks (41 employees – \$3,589,616 staffing costs)
- Fifth full year of implementation = 1,700,000 rechecks (44 employees – \$3,813,966 staffing costs)

The skills needed to support research for the CFBC program are extensive. Not only must employees know the state and federal disqualifiers for purchasing firearms or obtaining a CPL, but they must also be able to accurately and quickly interpret statutes from other states to see if someone should not be allowed to obtain a firearm or CPL. The WSP will need to offer extensive initial and ongoing training to ensure that transactions are not inadvertently denied or unduly delayed. Since many of the skill sets do not currently exist within the WSP, hiring and rapidly training staff will be challenging.

To mitigate this risk, the **Personnel** section of the implementation plan recommends that the WSP focus on recruiting internal staff familiar with interpreting criminal history records to staff the new CFBC unit, as they will have many of the prerequisite skills for interpreting in-state and out-of-state records to determine if individuals have a firearms prohibitor on their record. They will primarily need training on state and federal firearms prohibitors. The WSP can also mitigate this risk by recruiting employees from local law enforcement agencies who have experience in running firearm background checks and CPLs under the current partial POC legal framework.

## Communication

The WSP will need to communicate with FFLs regarding the transition to contacting the CFBC for firearm transactions. If proper outreach and education do not occur well in advance of implementation, FFLs may experience confusion regarding how and when they need to make the transition. Law enforcement agencies will also need to be advised of their responsibilities for contacting the WSP to conduct background checks for CPLs. Failure to identify reliable and effective ways in which to communicate could cause the program to get off to a slow start and may result in overwhelming call volume from FFLs and law enforcement agencies requesting information on how and when to access the online portal.

Plans to mitigate this risk are addressed in the *WSP Centralized Firearms Background Check Program Communications Management Plan*.



## Risks

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### Procurement

While the WSP has extensive experience in procuring IT solutions, there are several approvals that must be cleared to move forward with the procurement. To mitigate this risk, the WSP plans to engage a project manager and architect via a contract to oversee and manage the implementation project and ensure conformance with all Office of the Chief Information Officer (OCIO) processes and requirements. The WSP also plans to allow time in the Request for Proposal (RFP) process to ensure vendor understanding of the needs and expectations of the WSP prior to bidding and then prior to contracting. The WSP will also develop a bid evaluation process that allows for due diligence in vetting the vendor and to eliminate any ambiguity or disagreements in the statement of work and the contract requirements.

### Stakeholders

Any misunderstanding or conflicting priorities or competing uses of scarce funding could negatively impact the interagency collaboration necessary for this program to function successfully. The Stakeholder Management Plan identifies the following groups as primary stakeholders in the project.

- Administrative Office of the Courts (AOC)
- Department of Licensing (DOL)
- Health Care Authority (HCA)
- Washington Association of Sheriffs and Police Chiefs (WASPC)
- Federal Firearms Licensees (FFL)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS) Unit
- Local law enforcement agencies
- LInX
- Washington Attorney General
- Washington Technology Solutions (WaTech)

Mitigation strategies for this risk are addressed in the *WSP Centralized Firearms Background Check Program Stakeholder Engagement Plan*.



This section presents the budget for the CFBC program by fiscal year for the next ten years, under two alternative scenarios: one in which the WSP conducts annual recheck background checks as required by Initiative 1639, and one in which it does not.

The budget is the result of a detailed cost model, provided as an electronic attachment to the Implementation Plan.

These budget tables reflect WSP costs and revenues. Cost estimates for agencies other than the WSP follow in a separate section.

### Budget Scenario: No Annual Rechecks

Values in table are thousands of dollars.

	Fiscal Year									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
A: Salaries and Wages	227	453	621	3,474	3,885	3,924	3,964	4,003	4,043	4,084
B: Employee Benefits	77	155	214	1,384	1,552	1,567	1,583	1,599	1,615	1,631
C: Professional Services Contracts	226	541	654	423	192	192	192	192	192	192
E: Goods and Services	67	47	409	720	926	930	934	938	942	947
G: Travel	25	25	27	92	93	94	95	96	97	98
J: Capital Outlays	8	383	1,509	574	324	325	326	326	327	328
<b>Total Direct Costs</b>	<b>630</b>	<b>1,604</b>	<b>3,433</b>	<b>6,667</b>	<b>6,972</b>	<b>7,032</b>	<b>7,093</b>	<b>7,154</b>	<b>7,216</b>	<b>7,279</b>
Indirect Costs	135	230	430	1,568	1,791	1,809	1,827	1,844	1,862	1,881
<b>Total Costs</b>	<b>765</b>	<b>1,834</b>	<b>3,864</b>	<b>8,235</b>	<b>8,763</b>	<b>8,841</b>	<b>8,919</b>	<b>8,999</b>	<b>9,079</b>	<b>9,159</b>
Revenue from \$18 fee on FFL transfers	0	0	0	3,510	7,090	7,161	7,233	7,305	7,378	7,452
Revenue needed from non-fee sources	765	1,834	3,864	4,725	1,673	1,680	1,687	1,694	1,701	1,708

## Budget Scenario: Annual Rechecks

Values in table are thousands of dollars.

	Fiscal Year									
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
A: Salaries and Wages	227	453	621	5,136	5,964	6,023	6,084	6,144	6,206	6,268
B: Employee Benefits	77	155	214	2,057	2,392	2,416	2,440	2,465	2,489	2,514
C: Professional Services Contracts	226	541	654	423	192	192	192	192	192	192
E: Goods and Services	67	47	541	833	1,151	1,158	1,164	1,171	1,177	1,184
G: Travel	25	25	27	92	93	94	95	96	97	98
J: Capital Outlays	8	383	1,826	615	365	366	367	368	369	371
<b>Total Direct Costs</b>	<b>630</b>	<b>1,604</b>	<b>3,882</b>	<b>9,155</b>	<b>10,157</b>	<b>10,249</b>	<b>10,342</b>	<b>10,436</b>	<b>10,531</b>	<b>10,626</b>
Indirect Costs	135	230	488	2,291	2,719	2,746	2,773	2,800	2,828	2,855
<b>Total Costs</b>	<b>765</b>	<b>1,834</b>	<b>4,371</b>	<b>11,447</b>	<b>12,876</b>	<b>12,995</b>	<b>13,155</b>	<b>13,236</b>	<b>13,358</b>	<b>13,482</b>
Revenue from \$18 fee on FFL transfers	0	0	0	3,510	7,090	7,161	7,233	7,305	7,378	7,452
Revenue needed from non-fee sources	765	1,834	4,371	7,937	5,786	5,833	5,882	5,931	5,980	6,030

## Budget Notes

Note the following when interpreting the budget tables above:

- The budget projections for staffing costs (salaries/wages and benefits), facilities, and technology are based upon the plans detailed in those respective sections of the Plan.
- The budget assumes the CFBC program assumes responsibility for firearms background checks statewide on January 1, 2024, and begins collecting fees for FFL transfers on that date. The budget assumes that half of the total annual expected number of background checks occur in the second half of FY 2024.
- The budget assumes the CFBC program is housed in the Helen Sommers Building. The alternative scenario of leased office space elsewhere in Thurston County is available in the cost model, but not reported here.


- Costs exceed revenues each year starting in FY 2024 (i.e., once the CFBC Program is operational) because current law authorizes the WSP to collect a fee for FFL transfer background checks only. The budget assumes that the CFBC Program will also conduct background checks for pawnshop transfers, Concealed Pistol License permits and firearms return from evidence at law enforcement agencies. The budget assumes (based on FBI data for recent years) that FFL transfers account for 65% of firearms background checks. See the Assumptions sub-section of the Purpose section above for details about this assumption.
- The budget leverages assumptions made throughout the plan about various aspects of the CFBC program; consult the individual sections of the plan for details. Among the most significant assumptions are:
  - 600,000 background checks in the first full year of operations, with a 1% annual growth rate in years thereafter.
  - 1.3 million annual background checks pursuant to the recheck requirements under Initiative 1639.
  - Salary and benefits costs based upon FY 2021 rates from the Office of Financial Management.
  - Program staffing as described in the Personnel section, with 62 FTE staff (96 in the scenario with Initiative 1639 annual rechecks).
  - Technology implementation costs as described in the **Technological Solutions and Support** section.
  - Facilities and equipment costs as described in the Facilities and Equipment sections.
- Professional Services Contracts include legal services from the Office of the Attorney General, as described in the **Personnel** section.
- The budget assumes that the \$18 fee authorized in E2SHB 2467 applies on a per-transaction (per background check) basis, not per firearm; if a person purchases or transfers multiple firearms at one time, one background check will suffice and only one \$18 fee will be charged.

