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SENATE BILL 5157

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State of Washington

59th Legislature

2005 Regular Session

By Senators Regala, Carrell, Kline, Roach, Zarelli, Kastama, Oke, Franklin, Brandland, McCaslin and Shin

Read first time 01/17/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to local law enforcement automatic fingerprint  
2 identification systems; amending RCW 43.43.570; and creating a new  
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature recognizes that new advances  
6 in technology and the development of industry standards now allow law  
7 enforcement agencies with different automatic fingerprint  
8 identification system manufacturers to be interoperable. Furthermore,  
9 the legislature recognizes that requiring all law enforcement agencies  
10 to purchase or lease automatic fingerprint identification system  
11 equipment from the same vendor utilized by the Washington state patrol  
12 creates a noncompetitive environment, which prevents local law  
13 enforcement agencies from negotiating lower prices. It is therefore  
14 the intent of this legislation to allow local law enforcement agencies  
15 to purchase or lease any automatic fingerprint identification system,  
16 provided that the system complies with national industry standards for  
17 interoperability as developed by the federal bureau of investigation  
18 and the national institute of standards and technology.

1       **Sec. 2.** RCW 43.43.570 and 1987 c 450 s 1 are each amended to read  
2 as follows:

3       (1) No local law enforcement agency may establish or operate an  
4 automatic fingerprint identification system unless:

5       (a) Both the hardware and software of the local system are  
6 compatible with the state system under RCW 43.43.560; ~~((and))~~ or

7       (b) ~~The ((local)) system ((is equipped to receive and answer~~  
8 ~~inquiries from the Washington state patrol automatic fingerprint~~  
9 ~~identification system and transmit data to the Washington state patrol~~  
10 ~~automatic fingerprint identification system))~~ complies with the  
11 national institute of standards and technology interchange of  
12 fingerprint data standard defined in ANSI/NIST-ITL 1-2000, and the  
13 federal bureau of investigation image quality standards and transaction  
14 format specifications as defined in the FBI criminal justice  
15 information services electronic fingerprint transmission specifications  
16 (CJIS-RS-0010).

17       (2) A local law enforcement agency operating an automatic  
18 fingerprint identification system shall transmit data on fingerprint  
19 entries to the Washington state patrol electronically by computer.  
20 This requirement shall be in addition to those under RCW 10.98.050 and  
21 43.43.740.

22       ~~((Counties or local agencies that purchased or signed a~~  
23 ~~contract to purchase an automatic fingerprint identification system~~  
24 ~~prior to January 1, 1987, are exempt from the requirements of this~~  
25 ~~section. The Washington state patrol shall charge fees for processing~~  
26 ~~latent fingerprints submitted to the patrol by counties or local~~  
27 ~~jurisdictions exempted from the requirements of this section. The fees~~  
28 ~~shall cover, as nearly as practicable, the direct and indirect costs to~~  
29 ~~the patrol of processing such fingerprints.))~~ (a) No later than January  
30 1, 2006, the Washington state patrol's automatic fingerprint  
31 identification system shall:

32       (i) Be capable of instantly accepting electronic tenprint criminal  
33 arrest, tenprint applicant, and latent search records from any  
34 Washington state local law enforcement agency that operates an  
35 automatic fingerprint identification system; and

36       (ii) Provide a gateway for Washington state local law enforcement  
37 agencies to submit electronic latent and tenprint fingerprint searches

1 to the federal bureau of investigation's integrated automated  
2 fingerprint imaging system and receive results.

3 (b) This subsection shall only apply to Washington state local law  
4 enforcement agencies that are in compliance with subsection (1) of this  
5 section.

6 (c) Any personnel functions necessary to prepare fingerprints for  
7 searches under this subsection shall be the responsibility of the  
8 submitting agency.

9 (4) The Washington state patrol shall adopt rules to implement this  
10 section.

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