

CRD Newsletter

2nd Annual Disposition Reporting Compliance Audit Report to be released in early May 2013

Submitted By: [Becky Miner](#)

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The second annual dispositions reporting compliance audit report is due to be released in early May 2013. Revised Code of Washington (RCW) 10.98.100 requires the Washington State Patrol (WSP) to administer a compliance audit annually for each prosecuting attorney, district and municipal court, and original agency to ensure that all disposition reports have been received and added to the criminal history record information (CHRI) maintained by WSP.

The 2012 report encompassed arrests without dispositions from the oldest arrest on file through 2010. Following release of the compliance report in September, Section staff conducted research of 1,037 open arrests from the audit report. Upon completion of their research using the court databases, staff was able to locate dispositions for 57% of the arrests. They were able to identify four major categories of causes for a disposition not being on file:

- The vast majority of these records did not have a PCN listed at the court level, which caused the dispositions to not transmit electronically to WSP.
- 11% of the records were returned to the contributing agency for further research. Of these, several were later identified as civil cases that should not have been submitted to WSP.
- No judgment had been entered in the case for 13% of the arrests offenses.
- The remaining 19% were a mixture of ORI issues, where an incorrect ORI was listed as the disposition responsible agency or where disposition was actually on file, but the incorrect ORI caused it to appear as if the disposition had not been received.

The information gained from the initial compliance audit report has been beneficial in identifying several areas for improvement:

- Some ORI's were showing on records as the disposition responsible ORI that were incorrect. If the disposition responsible ORI is not provided at the time of the booking event, the disposition responsible ORI will default to the originating (arresting) agency.
- A programming issue within our database that shows some dispositions as "disposition not received", when the disposition has been reported. This anomaly is being researched to identify solutions.
- Non-fingerprint submitting agencies that are listed as the originating ORI (breakdown in arrest submission process).
- Civil arrests. Often times a civil warrant arrest was submitted, but not identified as a civil warrant until the disposition was received. These should not be submitted to us and are being deleted from our system as they become known to us.
- Agencies converting the contributing ORI to another agency (and not forwarding PCNs to the responsible agency).

2nd Annual Disposition Reporting Cont...

- Issues with a database conversion from late 1999 were discovered. These are being fixed as they come to our attention.
- PCN not being submitted from the booking agency to the prosecutor and/or court. This causes the PCN not to be included on the disposition when it comes to our office. In order to tie the arrest event and the final disposition outcome, it is necessary to ensure the PCN number is provided to the prosecutor and/or court.
- The compliance reported listed % out of compliance. This was confusing to some of our users. When they saw a figure like 80%, they instinctively thought they were 80% in compliance.

As a result of these findings, we have been working to resolve these issues. For example:

- As civil arrests are identified, they are being removed from the criminal history database. If an arrest event starts as criminal and is later reduced by plea bargain or other means to a civil offense, the Section will still retain those as they began as a criminal event. We are only deleting those that start as a civil event. We are encouraging our contributors to not submit civil arrest events to us.
- We have identified some programming issues in our system that we are working with our vendor to resolve. Records that are incorrectly showing as disposition not received will no longer show on the compliance report.
- We have identified areas for training as well. For instance, non-fingerprint submitting agencies were listed as the fingerprint contributing ORI. When we run the compliance audit, the non-fingerprint submitting agency's ORI is showing as the disposition responsible ORI and is receiving the notice to submit dispositions.
- The Process Control Number (PCN) guidelines have been updated and will be published on the WSP internet site soon. Following these guidelines and submitting the PCN to the appropriate court or prosecutor will result in increased disposition submissions to WSP.
- The compliance audit report will show the percentage IN compliance, with the goal of 100% compliance being sought.

Several local law enforcement/criminal justice agencies were able to identify "holes" in their systems that once fixed will increase the number of dispositions reported.

Currently, there are 8,336,666 arrest offenses contained in the WASIS database. Of these, 1,611,579 (19.331%) show as 'disposition not received'. With your help, we can reduce the number of open arrests and increase the percentage of complete arrests and dispositions to 100%.