## Estimated Costs from Other (Non-WSP) Agencies

Agencies outside of the WSP will incur costs of implementing information-sharing interfaces, as discussed in the Interagency System Integration section. These agencies provided the following cost estimates for incorporation into the implementation plan:

- Administrative Office of the Courts:
  - \$666,000 per year for five staff FTE positions, as indicated in the final fiscal note for E2SHB 2467.
  
- Health Care Authority
  - \$1 million to implement the query interface at HCA.
  
- Department of Licensing
  - \$324,100 to implement the interface to the DOL firearms database.

The following resources are available as attachments to this implementation plan in separate documents:

- Appendix A: Cost Model Spreadsheet 
- Appendix B: Independent Estimate of Software Subsystem Implementation Costs
- Appendix C: CFBC Software Requirements Model

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Cascadia Analytics LLC developed the following independent estimate of a custom software development effort to implement the requirements in the CFBC Requirements Model. A separate spreadsheet has been delivered to the WSP with a further detailed breakdown of development hours estimates within each component; only the component totals are presented here.

The following assumptions were made in development of this estimate; any violation of the assumptions would likely result in a different estimate.

- The estimate is based upon use of development tools, infrastructure technologies, and programming languages with which Cascadia Analytics staff have expertise; specifically, the estimate assumes use of Java 11 and open source software libraries for key functionality such as SOAP and RESTful web services endpoints, service orchestration and aggregation, databases and data persistence interfaces, and build tools.
  - The estimate assumes a development team of two senior/expert level developer-architects working 150 hours per month.
  - The estimate applies an assumed contingency factor of 50% to the development hours.
  - The estimate assumes a vendor / development team project manager working .5 FTE for the duration of the project (11 months).
  - The estimate assumes a .12 FTE overhead for OCIO reporting and required independent verification and validation (IV&V) for the duration of the project.
  - The estimate assumes a blended development team hourly rate of \$150/hour.
-

**Appendix B: Independent Build Custom Estimate**

Component	Development Hours
Dealer Portal Subsystem	139
Staff Portal Subsystem	558
Federated Query Subsystem	419
Denied Transaction Handler Subsystem	47
Law Enforcement Interfaces Subsystem	76
A/R External System Interfaces	42
Firearm Transfer Application External System Interfaces	21
Background Check Data Sources External Sys Interfaces	220
Infrastructure/Dev Environment Budget	Development Hours
Dev environment setup	21
Continuous Integration setup/maintenance	89
System architecture and design	144
Performance metrics data warehouse	89
User experience evaluation/testing	89
UI framework/styles/etc.	55
SAML integration (ADFS at WSP, SAW)	89
Security audit / Penetration Test	144
Disaster Recovery Exercise	89
	<b>809</b>
Base Development Hours	2331
Contingency Hours (50%)	1166
Project Management Hours (.5 FTE)	900
OCIO Reporting and IV&V Hours (.12 FTE)	216
Total Estimated Hours	4613
Blended Hourly Rate	\$150
Total estimated cost	\$691,875



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# **CENTRALIZED FIREARMS BACKGROUND CHECK PROGRAM IMPLEMENTATION PLAN**



## **System Requirements for Firearms Background Check Portal System**

**Version 1.0  
July 31, 2020**

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## Introduction

This document presents the requirements for a Firearms Background Check Portal System (FBCPS) necessary to support Washington State's Centralized Firearms Background Check (CFBC) program. The document is organized into sections for each *subsystem* and *external system*. A subsystem is a distinct part of the FBCPS that operates independently from the other subsystems, interacting with them (and with external systems) only across explicitly identified and defined interfaces. Multiple subsystems could be implemented together within a single software unit (whether procured from a commercial source, or built in-house), but they need not be.

An external system is a system that is outside the scope of the CFBC program, but that interfaces with the FBCPS. External systems may or may not exist prior to CFBC implementation, and if they exist, they may or may not have the capabilities necessary to support the interfaces identified in this document. The CFBC implementation may in fact need to facilitate the construction of one or more external systems, or enhance existing external systems to add the capabilities identified in this document. However, they are "external" in the sense that once implemented, they will be under the ownership, control, and management of some entity other than the CFBC program.

Each subsystem has two sets of required capabilities: *use cases* and *interfaces*. A use case describes a goal that an *actor* accomplishes by using the subsystem; in this model, all actors are representative of human stakeholders that directly use the subsystem. Each use case explicitly identifies the goal in business terms, as a way of expressing the value or purpose of the capability described. Each use case also defines what motivates or triggers the performance of the use case, and then presents one or more scenarios of actor-subsystem interaction.

An interface describes interactions between a subsystem and another subsystem or an external system "behind the scenes"—that is, with no human interaction. Interfaces allow for the automation of interactions that are sometimes otherwise undertaken by human actors; interfaces also enable the sharing of complex processes, business rules, and data between subsystems. Each interface has one or more *endpoints* that describe the details of a specific interaction, including the information provided as input, the information expected as output, security requirements, and expected behavior of the endpoint.

In this document, each requirement has an identifier in two parts: a prefix that abbreviates the subsystem or external system, followed by a period, followed by a suffix consisting of a letter (U for use case and I for interface) and an index number.

Note that use cases are not intended to capture the details of user interface design. To the extent it is important to indicate requirements of or constraints upon user interface design, use cases will reflect such requirements in the notes.

## Actors

The following table summarizes the actors that interact with the FBCPS:

Actor	Description
FFL Owner	A person who owns a Federally Licensed Firearm Dealer (FFL) and has fiduciary responsibility for the FFL business (or a person who acts on behalf of such a person).
FFL Retail Staff	A person who is employed by an FFL and, in the course of such employment, facilitates firearms transfers to customers and submits background checks to the WSP prior to completing those transfers.
CFBC Supervisor	A person employed by the WSP Centralized Firearms Background Check (CFBC) program who is responsible for assigning other CFBC staff to roles and responsibilities in the program.
CFBC Staff	A person employed by the CFBC program who is responsible for performing manual background checks.

Note that Actors are not necessarily associated with job descriptions or specific human beings. It is likely that specific people will be multiple Actors in the course of their interactions with the system over time (and even at the same time). For instance, a small FFL retail business may consist of a single person who both owns the business and handles all retail sales directly; in this example, this person would interact with the system as both the FFL Owner and FFL Retail Staff.

## Dealer Portal Subsystem

The Dealer Portal System provides all functionality used by Federally Licensed Firearm Dealers (FFLs) to fulfill their obligations under federal and Washington State law to complete a background check prior to transferring a firearm to a customer.

### Use Case DP.U1: Submit Background Check

**Actor:** FFL Retail Staff

**Goals:** In performing this use case, the FFL Retail Staff actor seeks to:

- Comply with legal requirements governing the transfer of firearms to customers.
- Avoid undue delay in transferring firearms to customers.
- Avoid transferring firearms to prohibited individuals.



**Preconditions:** User is properly authenticated and authorized.

**Triggers:** Customer seeks to purchase a firearm and presents a driver's license or state ID that satisfies FFL Retail Staff's visual inspection, along with a completed (paper) ATF 4473 form.

### **Main Success Scenario**

1. FFL Retail Staff enters customer's ID (driver's license or state ID from Washington or another state) number and state of issuance.
2. Dealer Portal System obtains customer information from the Verify endpoint of the Driver License/ID Verification External System based on ID number and pre-fills the information for the user.
3. FFL Retail Staff enters information listed in the Background Check Query Request Common Data Structure.
4. Dealer Portal System validates information entered by FFL Retail Staff.
5. FFL Retail Staff submits the background check.
6. Dealer Portal System notifies FFL Retail Staff that the background check has been received (and provides a transaction number in the notification), then performs the check; performing the check involves:
  - a. Invoke the Record Pending Background Check endpoint of the Staff Portal Subsystem (obtaining the transaction number for this check).
  - b. Invoke the Query endpoint of the Federated Query Subsystem (supplying the transaction number for this check).
  - c. Invoke the Record Background Check Receivable endpoint of the Accounts Payable External System.

