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SENATE BILL 6198

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State of Washington                      64th Legislature                      2016 Regular Session

By Senators Padden, Pearson, Miloscia, and Benton

Read first time 01/12/16. Referred to Committee on Law & Justice.

1            AN ACT Relating to requiring fingerprints for all driving under  
2 the influence arrests; and amending RCW 43.43.735.

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

4            **Sec. 1.** RCW 43.43.735 and 2009 c 549 s 5130 are each amended to  
5 read as follows:

6            (1) It shall be the duty of the sheriff or director of public  
7 safety of every county, and the chief of police of every city or  
8 town, and of every chief officer of other law enforcement agencies  
9 duly operating within this state, to cause the photographing and  
10 fingerprinting of all adults and juveniles lawfully arrested for the  
11 commission of any criminal offense constituting a felony or gross  
12 misdemeanor. (a) When such juveniles are brought directly to a  
13 juvenile detention facility, the juvenile court administrator is also  
14 authorized, but not required, to cause the photographing,  
15 fingerprinting, and record transmittal to the appropriate law  
16 enforcement agency; and (b) a further exception may be made when the  
17 arrest is for a violation punishable as a gross misdemeanor and the  
18 arrested person is not taken into custody, except that photographing  
19 and fingerprinting shall always be required for all adults and  
20 juveniles arrested for the commission of any offense defined as a  
21 prior offense in RCW 46.61.5055.

1           (2) It shall be the right, but not the duty, of the sheriff or  
2 director of public safety of every county, and the chief of police of  
3 every city or town, and every chief officer of other law enforcement  
4 agencies operating within this state to photograph and record the  
5 fingerprints of all adults lawfully arrested.

6           (3) Such sheriffs, directors of public safety, chiefs of police,  
7 and other chief law enforcement officers, may record, in addition to  
8 photographs and fingerprints, the palmprints, soleprints, toeprints,  
9 or any other identification data of all persons whose photograph and  
10 fingerprints are required or allowed to be taken under this section  
11 when in the discretion of such law enforcement officers it is  
12 necessary for proper identification of the arrested person or the  
13 investigation of the crime with which he or she is charged.

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