Washington State Patrol Work Process Improvement CAR/CNA Fingerprint Arrest Submissions

Submitted By: [Becky Miner](#)

In an effort to further streamline processes and reduce manual intervention, the Washington State Patrol (WSP) Identification and Criminal History Section (Section) will begin processing all paper and livescan transmissions using the type of transaction (TOT) of CNA (criminal no answer required) as CAR (criminal answer required) effective May 1, 2013.

The Section receives two types of criminal arrest cards:

1. CAR – Criminal answer required. When the CAR transaction is sent to the Federal Bureau of Investigation (FBI), the FBI will respond electronically with the search results. When the Integrated Automated Fingerprint Identification System (IAFIS) result is received from the FBI, the record moves to "Done" on the state's Automated Fingerprint Identification System (AFIS) job queue. "Done" records automatically purge off the job queue in 5 days.

Washington State Patrol Work Process Improvement Cont...

2. CNA – Criminal no answer required. When the CNA transaction is sent to the FBI, the FBI will not respond with search results. The record stays in “Execute” phase on the AFIS job queue until manually purged.

A state response is returned for both types of transactions.

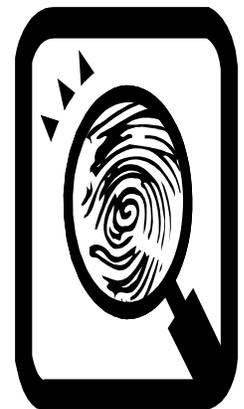
Currently, WSP Fingerprint Unit (FPU) staff monitors the AFIS job queue for any stuck AFIS (CAR) transactions. When transactions are identified as stuck or no response received from the FBI, staff works to resolve the issue.

Periodically, IAFIS search results for CAR records are not returned to the WA AFIS and/or our computerized criminal history system (CCH). WSP staff have employed a weekly tracking procedure to ensure CAR and pertinent applicant records are received by the FBI and a response is returned. This procedure does not work

for CNA as this TOT does not generate the IAFIS response that will move the record from an incomplete “Execute” status on the AFIS job queue to a completed “Done” status. It is unknown how many CNA records may not have been received by the FBI.

To improve customer service and responses, as well as eliminate manual work processes, WSP staff will enter all criminal fingerprint cards received in the mail as CAR. As a result, local law enforcement agencies currently using CNA will see an increase of FBI search results. This increase should be slight: most of the agencies transmitting CNA for some records submit the majority of their arrests using CAR.

If you have any questions or would like further information on this work process improvement, please contact the Identification and Criminal History Section at (360) 534-2000.



Non Criminal Arrest Data to be Removed From WASIS

Submitted By: Kevin Wolf

As defined in RCW 10.97.030; “Criminal history record information” means information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising there from, including acquittals by reason of insanity, dismissals based on lack of competency, sentences, correctional supervision, and release.

Over the years, criminal justice agencies have forwarded criminal history record information (CHRI) arrest submissions to the Washington State Identification Section (WASIS) which related to non-criminal events. Non-criminal events such as; material witness, civil bench warrant, out of state warrant, non support (in a civil case), failure to comply (in a civil case), and DOC hearing are not required to be sent to WASIS. Non-criminal events like these will never have a criminal disposition associated with them and therefore should not be sent to WASIS. Submitting agencies can retain the fingerprints associated with these events, but are discouraged from submitting them to Washington State Patrol (WSP). If an agency is interested in submitting a fingerprint submission in an effort to determine the

identity of an individual in their custody, they can submit a “Search and Return” fingerprint submission under the TOT type NFUF, reason fingerprinted “Criminal Justice Investigative Purposes”. If you are submitting a Search and Return or are unfamiliar with this type of fingerprint submission, please contact WSP Fingerprint Staff at 360-534-2166.

This issue came to the forefront in September of 2012 when WSP released the first Annual Disposition Reporting Compliance Report to stakeholders from around the state. In this first annual release, we reported the status of missing disposition from all reporting agencies. What we learned after this release was that a portion of dispositions missing from WASIS was a result of non-criminal arrest events like these which were not required to be submitted.

WSP staff audit arrest records, which are missing associated dispositions. As they perform research they often discover arrests in WASIS that are related to non-criminal events. We have recently put in place a procedure for the removal of these non-criminal events from

Non Criminal Arrest Data Cont...