### **Alternate Scenario 1 (Invalid ID)**

1. FFL Retail Staff enters customer's ID (driver's license or state ID from Washington or another state) number and state of issuance.
2. Dealer Portal System determines that customer's ID number is invalid, based on response from state and national sources based on ID number (invalid can mean that the driver's license does not exist or is expired).
3. FFL Retail Staff abandons the background check and handles further interaction with customer outside of the system.

### **Alternate Scenario 2 (Military ID)**

1. FFL Retail Staff enters information listed in the Background Check Query Request Common Data Structure, using customer's military ID and completed ATF 4473 form.
2. The main success scenario proceeds at step 3.

## Appendix C: System Requirements

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### Alternate Scenario 3 (Filled PDF)

1. FFL Retail Staff selects a PDF file that has filled data fields populated corresponding to the information listed in the Background Check Query Request Common Data Structure.
2. FFL Retail Staff submits the background check by uploading the PDF file.
3. The main success scenario proceeds at step 6.

### Notes

- The CFBC Staff actor may perform this use case on behalf of the FFL Retail Staff actor; this will occur for FFLs that submit their checks via telephone.
- This use case may be performed in batch or in an automated fashion by a point of sale system on behalf of the human FFL Retail Staff.
- In Washington, active military members may purchase firearms without a driver's license or state ID by presenting their military ID and station orders; this scenario is captured in Alternate Scenario 2.
- Currently, a Military ID is not accepted as identification for purchase of a semi-automatic rifle or pistol in Washington State.
- Alternate Scenario 3 is intended to support FFLs that have automated a process by which transferees complete and sign electronic forms for the ATF Form 4473 and state Firearms Transfer Application. To support this scenario, the WSP will need to define a version of the state Firearms Transfer Application with fillable data fields, and require the FFL to upload only PDFs with those fillable fields.

### Outstanding Issues

- None

### Use Case DP.U2: Receive Status Notification

**Actor:** FFL Retail Staff

**Goals:** In performing this use case, the FFL Retail Staff actor seeks to:

- Remain aware of the status of background checks they have submitted.
- Be able to satisfy customers and complete sales without unnecessary delay.
- Avoid transferring firearms to prohibited individuals.

**Preconditions:** User is properly authenticated and authorized (only for notifications that occur within the Portal application itself, not necessarily for notifications (e.g., email) that occur outside the Portal).

**Triggers:** Having previously completed the Submit Background Check use case, a background check is completed (i.e., the Dispose Background Check endpoint has been invoked).

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### Main Success Scenario

1. Dealer Portal Subsystem verifies that the FFL Retail Staff is an active user, obtains the user's notification channel(s), and sends a notification to those channel(s).
2. FFL Retail Staff receives a notification that a background check is complete.

### Alternate Scenario 1 (Inactive user)

1. Dealer Portal Subsystem determines that the FFL Retail Staff to be notified is an inactive user.
2. The FFL Owner representing the dealer that employs/employed the inactive user receives the notification.

### Notes

- The notification mechanisms should include, at a minimum:
  - Email, if the FFL Retail Staff is a user whose account identifies an email address.
  - A mechanism in the Dealer Portal Subsystem application user interface, such as a notifications/messages tab.
- The notification should include whatever information is necessary for the FFL Retail Staff to take the next logical step in the process.
  - This may be minimal when the disposition is Proceed.
  - When the disposition is Deny, the notification should direct the FFL Retail Staff to provide their customer with the legally required notices/brochure, etc.

### Outstanding Issues

- None

### Use Case DP.U3: View Background Checks (for Dealer)

**Actor:** FFL Retail Staff

**Goals:** In performing this use case, the FFL Retail Staff actor seeks to:

- Remain aware of the status of background checks they have submitted.
- Be able to satisfy customers and complete sales without unnecessary delay.

**Preconditions:** User is properly authenticated and authorized.

**Triggers:** None

**Main Success Scenario**

1. FFL Retail Staff requests to view background checks submitted by the FFL that employs the FFL Retail Staff.
2. The Dealer Portal Subsystem displays a list of matching background checks; each item in the list contains relevant information about each check, such as:
  - a. Transaction number
  - b. Current status
  - c. Customer information
  - d. Date/time of submission

**Notes**

- The user interface should:
  - Enable sorting and filtering to permit quick navigation to a particular check of interest.
  - Attempt to highlight or show the most relevant (i.e., the most recent) checks by default, allowing the user to adjust the search to find a wider range of checks as needed.
- This use case is performed by triggering the View Background Checks endpoint of the Staff Portal Subsystem

**Outstanding Issues**

- None

**Use Case DP.U4: Report Firearms Transfer**

**Actor:** FFL Retail Staff

**Goals:** In performing this use case, the FFL Owner actor seeks to:

- Comply with state law regarding reporting the transfer of handguns and semi-automatic rifles.

**Preconditions:** FFL Retail Staff is properly authenticated and authorized; prospective user has obtained a Secure Access Washington (SAW) account (i.e., has a SAW username or identifier); FFL Retail Staff has previously submitted a background check (via the Submit Background Check use case) and the background check has subsequently been disposed with a status of “proceed.”

**Triggers:** FFL Retail Staff has learned of the status by performing the Receive Status Notification use case.

**Main Success Scenario**

1. FFL Retail Staff selects the completed background check transaction.
2. Dealer Portal Subsystem displays the background check transaction information, including the “proceed” status.
3. FFL Retail Staff indicates the date on which the FFL transferred the firearm.
4. Dealer Portal Subsystem records the date of transfer with the transaction information, and invokes the Notify of Transferred Firearm endpoint of the Firearms Transfer Application external system.

**Notes**

- None

**Outstanding Issues**

- None

**Use Case DP.U5: Add FFL User**

**Actor:** FFL Owner

**Goals:** In performing this use case, the FFL Owner actor seeks to:

- Enable authorized personnel within its business to interact with the Dealer Portal Subsystem.

**Preconditions:** FFL Owner is properly authenticated and authorized; prospective user has obtained a Secure Access Washington (SAW) account (i.e., has a SAW username or identifier).

**Triggers:** Prospective user approaches FFL Owner with a desire to be added to the system (typically this would happen during a hiring/on-boarding process, or a process where the employee changes roles within the FFL business).

**Main Success Scenario**

1. FFL Owner provides the Dealer Portal Subsystem with the prospective user’s SAW username/identifier.
2. The Dealer Portal Subsystem associates the prospective user’s SAW username/identifier with the FFL’s business.

**Notes**

- Per WaTech staff, it will be important that the identifier used to identify the user’s SAW account be one that the user cannot change.

- The WSP will likely need to provide a how-to guide or instructions to assist FFLs (especially those that don't perform this use case very often) with guidance, pointers to the SAW instructions, etc.

### **Outstanding Issues**

- It would be helpful to review this use case with a representative sample of FFLs.

### **Use Case DP.U6: Inactivate FFL User**

**Actor:** FFL Owner

**Goals:** In performing this use case, the FFL Owner actor seeks to:

- Ensure that only authorized personnel within its business are able to interact with the Dealer Portal Subsystem.

**Preconditions:** FFL Owner is properly authenticated and authorized; user to be inactivated is a current user.

**Triggers:** FFL Owner determines that the user should no longer have access (typically due to the user leaving employment or changing roles within the business).

### **Main Success Scenario:**

1. FFL Owner provides the Dealer Portal Subsystem with the SAW username/identifier of the user to be inactivated.
2. The Dealer Portal Subsystem updates the user's information to indicate that he/she is inactive.

### **Notes:**

- If a user is inactive, he/she will no longer be able to access the Dealer Portal Subsystem. Note that the user may well continue to have an active SAW account; thus the functionality to prohibit a user who has successfully authenticated to SAW from accessing the portal will need to reside within the portal itself.

