
HOUSE BILL 1458

State of Washington

54th Legislature

1995 Regular Session

By Representatives Dyer, Ballasiotes, Stevens, D. Schmidt, Sherstad, Huff, Mielke, Johnson, Blanton, Boldt, L. Thomas, Cooke and Thompson

Read first time 01/26/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to photographing and fingerprinting of lawfully
2 arrested juveniles; 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,
15 fingerprinting, and record transmittal to the appropriate law
16 enforcement agency; and (b) a further))~~ An exception may be made when
17 the arrest is for a violation punishable as a gross misdemeanor and the
18 arrested person is not taken into custody.

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 and juveniles lawfully arrested, all persons
6 who are the subject of dependency record information, or all persons
7 who are the subject of protection proceeding record information. When
8 lawfully arrested juveniles are brought directly to a juvenile
9 detention facility, the juvenile court administrator is also
10 authorized, but not required, to cause the photographing,
11 fingerprinting, and record transmittal to the appropriate law
12 enforcement agency.

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

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

31 (5) The court having jurisdiction over the dependency or protection
32 proceeding action may obtain and record, in addition to fingerprints,
33 the photographs, palmprints, soleprints, toeprints, or any other
34 identification data of all persons who are the subject of dependency
35 record information or protection proceeding record information, when in
36 the discretion of the court it is necessary for proper identification
37 of the person.

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