WASIS. This procedure will benefit our stakeholders in the process. During normal auditing functions by the WSP, if staff are able to determine a non-criminal arrest has occurred, reporting agencies will not be tasked to research and attempt to locate a disposition on a non-criminal event. Prosecutors will also not be asked to return audit forms indicating that the event was a non criminal scenario. Agencies may occasionally still receive disposition audits which are related to a non-criminal event, as our staff may not have been able to determine the nature of the arrest. In these cases, agencies are encouraged to review the disposition audit to determine if it was a criminal or non-criminal event. In the case of a criminal event where a disposition is available, they can simply follow the instruction attached to the disposition audit. If the arrest is related to a non-criminal event, agencies or prosecutors should indicate "non-criminal" arrest on the audit and return it to the WSP. WSP staff will then remove this arrest from WASIS.

In review, agencies are encouraged to follow these steps:

- Do not submit arrest events to WSP that relate to a civil or non criminal matter. i.e.: material witness, civil bench warrant, out of state warrant, non support (in a civil case), failure to comply (in a civil case), and DOC hearings.
- Instead of submitting a non-criminal fingerprint submission to WSP for identification purposes, use the Search and Return fingerprint submission to ascertain an individual's identity.
- Return to the WSP any disposition audits which are related to a non-criminal event and be sure to indicate "non criminal" arrest. WSP staff will then remove the incident from WASIS.

We appreciate your willingness to work with us as we continue to improve the CHRI available to all users. Our goal is to remove these non-criminal arrest events in the most efficient way possible, and to reduce the time and effort required of our stakeholders. We understand that researching and returning disposition audits to the WSP is a labor intensive request. We hope to reduce the amount of these in the future. Your participation in this process will surely help to improve the CHRI we all use, and to help reduce the amount of labor needed in the future as we continue to improve WASIS.

If you have any questions or need assistance with this process, please feel to contact me at 360-534-2124 or kevin.wolf@wsp.wa.gov.

Thank you,

Kevin Wolf

Disposition Processing Unit Supervisor

Washington State Patrol, Identification and Criminal History Section



Washington State Law Enforcement Agencies Can Help Ensure Accurate and Up-To-Date Criminal History Records

Submitted By: **Becky Miner**

The Washington State Patrol Identification and Criminal History Section was established as the central repository for criminal history record information (CHRI) for the State of Washington by the legislature in 1972. Revised Code of Washington (RCW) 43.43.735 and 43.43.740 requires Washington law enforcement agencies to fingerprint all adults and juveniles lawfully arrested for any felony or gross misdemeanor criminal offense and to submit those to the Section within 72 hours of the arrest. RCW 43.43.735 also allows for the fingerprinting and submission of arrest information for misdemeanor offenses, but does not require misdemeanors, other than gross misdemeanors, to be submitted to the Section.

The Section is dedicated to providing the most complete and accurate CHRI possible. However, if fingerprints are not submitted to us, that arrest information will not be included as part of a person's CHRI. Typically this happens if a subject is cited and released without being fingerprinted.

Understandably, there may be times when transporting an offender to a booking facility to be

Washington State Patrol Law Enforcement Agencies Can Help Cont...

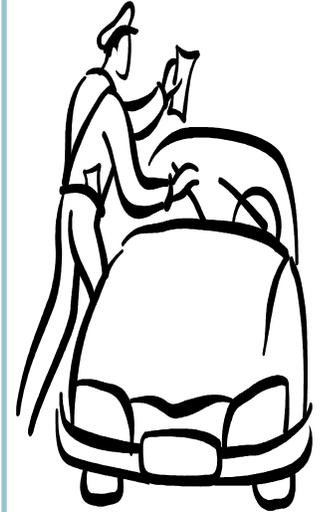
fingerprinted may pose challenges to local agencies, especially in some of the more remote counties of the state where the booking facility may be many miles from the site of the arrest. Consequently, arrested persons are often not fingerprinted for an arrest offense such as Driving under the Influence (DUI) even though fingerprinting is required under RCW 43.43.735. It is important to note, even though the final adjudication information (disposition) may be available in court records, the arrest will not be a part of the subject's official CHRI unless fingerprints are submitted to us.

Other times CHRI may be incomplete due to the quality of the fingerprint submitted. If the fingerprints are non-identifiable or illegible, they may be rejected to the contributing agency requesting the subject be re-fingerprinted. When this happens WSP will not have a record of that particular event until legible fingerprints

are submitted. Approximately 150 criminal arrest submissions are rejected each month.