### **Outstanding Issues**

- It would be helpful to review this use case with a representative sample of FFLs.

## Staff Portal Subsystem

### Use Case SP.U1: Review Background Check

**Actor:** CFBC Staff

**Goals:** In performing this use case, the CFBC Staff actor seeks to:

- Apply training and human judgment to complete a background check that could not be completed in “lights-out” fashion.

**Preconditions:** A background check currently exists in the “indeterminate” state from a prior execution of the Record Query Results Endpoint.

**Triggers:** CFBC Supervisor completes the Assign Manual Review Use Case, assigning the manual review to the currently logged-in CFBC Staff user; or an automated agent within the Staff Portal Subsystem performs the assignment automatically on the supervisor’s behalf. Then, the CFBC Staff is notified by the Staff Portal Subsystem that a check has been assigned.

### **Main Success Scenario**

1. CFBC Staff selects a manual review from his/her assigned list.
2. The Staff Portal Subsystem displays the query results previously obtained for the background check (as obtained during the execution of the Record Query Results Endpoint).
3. CFBC Staff reviews the results and, perhaps after consulting external information sources (see notes), indicates the disposition of the background check, along with any explanatory notes or documentation in the case of a denial.
4. The Staff Portal Subsystem executes the Dispose Background Check Endpoint.

### **Notes**

- The user interface should make the entry point of this use case the most natural activity for a CFBC Staff user to perform (e.g., the first “page” or “view” that a user sees upon login should probably be a list of manual reviews that she/he has been assigned).
- The external sources consulted by the CFBC Staff could include performing a detailed records query in ACCESS (QNR), manual searches in N-DEx, or searches in other sources. The Staff Portal Subsystem should make available the ability for the CFBC Staff user to add notes and attach documentation to background check records. Within this capability, the Staff Portal Subsystem updates the Background Check Record common data structure as appropriate.
- A given background check might be reviewed by several CFBC Staff prior to being disposed. An example would be a check that requires in-depth research; such a check would start with a front-line staff person, who may determine that significant legal research is required, which leads to a reassignment of the check to a more senior staff

person or legal researcher. The Assign Manual Review Use Case would be executed for each of these, followed by execution of this use case.

- The exact mechanism of notifying CFBC Staff that a check has been assigned to them is left as a user interface design issue. Examples include: a prominent badge or other indicator of how many checks are in a staff member's queue, a disposable notification popup.

### **Outstanding Issues**

- None

### **Use Case SP.U2: View Background Checks (CFBC Staff)**

**Actor:** CFBC Staff

**Goals:** In performing this use case, the CFBC Staff actor seeks to:

- Maintain awareness of recently disposed and current pending background checks.
- Assist other CFBC Staff, FFLs, and other stakeholders with verifying status of checks.

**Preconditions:** Some background checks have been submitted.

**Triggers:** None

### **Main Success Scenario**

1. CFBC Staff requests to view background checks.
2. The Staff Portal Subsystem shows most relevant small number of checks (see notes).
3. CFBC Staff may elect to sort or filter the checks by various attributes.
4. The Staff Portal Subsystem shows the checks that match the filter(s) in the order requested.

### **Notes**

- This use case is performed by triggering the View Background Checks endpoint of the Staff Portal Subsystem.
- The details of “most relevant” is a user interface design issue to be determined during implementation; however, the notion is that by default the user should see the list of checks that are most appropriate for the typical case, such as “checks submitted today” or maybe “currently pending checks.”

### **Outstanding Issues**

- None



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### Use Case SP.U3: Assign Manual Review

**Actor:** CFBC Supervisor

**Goals:** In performing this use case, the CFBC Supervisor actor seeks to:

- Ensure timely, effective, and efficient completion of background checks.
- Ensure effective management and distribution of workload across CFBC staff.

**Preconditions:** A background check currently exists in the “indeterminate” state from a prior execution of the Record Query Results Endpoint but this background check has not yet been assigned to a CFBC Staff user for review.

**Triggers:** None

#### **Main Success Scenario**

1. CFBC Supervisor views background checks that are currently in the “indeterminate” state, and assigns one or more unassigned checks to CFBC Staff.
2. The Staff Portal Subsystem performs the requested associations.

#### **Notes**

- An automated agent should perform this use case on behalf of the CFBC Supervisor as much as possible. For instance, an agent could assign manual reviews in a round-robin fashion to CFBC Staff users that are currently logged-in, likely with a limit to each staff person’s queue length. Regardless of the degree of automation, the CFBC Supervisor should always be able to re-assign checks.

#### **Outstanding Issues**

- If Washington elects not to perform lights-out denials, then this would need to expand to address “provisionally denied” checks as well.

### Use Case SP.U4: Onboard FFL

**Actor:** CFBC Staff

**Goals:** In performing this use case, the CFBC Staff actor seeks to:

- Fulfill WSP’s statutory obligation to provide background check services to licensed firearms dealers in the state.
- Enable FFLs to submit background checks.
- Ensure only legitimate, authorized firearms dealers with active, valid licenses gain access to the Dealer Portal Subsystem.

**Preconditions**

- FFL has obtained its license from the ATF as well as its state firearms license, and wishes to begin transferring firearms in Washington.
- FFL Owner has obtained a Secure Access Washington (SAW) account.

**Triggers:** FFL submits a copy of its ATF license and any additional documentation required by the WSP; CFBC Staff has verified the ATF license number and information by consulting the ATF website.

**Main Success Scenario**

1. CFBC Staff enters the FFL's information, including the unique identifier of the owner's SAW account.
2. The Staff Portal Subsystem verifies the FFL's information by consulting a list of known Washington FFLs available from the Bureau of Alcohol, Tobacco and Firearms (ATF).
3. The Staff Portal Subsystem records the information (including associating the FFL Owner's SAW account identifier as the entity responsible for this FFL) and triggers the Add Account Endpoint of the Accounts Receivable External System (updating the FFL's record with the account number returned from the endpoint).

**Notes**

- The FFL's submission of documentation to the WSP could occur via postal mail or email (assuming there is not enough volume of new FFLs to warrant building an automated application process into the portal).
- The ATF verification could be accomplished either by searching for the FFL's information in real time (it is possible to obtain this information indirectly via calls to the ATF's website) or by maintaining a list built from the ATF's monthly download of Washington FFLs.

**Outstanding issues**

- None

**Use Case SP.U5: Inactivate FFL**

**Actor:** CFBC Staff

**Goals:** In performing this use case, the CFBC Staff actor seeks to:

- Ensure only legitimate, authorized firearms dealers with active, valid licenses gain access to the Dealer Portal Subsystem.

**Preconditions:** FFL's Federal and/or state license has expired or the FFL has ceased operations as a dealer.

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**Triggers:** FFL notifies the WSP that it is no longer transferring firearms and thus no longer needs the ability to submit background checks; or an automated process determines, by reference to ATF data, that an FFL is no longer licensed and performs the notification on the FFL's behalf.

### Main Success Scenario

1. CFBC Staff searches for the FFL by business name or license number, finds the relevant FFL's record among the search results, and indicates that the FFL should be inactivated.
2. The Staff Portal Subsystem updates the FFL's record to indicate that the FFL is inactivated.

### Notes

- At inactivation, an FFL's account is not removed/deleted, just indicated as inactivated.

### Outstanding Issues

- None

### Use Case SP.U6: Manage Appealed Denial

**Actor:** CFBC Staff

**Goals:** In performing this use case, the CFBC Staff actor seeks to:

- Fulfill WSP's obligations to allow persons denied to receive a firearm to appeal the denial.
- Apply relevant laws and regulations in conducting the appeal, including updating of records and handling notifications upon reversal of a denial upon appeal.

**Preconditions:** A background check transaction has been denied and the prospective transferee has decided to appeal.

**Triggers:** Transferee files an appeal of the denied transaction.

### Main Success Scenario

1. CFBC Staff creates an appeal record attached to the record for the background check that resulted in the denial.
2. The Staff Portal Subsystem updates the background check record accordingly.
3. CFBC Staff evaluates the appeal, partially by reviewing the stored query records attached to the background check, and partially by conducting research outside of the system.

