

SENATE BILL REPORT

SB 5553

As Reported By Senate Committee On:
Human Services & Corrections, February 21, 2005

Title: An act relating to creating a pilot program for electronic fingerprinting technology.

Brief Description: Creating a pilot program for live scan devices.

Sponsors: Senators Brandland, Kohl-Welles, Hargrove and Regala.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/05, 2/21/05 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5553 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

Staff: Kiki Keizer (786-7430)

Background: The Joint Task Force on Criminal Background Check Processes (Task Force) was created by the passage of Engrossed Substitute House Bill 2556 during the 2004 legislative session. The legislation required the Task Force to review and make recommendations regarding how to improve the state's criminal background check processes. The legislation also required the Task Force to report its findings and recommendations to the Legislature.

One of the Task Force's recommendations was to create a pilot program to electronically gather and transmit fingerprint data for non-criminal justice purposes, by purchasing nine electronic fingerprinting devices to be strategically placed in the nine educational service districts throughout the state.

Electronic fingerprinting technology is currently available only in local jails and in the Washington State Patrol office in Olympia. There are no public or private sector fingerprinting service centers to accommodate individuals applying for non-criminal justice employment or licensing. The task force discussed placing devices strategically in government offices throughout the state for this purpose.

In order to set up the infrastructure for fingerprint submissions outside of the criminal justice system, funding must be approved for more electronic fingerprinting devices. The hardware and software for one electronic fingerprinting device costs approximately \$30,000, although the state has been able to purchase units at a reduced cost for criminal justice purposes, and discounts may still be available.

Summary of Substitute Bill: The bill appropriates up to \$270,000 from the state general fund to the superintendent of public instruction to be used to purchase an electronic fingerprinting device for each educational service district. The electronic fingerprinting devices are to be used for noncriminal justice purposes. The electronic files of fingerprint images cannot be retained by state or local agencies or private parties hired to gather to transmit the electronic fingerprints.

Substitute Bill Compared to Original Bill: Electronic files of fingerprint images must be destroyed after the results of the background check have been obtained and transmitted. The electronic files of fingerprint images cannot be retained by state or local agencies or private parties hired to gather to transmit the electronic fingerprints. The references to "live-scan" are changed to refer to "electronic fingerprint technology."

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is a growing trend to require background checks for noncriminal justice purposes. Checking fingerprints yields more reliable results than checking the name and date of birth given by the subject of the background check. Gathering fingerprints electronically reduces the possibility of getting inaccurate prints. It also cuts the amount of time necessary to run the check and get the criminal history results back.

Testimony Against: None.

Who Testified: PRO: Senator Brandland, prime sponsor.