

OFFICIAL STATE CABINET AGENCY RESPONSE TO THE PERFORMANCE AUDIT ON IMPROVING THE COMPLETENESS OF WASHINGTON'S CRIMINAL HISTORY RECORDS DATABASE

JUNE 11, 2015

This coordinated management response to the State Auditor's Office (SAO) performance audit report received May 28, 2015, is provided by the Washington State Patrol (WSP) and the Office of Financial Management (OFM).

SAO Performance Audit Objectives:

The SAO designed the performance audit to answer the question:

1. Are Washington criminal history records complete, and if not, why not?
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SAO Finding 1: Washington's criminal history record database is incomplete.

SAO Finding 2: Missing fingerprints and Process Control Numbers (PCNs) contribute to incomplete criminal history records.

SAO Finding 3: Patrol could do more to improve the completeness of the criminal history database known as the Washington State Identification System (WASIS).

SAO Finding 4: Several factors make it difficult for the Patrol to take action to improve the completeness of WASIS.

SAO Recommendation 1: Seek changes to state laws and/or administrative rules to require all persons arrested for gross misdemeanors be fingerprinted.

STATE RESPONSE: WSP will explore this recommendation with stakeholders to determine the best course of action about possible legislative changes. Legislative changes requiring all persons arrested for gross misdemeanors to be fingerprinted would have significant workload and fiscal impacts on law enforcement agencies and jails.

Action Steps and Time Frame

- Establish a work group with stakeholders to include the Administrative Office of the Courts (AOC) and Washington Association of Sheriffs & Police Chiefs to determine the best strategy for addressing the recommendation. *By March 15, 2016.*
 - Deliver legislative/rulemaking recommendations to WSP executive staff. *By April 30, 2016.*
 - Discuss potential legislative changes with OFM. *By September 15, 2016.*
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SAO Recommendation 2: Seek changes to state laws and/or administrative rules to require law enforcement agencies and courts use PCNs when entering disposition information.

STATE RESPONSE: WSP will explore this recommendation with stakeholders to determine the best course of action about possible legislative changes. The PCN is already required (WAC 446-16-070) at the time of fingerprinting and for electronic disposition submission from the AOC Judicial Information System (JIS).

Action Steps and Time Frame

- Establish a work group with stakeholders to include AOC and the Washington Association of Sheriffs & Police Chiefs to determine the best strategy for addressing the recommendation. *By March 15, 2016.*
 - Deliver legislative/rulemaking recommendations to WSP executive staff. *By April 30, 2016.*
 - Discuss potential legislative changes with OFM. *By September 15, 2016.*
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SAO Recommendation 3: Clarify guidance provided to law enforcement agencies and courts on the use of the Process Control Number (PCN) by providing more specific directions on its use and how to address known issues when reporting criminal history record information.

STATE RESPONSE: To supplement free PCN training already provided by WSP, the agency will update PCN written materials to include requirements that law enforcement agencies, prosecutors, and courts must follow to submit the most accurate and complete criminal history record information.

Action Steps and Time Frame

- Publish and distribute new PCN directions to law enforcement agencies and courts. *By December 31, 2015.*
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SAO Recommendation 4: Develop a targeted approach for working with local law enforcement agencies and courts to improve the completeness of the state's criminal history records, including identifying those not performing as well; working with them to identify areas of weaknesses in their processes and procedures; and providing them with targeted guidance and training to address the identified weaknesses.

STATE RESPONSE: WSP will continue efforts that began in 2013, including meeting with staff from county law enforcement agencies, related courts, prosecutor offices and jails, to discuss methods and best practices on submitting arrest cards and dispositions. The objective is to enhance the completeness and accuracy of criminal history records information contained in the criminal history records database.

Action Steps and Time Frame

- Meet with staff from county law enforcement agencies, related courts, prosecutor offices, and jails to discuss requirements for submitting arrest cards and dispositions. *Ongoing.*
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SAO Recommendation 5: Continue current efforts to cooperate with the Administrative Office of the Courts to regularly share information and ideas on how to improve the completeness of criminal history records including how to improve communication and interactions with the state's courts, and how to ensure that courts use PCNs when entering dispositions in the JIS.

STATE RESPONSE: WSP will continue efforts with AOC to regularly share information and ideas on how to improve the completeness and accuracy of criminal history records. These efforts include exploring electronic methods to transmit and receive data in the criminal history records database. Additionally, WSP continues to accept invitations to attend court clerk conferences to present about criminal history record information requirements and requirements for taking and submitting fingerprints and disposition information.

Action Steps and Time Frame

- Collaborate with AOC on ways to improve the completeness of criminal history information. *Ongoing.*
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SAO Recommendation 6: Develop a process to regularly reconcile the disposition information contained in and received from the Judicial Information System to the disposition information present in the state's criminal history records database.

STATE RESPONSE: WSP has already developed a process to daily reconcile the disposition information submitted from the JIS. *Completed.*

Action Steps and Time Frame

- Reconcile disposition information received from the courts to the disposition information that is entered into the state's criminal history records database. *Ongoing.*
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