4. CFBC Staff disposes of the appeal:
  - a. If the disposition is to reverse the denial, then:
    - i. Update the background check record accordingly.
    - ii. Trigger the Dispose Background Check endpoint with a status of Proceed.
    - iii. Trigger the Notify of Reversed Denial on Appeal endpoint of the Denied Firearm Transaction Handler Subsystem.
  - b. If the disposition is to confirm the denial, then:
    - i. Update the background check record accordingly.
    - ii. Notify the transferee (TBD).

**Notes:**

- None

**Outstanding issues**

- How does the appeal actually get filed? By mail?
- How does the notification reach the transferee?
- When an appeal is denied (i.e., confirm the denial) is the FFL notified? If so, need to add that to that branch above.

**Use Case SP.U7: Notify of Delay****Actor:** CFBC Staff**Goals:** In performing this use case, the CFBC Staff actor seeks to place a background check in “delayed” status and perform all necessary notifications.**Preconditions:** A background check has been submitted and in the course of performing the check CFBC Staff determine that the check will (or is likely to) take longer than the ten-day period required by law for notification back to the FFL.**Triggers:** CFBC Staff determines that a delayed status is warranted.**Main Success Scenario**

1. CFBC Staff finds and selects the background check to be placed in delayed status, and changes the status to “delayed.”
2. The Staff Portal Subsystem updates the background check record accordingly and does the following:

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- a. Sends the appropriate message (NLN) to the ACCESS switch.
- b. Notifies the FFL that the check is delayed (via the Receive Status Notification use case).

### Notes:

- The WSP may investigate having the subsystem perform this use case automatically (i.e., have the system scan all pending checks and if the check has not been disposed within 9 days, it could automatically send the notifications)

### Outstanding Issues

- None

### Interface SP.I1: Background Check Management Interface

#### *Record Pending Background Check Endpoint*

**Goal:** Create a record for a new, pending background check (i.e., a check that is underway and has not yet reached final disposition) and generate a transaction identifier that will follow this background check through the entire process.

#### Input information

- All information listed in the Background Check Query Request Common Data Structure,

#### Response Information

- Background check transaction identifier.

**Synchronicity:** Synchronous

#### Security

- Request must include a secure token (e.g., SAML assertion) that identifies the user on whose behalf the request is being performed.
- Transport-level security to ensure results are originating at a trusted source (i.e., the Federated Query Subsystem).

#### Endpoint Behavior

- Create the background check record and store the input information to support later stages in the process.
- Generate unique, distinct transaction number for this check.

### Notes

- None

### Outstanding Issues

- None

### *Record Query Results Endpoint*

**Goal:** Receive results from the Federated Query Subsystem, add the results to the check record, and facilitate the next step in the background check process.

### Input Information

- Background check transaction identifier.
- Query identifier (to link results back to the corresponding query).
- Consolidated federated query results.

### Response Information

- Acknowledgement that results were received.

**Synchronicity:** Synchronous

### Security

- CJIS Security Policy compliance.
- Transport-level security to ensure results are originating at a trusted source (i.e., the Federated Query Subsystem).

### Endpoint Behavior

- Determine the status of the check:
  - If there were no prohibitors found, then trigger the Dispose Background Check endpoint with a status of Proceed.
  - If the NICS Indices part of the consolidated response shows an IFFS flag of “D,” then trigger the Dispose Background Check endpoint with a status of Deny.
  - Else attach the query results to the background check record and update the status of the check as Indeterminate.

### Notes

- None

**Outstanding Issues**

- None

***View Background Checks Endpoint***

**Goal:** Retrieve information about background checks that have been submitted.

**Input Information**

- Optionally, background check attributes to constrain the range of checks retrieved.

**Response Information**

- Information about the requested checks.

**Synchronicity:** Synchronous

**Security**

- Request must include a secure token (e.g., SAML assertion) that identifies the user on whose behalf the query is being performed.
- Invocations of this endpoint on behalf of FFLs may only result in retrieval of information about background checks submitted by that FFL; invocations on behalf of CFBC Staff may retrieve information about any submitted checks.

**Endpoint Behavior**

- Searches data store of submitted background checks.
- Returns background checks that match.

**Notes**

- None

**Outstanding Issues**

- None

***Dispose Background Check Endpoint***

**Goal:** Record a final disposition of a background check and perform any required notifications.

**Input Information**

- Background check transaction identifier.
- Disposition status (either proceed or deny).

**Response Information**

- Acknowledgement that results were received.

**Synchronicity:** Synchronous

**Security**

- Transport-level security to ensure that requests originate from a trusted source.

**Endpoint Behavior**

- Record the final status of the check.
- If the background check being disposed is:
  - A firearms purchase check, then trigger the Receive Status Notification use case of the Dealer Portal Subsystem.
  - A CPL original or renewal application check, then trigger the Notify of Completed Background Check endpoint of the Concealed Pistol License Handler Subsystem.
- If the status is Deny, then:
  - Trigger the Notify of Denied Transaction Endpoint of the Denied Transaction Handler Subsystem.
  - Record the reason for denial.
  - Retain the background check record indefinitely (unless subsequently appealed).
- If the status is Proceed, then retain only the information indicated in the Background Check Record common data structure (all other information concerning the background check must be purged within 24 hours).
- Regardless of the status of the check, send the appropriate firearms background check disposition message to the ACCESS switch (NPN for proceed, NDN for denial).

**Notes**

- None

**Outstanding Issues**

- None



***Batch Background Check Submission Endpoint***

**Goal:** Initiate background checks for a group of transferees at once.

**Input Information**

- A collection of records, each of which contains all information listed in the Background Check Query Request Common Data Structure.
- For each record in the collection, adequate information to identify the entity to receive the results (see notes).

**Response information**

- Acknowledgement that results were received.

**Synchronicity:** Synchronous

**Security**

- Transport-level security to ensure that requests originate from a trusted source.

**Endpoint Behavior**

- For each record in the collection:
  - Invoke the Record Pending Background Check endpoint.
  - Invoke the Query endpoint of the Federated Query Subsystem.

**Notes**

- It is expected that there will only be one use of this endpoint initially, to support annual rechecks required by Initiative 1639. For this scenario, the identifier would be the ORI of the law enforcement agency to receive notification if a prohibitor is found.

**Outstanding Issues**

- How will we determine the law enforcement agency where the transferee resides?
- In the likely initial scenario, the batch will be produced based on records in DOL's Firearms database. Need to work out details of how this will work.

## Federated Query Subsystem

### Interface FQ.I1: Federated Query Interface

#### *Query Endpoint*

**Goal:** Provide information about a firearm purchaser by querying several systems required or authorized by law, receiving query responses back from those systems, and aggregating the responses into a consolidated response to be sent back to the requesting system.

#### **Input Information**

- All information in the Background Check Query Request Common Data Structure.

#### **Response Information**

- All information in the Background Check Query Results Common Data Structure.

**Synchronicity:** Asynchronous

#### **Security**

- CJIS Security Policy compliance.
- Request must include a secure token (e.g., SAML assertion) that identifies the user on whose behalf the query is being performed.

#### **Endpoint Behavior**

- Query the systems identified in the Background Check Query Results Common Data Structure.
- Receive responses back asynchronously from each participating system.
- Assemble responses into a consolidated response.
- Explicitly note any systems that were unavailable or returned an error (distinguish from systems that returned no records because none were found).
- For each system, apply rules to categorize the response as “prohibitors found,” “no prohibitors found,” or “indeterminate”; if the categorization is “prohibitors found,” provide a reason for the categorization and/or a citation for the prohibitor.
- Send the response asynchronously to the Record Query Results endpoint of the Staff Portal Subsystem.

The degree to which this endpoint can effectively categorize the consolidated query results into the three categories will be a significant determinant of the overall efficiency of the CFBC program. Technology solutions should be evaluated in large part based upon their capabilities

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in this area. The WSP should consider innovative techniques in this area where practical; rules engines, machine learning and statistical modeling techniques, and natural language processing should all be explored in the implementation. Implementations that simply return the consolidated response without effectively categorizing should be avoided.

