

HOUSE BILL REPORT

SSB 5157

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to local law enforcement automatic fingerprint identification systems.

Brief Description: Revising provisions relating to local law enforcement automatic fingerprint identification systems.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Regala, Carrell, Kline, Roach, Zarelli, Kastama, Oke, Franklin, Brandland, McCaslin and Shin).

Brief History:

Committee Activity:

Criminal Justice & Corrections: 3/29/05, 3/31/05 [DP].

Brief Summary of Substitute Bill

- Authorizes local law enforcement agencies to purchase or lease automatic fingerprint identification systems from any vendor, provided that the system complies with national industry standards for interoperability with the state system operated by the Washington State Patrol.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 7 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi, Kirby and Strow.

Staff: Kathryn Leathers (786-7114).

Background:

The Washington State Patrol (WSP) is responsible for developing, maintaining and operating the statewide automatic fingerprint information system. Every local, county, and state law enforcement agency is required to obtain fingerprints of all adults and juveniles arrested for any felony or gross misdemeanor. These fingerprints must be transmitted electronically to the WSP within 72 hours of the suspect's arrest.

Local law enforcement agencies may establish or operate an automatic fingerprint identification system only if both the hardware and software of the local system are compatible with that of the state system. In addition, these local systems must be able to electronically transmit data to, and receive and answer inquiries from, the WSP's system. Any

local or county law enforcement agency that purchased an automatic fingerprint identification system before January 1, 1987, is exempt from the compatibility requirements.

Currently any local or county law enforcement agency choosing to operate a fingerprint identification system must contract with the same vendor used by the WSP in order to meet the compatibility requirements.

Fingerprints, also known as "ten prints," are prints taken from arrested or charged persons. "Latent" fingerprints include those fingerprints left at crime scenes.

Summary of Bill:

Local law enforcement agencies are authorized to use an automatic fingerprint identification system which uses an interface for both its hardware and software that is compatible with the WSP statewide automatic fingerprint identification system. Local law enforcement agencies must be able to transmit "ten print" fingerprint records to the state automatic fingerprint identification system, and the state must be able to accept these ten-print records. When industry transmission protocols change, the WSP must incorporate these new standards as long as funding and reasonable system engineering practices permit.

No later than January 1, 2007, the state fingerprint system must be able to accept electronic latent search records from any local law enforcement agency. If, by June 30, 2006, funding is not received for transmission of latent search records in the Omnibus Appropriations Act, or otherwise obtained from another source, the latent search records transmission requirement is null and void.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill allows local jurisdictions to use the best technology available and it also provides competition between vendors that supply the equipment, which leads to financial and technological incentives. Although not yet earmarked, having this bill in place will increase the chances of getting money from Congress to offset the costs, especially as this bill relates to latent prints. This bill allows local law enforcement agencies to have choices and it also allows the WSP to obtain the reasonable engineering costs and funding prior to implementation.

Testimony Against: None.

Persons Testifying: Mike Carson and Michael Shaw, Pierce County Sheriff; Captain Jeff DeVere, Washington State Patrol; and Senator Regala, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.