In 2007, DUI became a class C felony if the person had four or more offenses within 10 years or if the person had been convicted of vehicular homicide under the influence of liquor or drugs. With the passage of this legislation, it has become increasingly important to ensure fingerprints are submitted on all DUI arrests so they may be properly accounted for as part of the CHRI.

For additional information or training please contact the Criminal History Training Unit at www.crdtraining@wsp.wa.gov or visit the website <http://www.wsp.wa.gov/secured/ident/resource.htm>.



Washington State Process Control Number (PCN) Guidelines

Submitted By: Becky Miner

Introduction

A process control number (PCN) is a unique tracking number assigned to each criminal arrest. The purpose of the PCN is to link the arrest event to the disposition. It also facilitates the electronic submission of disposition information to the Washington State Patrol (WSP). The PCN from the disposition report is used to locate the corresponding arrest(s) in the criminal history record information (CHRI) database known as Washington State Identification System (WASIS).

The PCN is automatically assigned by the livescan device. When the arrest record is electronically transmitted to WSP, the PCN is entered along with the arrest information. The PCN is forwarded by the fingerprinting/arresting agency to the appropriate prosecutor or court for entry into the Judicial Information System (JIS) or the Superior Court Management Information System (SCOMIS). When the PCN is entered by court staff into JIS/SCOMIS it triggers an electronic disposition, which is sent electronically to WSP where it either automatically updates WASIS or is diverted for manual intervention by WSP staff. If the transaction requires manual intervention, WSP staff use the PCN to locate and update the submitted disposition. If no charges are filed or the case is dismissed prior to prosecution or processing by the court, the Prosecutor's Office shall send a disposition report containing the PCN to WSP.

Agencies that do not have a livescan device must use a PCN packet. PCN packets are also provided to agencies when they install a new livescan device to use in the case of a power outage, the individual has poor quality fingerprints, or manual processing of the fingerprint cards is required. The ink method is used to complete the fingerprint card and to place the flat impressions on the bottom of the disposition form. A PCN packet typically consists of two pre-stamped fingerprint cards, one disposition form, and twelve additional PCN labels. A PCN label is to be attached to each additional document and forwarded to the appropriate prosecutor or court for entry into JIS or SCOMIS. CHRI is updated when the disposition is forwarded to WSP with the PCN.

When using the manual (ink) method of fingerprinting a subject, the agency will mail one fingerprint card to WSP. All manual fingerprint card submissions are converted to electronic format by WSP and forwarded to the Federal Bureau of Investigation (FBI) electronically. If the record is transmitted electronically to WSP, there is no need to mail a hard copy of the fingerprint card. In either method, the agency may

Washington State Process Control Number (PCN) Guidelines Cont...

retain a fingerprint card for their file. A disposition report form is also completed by the arresting/fingerprinting agency and sent to the appropriate county prosecutor or court.

Benefits of using the PCN

- Facilitates the electronic transmission of disposition to WASIS.
- PCN links the arrest to its disposition.
- Updates criminal history automatically with little or no human intervention.
- Provides accurate and complete CHRI by increasing the number of arrests with dispositions on file.
- Reduces manual or redundant paper handling by capturing court dispositions electronically.

PCN entered into JIS/SCOMIS = an arrest with a disposition

An arrest with a disposition = zero (0) audit compliance reports

Using the PCN

Criminal arrests and warrant arrests within the county:

1. Subject is arrested.
2. Subject is booked and fingerprinted.
 - a. PCN is assigned at the livescan device or during the manual fingerprinting process (using PCN packet).
 - b. PCN is printed on disposition report.
 - c. Court case number is assigned, if available.
3. PCN is forwarded to the appropriate prosecutor or court via the disposition report or other agreed upon means.
4. If no charges are filed, the prosecutor makes the appropriate notation on the disposition report form and sends it to WSP for entry into WASIS.
5. If diversion, the disposition report is forwarded to the diversion clerk who manages the diversion.
 - a. If the case goes through diversion, the disposition report is forwarded to WSP as diversion completed.
6. If charges are filed, the disposition report is forwarded to the county clerk who enters the PCN into JIS/SCOMIS. The paper disposition report can be destroyed; please do not mail paper dispositions reports to WSP after the PCN is entered into JIS/SCOMIS.
7. Electronic disposition with the PCN and court case number is sent to WSP when a case resolution code is entered into JIS/SCOMIS.
8. Based on the PCN, the correct arrest event in WASIS is updated with the disposition.
9. If a case is modified later, a new disposition is electronically submitted to WSP from JIS/SCOMIS.