### Notes

- None

### Outstanding Issues

- None

## Denied Transaction Handler Subsystem

### Interface DT.I1: Denied Transaction Handler Interface

#### *Notify of Denied Transaction Endpoint*

**Goal:** Notify the system that a firearms transfer transaction has been denied, so that information may be recorded and other stakeholders notified in accordance with Washington State law.

#### Input Information

- All information in the Background Check Query Request Common Data Structure.
- FFL identifier.
- Background check transaction identifier.

#### Response Information

- Acknowledgement

**Synchronicity:** Synchronous

#### Endpoint Behavior

- Data about each denied transaction is stored in a database at the WSP.
- Data is extracted periodically from the database and transmitted to WASPC per RCW 36.28A.
- Notification is sent to local law enforcement.

### Notes

- Detailed requirements in RCW 43.43.823.

- The implementation of this interface will produce extracts of information that WASPC needs to fulfill its obligations under RCW 36.28A:
  - Daily extract of denied transaction data that WASPC utilizes in the Statewide Automated Protected Person Notification System (VPO) for notification.
  - Extract necessary for WASPC to produce the annual report required by RCW 36.28A.405.
  - Details concerning the format and structure of the extracts sent to WASPC, and the mechanism used to transmit those extracts to WASPC, will be determined during implementation.
- Currently, WASPC sends an email notification on a weekly basis to any local law enforcement agency in which a denied transaction has occurred (as opposed to the normal denial notification to the agency with jurisdiction over the attempted transferee's residence). With the implementation of the CFBC Program, denied transaction information will be sent directly from WSP to local law enforcement (and will include the reason for denial). However, WASPC will also receive denied transaction data for the administration of the grant program established by RCW 36.28A.420. Implementation will need to allow WASPC to ensure that grant applications correspond to investigations of denied transactions outlined per statute.
- The mechanism by which local law enforcement is notified will be determined during implementation. Choice of notification mechanism should include a security review to determine if the information contained in the notification is suitable for transmission via email over the Internet.
- The WSP must provide the information on denied transactions per RCW 43.43.823; it is anticipated that this function will not change with the implementation of the CFBC program.

### **Outstanding Issues**

- None

### ***Notify of Reversed Denial on Appeal Endpoint***

**Goal:** Notify the system that a previous transaction denial has been reversed upon appeal, so that information may be recorded and other stakeholders notified in accordance with Washington State law.

### **Input Information**

- Background check transaction identifier.
- Purchaser information.

### **Response Information**

- Acknowledgement

**Synchronicity:** Synchronous

### Endpoint Behavior

- Data about each denied transaction is stored in a database at the WSP.
- Data is extracted periodically from the database and transmitted to WASPC per RCW 36.28A.
- Notification is sent to local law enforcement.

### Notes:

- Detailed requirements in RCW 43.43.823.
- Details concerning the format and structure of the extracts sent to WASPC, and the mechanism used to transmit those extracts to WASPC, will be determined during implementation.
- The mechanism by which local law enforcement is notified will be determined during implementation. Choice of notification mechanism should include a security review to determine if the information contained in the notification is suitable for transmission via email over the Internet.

### Outstanding Issues

- None

## Law Enforcement Interfaces Subsystem

### Interface LE.I1: Fingerprint-based Background Check Interface

#### *Submit Fingerprint-based Background Check Request Endpoint*

**Goal:** Enable law enforcement agencies to trigger a firearms background check by submission of fingerprint-based background check records.

### Input Information

- Results from a Washington and Western Identification Network (WIN) fingerprint-based background check.
- Results from a national (III) fingerprint-based background check.
- Identifier (ORI) for the Washington law enforcement agency that is submitting the check.
- TCN assigned at the Lives Scan device (to facilitate trace-back to WASIS).

### Response Information

- Acknowledgement

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**Synchronicity:** Asynchronous

### Endpoint Behavior

- Extract the Background Check Query Request information from the fingerprint-based background check results input.
- Invoke the Record Pending Background Check endpoint in the Staff Portal Subsystem.
- Invoke the Query endpoint in the Federated Query Subsystem.

### Notes:

- It is expected that the usage of this endpoint will be triggered by a law enforcement agency submitting a fingerprint-based background check for a Concealed Pistol License (CPL) application or Washington Alien Firearms License via Live Scan (or occasionally via rolled ink fingerprint card). The background check will be processed by the Criminal Records Division just like any other non-criminal, fingerprint-based background check.
- It is expected that either the new WATCH portal or existing software that receives and handles fingerprint-based background check results will call this endpoint. The scope of the WATCH development project does not currently include this functionality.
- If the law enforcement agency includes a “tracking identifier”, this identifier would be included in the results sent back to the agency to enable the agency to correlate the results with a specific pending application

### Outstanding Issues

- None

### *Submit Name/Date of Birth Based Background Check Request Endpoint*

**Goal:** Enable law enforcement agencies to trigger a firearms background check by submission of a name and date of birth, via existing external systems (e.g., WATCH portal).

### Input Information

- The Background Check Query Request information provided by the law enforcement agency from the application.
- Identifier (ORI) for the Washington law enforcement agency that is submitting the check.

### Response Information

- Acknowledgement

**Synchronicity:** Synchronous

**Endpoint Behavior:**

- Invoke the Record Pending Background Check endpoint in the Staff Portal Subsystem.
- Invoke the Query endpoint in the Federated Query Subsystem.

**Notes**

- It is expected that the usage of this endpoint will be triggered by a law enforcement agency submitting a name-based background check for a Concealed Pistol License (CPL) application renewal as well as name-based checks to dispose of firearms (i.e., return firearms from evidence) via the WATCH portal.

**Outstanding Issues**

- None

***Notify of Completed Background Check Endpoint***

**Goal:** Notify law enforcement agencies (via notification of external systems) that a firearms background check from law enforcement is complete.

**Input Information**

- Background check disposition (Proceed, Deny)
- If disposition is Deny, the reason for the denial

**Response Information**

- Acknowledgement

**Synchronicity:** Synchronous

**Endpoint Behavior**

- Send the results of the background check to the law enforcement agency that submitted the original check.

**Notes**

- Notifications will be sent to local law enforcement via whatever mechanism is used for WATCH portal notifications.

**Outstanding issues:**

- None

## Accounts Receivable External System

### Interface AR.I1: Accounts Receivable Interface

#### *Add Account Endpoint*

**Goal:** Create record(s) in accounting system(s) necessary to allow entities that owe money to the WSP to make payments, and for the WSP to account for receivables owed by those entities

#### **Input Information**

- Payor information (TBD)

#### **Response Information**

- Confirmation, including an account number

**Synchronicity:** Synchronous

#### **Endpoint Behavior**

- Ensures that the necessary WSP/state systems and/or processes are invoked to create a receivable account.

#### **Notes:**

- Implementation of this endpoint will need to take into account the ongoing development of the Criminal Records Division Web Portal, which FFLs will use to manage invoices/accounts.

#### **Outstanding Issues**

- None

#### *Record Receivable Endpoint*

**Goal:** Enable authorized systems to submit transactions representing money owed to the WSP by external entities, so that those entities may be charged via invoicing or electronic payment (e.g., credit card, debit, ACH, etc.).

#### **Input Information**

- Transaction reference
- Date
- Account number



- Amount
- Reason/memo

**Response Information**

- Confirmation number?

**Synchronicity:** Synchronous

**Endpoint Behavior**

- Ensures that the necessary WSP/state systems and/or processes are invoked to facilitate invoicing and payment.

**Notes**

- Implementation of this endpoint will need to take into account the ongoing development of the Criminal Records Division Web Portal, which FFLs will use to manage invoices/accounts.

**Outstanding issues:**

- None

## **Driver License/ID Verification External System**

### **Interface DL.I1: Driver License / ID Verification Interface**

***Verify Endpoint***

**Goal:** Verify a Washington driver license or state identification number, and retrieve detailed information about the holder of the identification document.

**Input Information**

- A Washington Driver License or State Identification number

**Response Information**

- Detailed information about the holder of the identification, or an indicator that the identification number is invalid.

**Synchronicity:** Synchronous

**Endpoint Behavior**

- Retrieves information from state licensing database(s) for a given identification number.

