

SENATE BILL REPORT

SB 5223

As of January 27, 2025

Title: An act relating to criminal offense fingerprinting.

Brief Description: Concerning criminal offense fingerprinting.

Sponsors: Senators Wagoner, Holy and Nobles; by request of Washington State Patrol.

Brief History:

Committee Activity: Law & Justice: 1/28/25.

Brief Summary of Bill

- Permits judges to order fingerprinting of gross misdemeanor defendants at preliminary hearings or arraignments.
- Expands the right of chief law enforcement officers to photograph and record fingerprints of adults in certain instances.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Ryan Giannini (786-7285)

Background: Fingerprinting Following Arrest or Adjudication. Each county sheriff or director of public safety, chief of police of every town or city, and chief officer of other law enforcement agency operating within the state (chief law enforcement officer) must photograph and fingerprint all adults and juveniles lawfully arrested for the commission of any felony or gross misdemeanor offense. When an arrested juvenile is brought directly to a juvenile detention facility, the juvenile court administrator is also authorized, but not required, to photograph and fingerprint these juveniles.

Each chief law enforcement officer has the right to photograph and record the fingerprints of all lawfully arrested adults.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Each chief law enforcement officer or local director of corrections operating within the state must transmit to the Washington State Patrol (WSP) identifying information, including fingerprints, within 72 hours from the time of arrest.

At the preliminary hearing or the arraignment of a felony case, the judge must ensure that the felony defendants have been fingerprinted. In cases where fingerprints have not been taken, the judge must order the chief law enforcement officer or the local director of corrections, or the juvenile court administrator in juvenile cases, to initiate fingerprinting and transmit the fingerprints to the WSP.

Summary of Bill: At the preliminary hearing or the arraignment of a gross misdemeanor case, the judge may ensure that the defendants have been fingerprinted. In cases where fingerprints have not been taken, the judge may order the chief law enforcement officer or the local director of corrections to initiate fingerprinting and transmit the fingerprints to the WSP.

The right of chief law enforcement officers to photograph and record fingerprints is expanded to include those adults who are cited and released or issued a summons to appear in court on criminal charges.

Appropriation: None.

Fiscal Note: Requested on January 22, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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