Out of County Warrant:

1. Subject is arrested on an out of county warrant; this case will not be heard in the county making the arrest.

Washington State Process Control Number (PCN) Guidelines Cont...

2. Subject is booked and fingerprinted.
 - a. The warrant number and/or court case number and the offense are entered in the appropriate fields (same for livescan and manual fingerprinting process).
 - b. PCN is assigned at the livescan device or during the manual fingerprinting process.
 - c. Enter the disposition of "Out of County Warrant or Released No Charge" in the appropriate field. This disposition closes the arrest warrant and will not generate a subsequent disposition audit. Note: Normally when the subject is returned to the county issuing the warrant, a new booking event will occur.

Relevant Revised Code of Washington (RCW) statutes:

Criminal Arrests	RCW 43.43.735 and 740
Disposition	RCW 10.98.090
Audit Compliance Report	RCW 10.98.100

Got Prints?

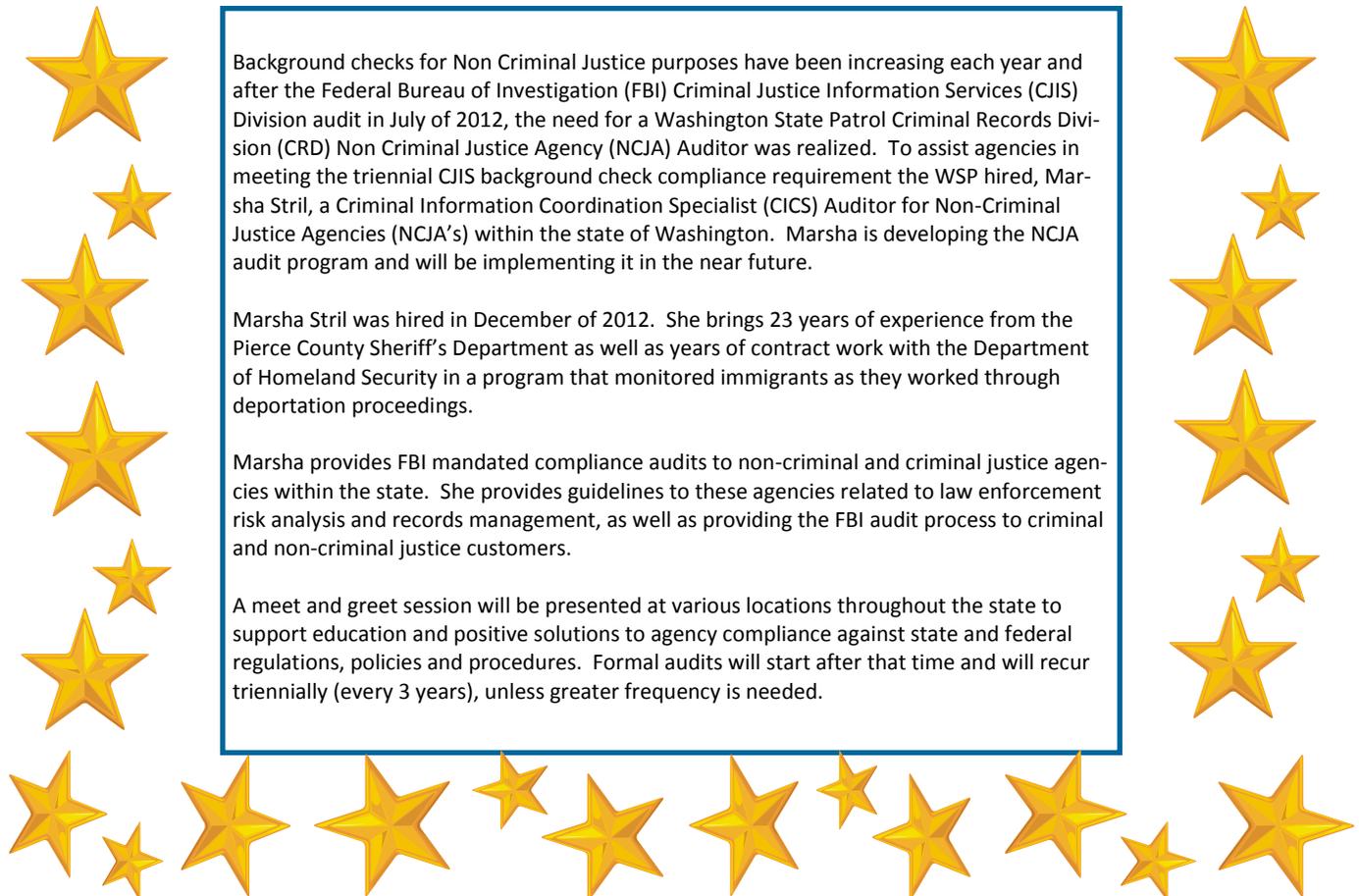
Submitted By: Marsha Stril

Background checks for Non Criminal Justice purposes have been increasing each year and after the Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) Division audit in July of 2012, the need for a Washington State Patrol Criminal Records Division (CRD) Non Criminal Justice Agency (NCJA) Auditor was realized. To assist agencies in meeting the triennial CJIS background check compliance requirement the WSP hired, Marsha Stril, a Criminal Information Coordination Specialist (CICS) Auditor for Non-Criminal Justice Agencies (NCJA's) within the state of Washington. Marsha is developing the NCJA audit program and will be implementing it in the near future.

Marsha Stril was hired in December of 2012. She brings 23 years of experience from the Pierce County Sheriff's Department as well as years of contract work with the Department of Homeland Security in a program that monitored immigrants as they worked through deportation proceedings.

Marsha provides FBI mandated compliance audits to non-criminal and criminal justice agencies within the state. She provides guidelines to these agencies related to law enforcement risk analysis and records management, as well as providing the FBI audit process to criminal and non-criminal justice customers.