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- All interagency interfaces will conform to the architecture and general requirements documented in the Interagency System Integration section of the CFBC Implementation Plan. This section specifies, among other requirements, security and the need for information sharing agreements.

### Notes

- As of August 1, 2020, the WSP's understanding is that this interface is precluded by state and DOL privacy regulations. Absent clarification or negation of this finding, this interface will not be implemented during the CFBC implementation project.

### Outstanding Issues

- None

## Firearm Transfer Application External System

### Interface FT.I1: Firearms Transfer Application Interface

#### *Notify of Transferred Firearms Endpoint*

**Goal:** Record information about a firearms transfer in accordance with RCW 9.41.129.

#### **Input Information**

- Information from the Background Check Query Request, including the additional information currently captured on the DOL FTA form.
- FFL Identifier.
- Date of firearms transfer.

#### **Response Information**

- Acknowledgement

**Synchronicity:** Synchronous

#### **Endpoint Behavior**

- Stores information in the firearms transfer application database (currently at the Department of Licensing).
- All interagency interfaces will conform to the architecture and general requirements documented in the Interagency System Integration section of the CFBC Implementation Plan. This section specifies, among other requirements, security and the need for information sharing agreements.

**Notes**

- None

**Outstanding Issues**

- None

**Background Check Data Source External Systems**

This section describes the interfaces to external data sources that are consulted as part of conducting a firearms background check.

**Interface DS.I1: Court Records Interface*****Court Records Query Endpoint***

**Goal:** Obtain information from court case management records necessary to complete a background check.

**Input Information**

- Information from the Background Check Query Request.

**Response Information**

For each adult criminal and juvenile case:

- Case number, citation/summons identifier, etc.
- Defendant name and date of birth (as recorded in court case)
- Filing identifier/tracking number
- Filing date
- Appearance date
- Court of jurisdiction
- Jurisdiction of filing (i.e., charging agency)
- Failures to appear (with date)
- Bond status (if captured at the case level)
- Law enforcement agency case number or identifier (if available)

For each charge within a case:

- Charge identifier/tracking number
- Charge statute
- Charge statute description
- Any enhancements / modifiers
- Charge severity and class
- Plea
- Bond status (if captured at the charge level)

For each charge within a case that has a disposition:

- Charge disposition
- Date of disposition
- Sentence (fines, jail time, community service, probation, alternatives such as substance abuse treatment, etc.)

**Synchronicity:** Synchronous

#### **Endpoint Behavior**

- Queries the Administrative Office of the Courts Enterprise Data Repository (EDR) for records that match the query parameters (input information).
- The manner in which a match (i.e., which fields in the input information to consider when querying, whether partial field matches count as a “match”, etc.) is at the discretion of AOC.
- All interagency interfaces will conform to the architecture and general requirements documented in the Interagency System Integration section of the CFBC Implementation Plan. This section specifies, among other requirements, security and the need for information sharing agreements.

#### **Notes:**

- This interface will follow the architectural guidelines established in the Interagency System Integration section of the Implementation Plan, except that it will be a synchronous exchange.
- Because this will be a synchronous exchange with AOC, the WSP may wish to implement an intermediary component that manages a queue of requests to this interface, essentially making it asynchronous from the federated query component’s viewpoint.

**Outstanding Issues**

- None

**Interface DS.I2: Health Records Interface*****Health Records Query Endpoint***

**Goal:** Obtain information from mental health and substance abuse treatment records necessary to complete a background check.

**Input Information**

- Information from the Background Check Query Request.

**Response Information**

- A single indicator, indicating whether any records of prohibitors are present (HCA should not return private health information).

**Synchronicity:** Asynchronous

**Endpoint Behavior**

- Queries the Health Care Authority's electronic health records system and other appropriate data sources for records that match the query parameters (input information).
- The manner in which a match (i.e., which fields in the input information to consider when querying, whether partial field matches count as a "match", etc.) is at the discretion of HCA.
- All interagency interfaces will conform to the architecture and general requirements documented in the Interagency System Integration section of the CFBC Implementation Plan. This section specifies, among other requirements, security and the need for information sharing agreements.

**Notes**

- None

**Outstanding Issues**

- None

**Interface DS.I3: State/National Law Enforcement Records Interface*****Law Enforcement Records Query Endpoint***

**Goal:** Obtain information from state and federal law enforcement records necessary to complete a background check. These records include:

- Washington Criminal History (WASIS)
- Washington Crime Information Center (WACIC)
- National Criminal History (FBI III)
- National Crime Information Center (NCIC)
- NICS Automatic Denial/NICS Indices

While the records checked include all of these sources, the query should actually be performed via the ACCESS message switch's QNP transaction (which checks all of the appropriate sources automatically).

**Input Information**

- Information from the Background Check Query Request.

**Response Information**

- A list of candidate matches returned by the ACCESS QNP transaction.

**Synchronicity:** Asynchronous

**Endpoint Behavior**

- Performs a "NICS Query" (QNP transaction) in the WSP ACCESS message switch.
- Returns a list of candidate matches.

**Notes**

- This interface will follow the architectural guidelines established in the **Interagency System Integration** section of the implementation plan.
- This endpoint does not perform the subsequent QNR transaction in ACCESS for each of the possible matches in the candidate list; these would be performed downstream as needed by the CFBC Staff directly performing the QNR via ACCESS.

**Outstanding Issues**

- None

**Interface DS.I4: Local Law Enforcement Records Interface*****Law Enforcement Records Query Endpoint***

**Goal:** Obtain information from Washington local law enforcement agency records necessary to complete a background check. It is expected that the CFBC will obtain this information via LInX-NW.

**Input Information**

- Information from the Background Check Query Request.

**Response Information**

- Incident information from records that match the query, to include:
  - Incident identifier numbers, date, time, and location.
  - Reporting agency information.
  - Narrative.
  - Names and demographic information for involved persons.
  - Incident type.
- Arrest information from records that match the query, to include:
  - Names and demographic information of arrestees.
  - Offense information (type, category, statute).
  - Offense date, time, and location.
  - Arrest charges.

**Synchronicity:** Asynchronous

**Endpoint Behavior**

- Queries local law enforcement incident and arrest information that agencies have submitted to LInX-NW.
- The endpoint should provide an intermediary that receives raw results from LInX-NW and further processes and filters them; it is expected that LInX-NW could return a large number of records for typical queries, but straightforward filtering should typically eliminate many of them as possible prohibitors. This filtering will help ensure that false positives do not impede lights-out check disposition.
- All interagency interfaces will conform to the architecture and general requirements documented in the **Interagency System Integration** section of the CFBC implementation plan. These requirements include security, including encryption in

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transit and at rest. It is expected that LInX-NW will impose similar requirements on any automated interface to its repository.

### Notes

- It is expected that this interface, once established, will provide information similar to the equivalent interface hosted by N-DEx; see <https://www.fbi.gov/services/cjis/ndex> and specifically the N-DEx Incident/Arrest information exchange package documentation (IEPD) at <https://www.fbi.gov/file-repository/n-dex-iepd-incident-arrest.zip/view>
- Law enforcement agency participation in LInX-NW is optional, and participating agencies are free to choose what kinds of information (and degree of detail) they share; thus the availability of specific information will vary across agencies.
- LInX-NW has informed the WSP that no interface exists to perform system-to-system queries; the availability of such an interface will depend on the WSP working successfully with the LInX-NW board to establish it.

### Outstanding Issues

- None

## Common Data Structures

This section documents common data structures shared across interfaces and use cases.

### Background Check Query Request

The information included in a request for a firearms transfer background check is:

- Name\* (first, middle, last)
- State of residence\*
- Place of birth\*
- Height
- Weight
- Sex\*
- Birth date\*
- Unique personal identification number (provided by FBI NICS to some transferees)
- Ethnicity\*
- Race\*
- Country of citizenship



- Whether the transferee/buyer qualifies for an exception under non-immigrant visa rules
- Alien admission number
- “Other identification”

Note that a \* indicates mandatory input. These information items correspond to fields 1, 2, 3, 4, 5, 6, 7, 9, 10a, 10b, 12a, 12d2, 13, and 18a, respectively, on ATF form 4473.

