

**WAC 446-20-060 Certification of agencies.** (1) An agency or portion of an agency that asserts a right to receive criminal history record information based on its status as a criminal justice agency must show satisfactory evidence of its certification as a criminal justice agency prior to receiving such information. The division will certify such an agency or portion of an agency, based on a showing that the agency or portion of an agency, meets the definition of a criminal justice agency in RCW 10.97.030. Agencies or portions of agencies which assert the right to be certified as a criminal justice agency must submit a written request for certification to the division.

(2) An agency or portion of an agency that asserts a right to receive nonconviction criminal history record information must show satisfactory evidence of certification to receive such information. Certification by the division will be granted based upon statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to nonconviction criminal history record information, and which authorizes or directs that it be available or accessible for a specific purpose.

(3) The application must include documentary evidence which establishes eligibility for access to criminal history record information.

(4) The division will make a determination in writing on the eligibility or noneligibility of the applicant. The written determination, together with reasons for the decisions, will be sent to the applicant.

(5) The division must keep a current list of all agencies that have been certified to receive criminal history record information.

[Statutory Authority: Chapters 10.97 and 43.43 RCW. WSR 21-05-044, § 446-20-060, filed 2/11/21, effective 3/14/21; WSR 10-01-109, § 446-20-060, filed 12/17/09, effective 1/17/10. Statutory Authority: RCW 10.97.080 and 10.97.090. WSR 80-08-057 (Order 80-2), § 446-20-060, filed 7/1/80.]