A meet and greet session will be presented at various locations throughout the state to support education and positive solutions to agency compliance against state and federal regulations, policies and procedures. Formal audits will start after that time and will recur triennially (every 3 years), unless greater frequency is needed.



Custody Status Survey

Submitted By: Becky Miner

The RAPsheet is an accumulation of retainable fingerprint cards and dispositions received by the Washington State Patrol Identification and Criminal History Section. This information is received from law enforcement agencies and the courts. The information includes: criminal arrest cards, criminal justice applicants and contract employees, missing person information, personal identification, sex/kidnapping offender registrations and Department of Corrections' incarcerations and supervisions.

A new copy of the RAPsheet should be requested when needed for subsequent use because additions or deletions may be made at any time.

Information contained in the Custody Status Information are of the RAPsheet is not supported by fingerprints and is furnished by an ongoing interface with the state Department of Corrections (DOC), Offender Management Networking Information System (OMNI). The information included is:

Name: Name of the subject

DATE: Date the record was last reviewed

DOC Number: Number assigned by DOC

Custody Status: Released, escaped inmate, etc.

Type: Inmate, supervised

Location: Facility or area where subject is in custody or under supervision.

Comments: Pertinent information regarding the subject.

See Example below:

CUSTODY STATUS INFORMATION

NAME: TEST, RECORD DOC

DATE: 11/01/2011

DOC NUMBER: 123456

CUSTODY STATUS: BENCH WARRNT

LOCATION: OLDLOCATION

SEX/KIDNAPPING OFFENDER

(NON-VERIFIED CUSTODY STATUS INFORMATION-PROVIDED BY DEPARTMENT OF CORRECTIONS)

WSP and DOC recently met to review the information contained in Custody Status and would like to hear from the users of the RAPsheet on what information is useful to you.

Please take a few moments to respond to the following questions:

How valuable is the custody status information to you/your department? Please explain how it is used?

What information would you like to see that is not currently displayed?

Is sex/kidnapping offender notation helpful to you? What does this information mean to you?

Do you want to see information for offenders who are no longer under DOC Supervision?

Thank you for your time. Please email your completed responses to Becky Miner at Becky.Miner@wsp.wa.gov.