Note that the identifier for the FFL is part of the request as well. When the Submit Background Check use case is performed by the FFL Staff actor directly, the FFL’s identity is known via association with the currently authenticated user’s account. When the use case is performed by CFBC staff on the FFL Staff’s behalf (i.e., pursuant to a check submitted by telephone), the CFBC Staff will supply the FFL identifier prior to submitting the request.

In addition to information above, the following information is entered for queries related to handguns (pistols) and semi-automatic rifles (SARs), for the purposes of collecting the data currently collected on the Department of Licensing Firearms Transfer Application form in accordance with RCW 9.41.090 (6)(a):

- Firearm serial number
- Firearm caliber, make, model, barrel length, and condition (new or used)
- Firearm type (handgun or SAR)
- Transferee residence address and telephone number
- Transferee driver’s license or state ID number
- Transferee occupation
- Washington alien firearms license number and expiration date (if applicable)
- Concealed pistol license number, expiration date, and issuing authority (if applicable)

### **Outstanding Issues**

- None

### **Background Check Query Results**

The results of background queries will consist of a consolidated record assembled from each of the result sets returned by each of the interfaces documented in the Background Check Data Source External Systems section.

In addition to returning the above information specific to each source, each source will also return the values of all data elements specified in the Background Check Query Request data structure.

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### Outstanding issues:

- Need to confirm sources and detailed contents of records from each source with interagency working group.

### Background Check Record

The Background Check Record captures all of the information pertinent to a background check “case” as it moves through its lifecycle.

The information maintained (stored) for each background check until the check is disposed per the Dispose Background Check Endpoint includes:

- All information in the Background Check Query Request common data structure
- A series of “documentation item” records that contain the results of queries or other evidence assembled to substantiate the disposition of a check, such as:
  - All information in the Background Check Query Results common data structure.
  - Documents, query results from other systems, and other relevant documentation collected by CFBC Staff to substantiate or support the disposition of a check during the performance of the Review Background Check use case.
  - Notes captured by CFBC Staff during the performance of the Review Background Check use case.
- For each documentation item, the identifier for the CFBC Staff user who added the item (or, for items added by an automated process, an identifier for that process), and the date/time that the item was added.
- The background check transaction identifier.
- The date/time that the check was submitted to the CFBC Unit.

Absent a background check being disposed with a final status of Proceed or disposed following an appeal, the Background Check Record is retained indefinitely.

When a background check is disposed with a final status of Proceed or disposed following an appeal, only the following information is retained:

- The background check transaction identifier
- The date/time that the check was submitted to the CFBC Unit
- The date/time that the check was disposed
- The final disposition status
- The FFL identifier

## Outstanding issues

- None

## Non-Functional Requirements

Non-functional requirements capture behavior of the system that protects the interests of stakeholders generally, often by complying with organizational policies or legal requirements. These requirements are generally applicable to all use cases and interfaces.

### Compliance with Relevant Policies and Standards

Implementations of all requirements in this document must comply with the following policies and standards where they apply:

- FBI CJIS Security Policy (version 5.8, dated June 1, 2019)<sup>1</sup>
- FIPS 140-3 Requirements for Cryptographic Modules (or FIPS 140-2 with a plan for migrating to FIPS 140-3 by September 2026)<sup>2</sup>
- Washington State Office of the Chief Information Officer (OCIO) Standard 141.10, “Securing Information Technology Assets” (dated November 13, 2017)<sup>3</sup>
- OCIO Standard 188.10, “Minimal Accessibility Standard” (dated March 10, 2020)<sup>4</sup>

### Compliance with WSP Technical Requirements for Projects and Procurements

Any proposed implementation of the requirements in this document must provide the information requested in the attached document *Technical Requirements for Projects and Procurements*.

### Application Delivery

The two subsystems with user-facing functionality--the Dealer Portal Subsystem and the Staff Portal Subsystem--will be delivered to users via a web browser. The Dealer Portal Subsystem will be accessible via browser on iOS and Android smartphones and tablets, as well as desktop computer platforms. The Staff Portal Subsystem will be accessible via browser on standard WSP-issued staff desktop computer platforms.

The Dealer Portal Subsystem will target browsers that comprise 95% of United States usage, as reported by the *caniuse* project<sup>5</sup> and assessed by the *browserslist* project<sup>6</sup>.

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<sup>1</sup> [https://www.fbi.gov/file-repository/cjis-security-policy\\_v5-8\\_20190601.pdf/view](https://www.fbi.gov/file-repository/cjis-security-policy_v5-8_20190601.pdf/view)

<sup>2</sup> <https://csrc.nist.gov/publications/detail/fips/140/3/final>

<sup>3</sup> <https://ocio.wa.gov/policy/securing-information-technology-assets-standards>

<sup>4</sup> <https://ocio.wa.gov/policy/minimum-accessibility-standard>

<sup>5</sup> See <https://github.com/leecade/caniuse-db>

<sup>6</sup> See <https://browserslist.io/?q=cover+95%25+in+US> for browsers with 95% US coverage.

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The Staff Portal Subsystem will target the WSP standard staff browser version and configuration, as documented in section 1.29 of the attached document *Technical Requirements for Projects and Procurements*.

### **User Authentication and Authorization**

All use cases in this model require that the users (i.e., Actor representatives) authenticate with appropriately strong credentials, and that they be specifically authorized to perform the functions represented by those use cases.

User authentication will occur via the Security Assertion Markup Language (SAML) version 2.0, using the HTTP POST binding. The Staff and Dealer Portal Subsystems will be deployed behind a SAML 2.0 Service Provider to redirect unauthenticated users to one of two SAML 2.0 Identity Providers:

- For non-WSP (FFL) users, the Identity Provider will be Secure Access Washington (SAW)
- For WSP users, the Identity Provider will be Active Directory Federation Services (ADFS)

In accordance with the SAML 2.0 protocol, when a user attempts to access their respective portal application, if they are currently unauthenticated then they will be redirected to the appropriate Identity Provider to authenticate. Upon successful authentication, they will be redirected back to their portal with a SAML claim asserting their authentication along with attributes sufficient to identify the user to the portal. In the case of the SAW identity provider, the identifying attribute will be the SAW globally-unique ID (guid). In the case of the WSP ADFS identity provider for staff, it will be a unique Active Directory user account name.

The respective portals will use the source of the claim and the identifying attribute(s) as the basis for personalizing the user's experience and authorizing the user to access functionality within the application. In the Dealer Portal Subsystem, the identifying attribute(s) will also be used to determine the FFL organization (dealer company) with which the user is associated. (In rare cases where a single SAW user is employed by or represents more than one FFL organization, the Dealer Portal Subsystem will prompt the user to identify the FFL on behalf of which they are acting for the current session.)

### **Availability and Continuity of Operations**

All subsystems described in this document will be available 99.9% of the time, 24 hours per day, 7 days per week, every day of the year.

In the event a subsystem becomes unavailable, it is expected that it will be available again within one hour.

Each subsystem will have the necessary interfaces and functionality to be monitored for availability, suitable to generate notifications to system administrators when unexpected outages occur.

## Support for Performance Measurement

All subsystems must capture data sufficient to implement the performance measurement requirements outlined in the Implementation Plan. Because personally identifiable information (PII) should not be necessary to measure performance and quantify background check operations, subsystems must ensure that data retained for performance measurement purposes does not contain PII.

## Interface Protocols

All interfaces described in this document will adhere to the following requirements:

- SOAP Web Services that conform to the Web Services Interoperability (WS-I) Basic Profile version 2.0<sup>7</sup>
- SOAP message payload contents will be Extensible Markup Language (XML) that conforms to the National Information Exchange Model (NIEM) version 4.2<sup>8</sup>
- SOAP message exchange occurs over Transport Layer Security (TLS) version 1.2 or higher, with mutual certificate authentication

RESTful services with JavaScript Object Notation (JSON) payloads are an acceptable alternative to XML web services, if mutually agreed between the WSP and the partner agency managing the other end of an interface.

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<sup>7</sup> <http://ws-i.org/Profiles/BasicProfile-2.0-2010-11-09.html>

<sup>8</sup> <http://niem.github.io/niem-releases/>

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