
HOUSE BILL 2304

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Ludwig, Paris, Riley, Broback, Forner and Rasmussen;
by request of Washington State Patrol

Read first time 01/14/92. Referred to Committee on Judiciary.

1 AN ACT Relating to fingerprinting of persons convicted under Title
2 26 RCW; 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 1991 c 3 s 297 are each amended to read
5 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 town,
8 and of every chief officer of other law enforcement agencies duly
9 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,

1 fingerprinting, and record transmittal to the appropriate law
2 enforcement agency; and (b) a further exception may be made when the
3 arrest is for a violation punishable as a gross misdemeanor and the
4 arrested person is not taken into custody.

5 (2) It shall be the right, but not the duty, of the sheriff or
6 director of public safety of every county, and the chief of police of
7 every city or town, and every chief officer of other law enforcement
8 agencies operating within this state to photograph and record the
9 fingerprints of all adults lawfully arrested, all persons who are the
10 subject of dependency record information, or all persons who are the
11 subject of protection proceeding record information.

12 (3) Such sheriffs, directors of public safety, chiefs of police,
13 and other chief law enforcement officers, may record, in addition to
14 photographs and fingerprints, the palmprints, soleprints, toeprints, or
15 any other identification data of all persons whose photograph and
16 fingerprints are required or allowed to be taken under this section,
17 all persons who are the subject of dependency record information, or
18 all persons who are the subject of protection proceeding record
19 information, when in the discretion of such law enforcement officers it
20 is necessary for proper identification of the arrested person or the
21 investigation of the crime with which he is charged.

22 (4) It shall be the duty of the department of health or the court
23 having jurisdiction over the dependency action and protection
24 proceedings under chapter 74.34 RCW to cause the fingerprinting of all
25 persons convicted under Title 26 RCW and all persons who are the
26 subject of a disciplinary board final decision, dependency record
27 information, protection proceeding record information, or to obtain
28 other necessary identifying information, as specified by the section in
29 rules adopted under chapter 34.05 RCW to carry out the provisions of
30 this subsection.

1 (5) The court having jurisdiction over the dependency or protection
2 proceeding action may obtain and record, in addition to fingerprints,
3 the photographs, palmprints, soleprints, toeprints, or any other
4 identification data of all persons who are the subject of dependency
5 record information or protection proceeding record information, when in
6 the discretion of the court it is necessary for proper identification
7 of the person.