



STATE OF WASHINGTON
WASHINGTON STATE PATROL

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August 17, 2015

Data Dissemination Committee
c/o Ms. Stephanie Happold
Administrative Office of the Courts
PO Box 41170
Olympia WA 98504

Dear Members of the Data Dissemination Committee:

The Washington State Patrol Identification and Criminal History Section is the repository for criminal history record information (CHRI) for the state of Washington. The information in our files consists of fingerprint cards and disposition information provided by law enforcement agencies and courts throughout the state.

Effective July 24, 2015, RCW 13.50.260(8)(d) requires the Washington State Patrol to ensure the Washington State Identification System (WASIS) criminal history database provides criminal justice agencies access to sealed juvenile records information. In order to ensure our records are updated accurately, the Identification and Criminal History Section requests our staff's access authority level in JIS be increased so that we could view sealed juvenile records. Currently, once a record is sealed in JIS, we are unable to view the record.

While implementing the new law, we have run into a bit of a snag with the process on our end. The court is dismissing and sealing the court case at pretty much the same time. The dismissal comes to us via our electronic disposition transfer process, which has a seven day built-in delay on our end to ensure we have the fingerprint arrest information entered into WASIS prior to the disposition.

This delay is causing us an issue now because we are getting the seal information from the courts before we receive the electronic disposition transfer report (EDTR). When we go into our system to seal the record, we are often unable to tell which event to seal. The seal orders or spreadsheets don't typically list the charge being sealed and other necessary information for us to update our records appropriately. We need to be able to determine what the court charge and disposition were (i.e. guilty/dismissed/etc.) prior to the dismissal so that we can annotate that information in the record.



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Having the ability to view sealed juvenile information in JIS will help us in ensuring we appropriately update information in our files and will reduce the impact on local courts and prosecutors by our staff contacting them for needed information.

Thank you for your consideration. If you have any questions, please contact Ms. Becky Miner, Criminal History Records Manager at (360) 534-2111.

Sincerely,

A handwritten signature in blue ink that reads "Deborah L. Collinsworth". The signature is fluid and cursive, with the first name being the most prominent.

Ms. Deborah L. Collinsworth
Identification and Criminal History Section

DLC:sh

cc: Ms. Becky Miner, Identification and Criminal History Section

CLJ-CMS Court User Work Group Questions

1. **PC Cases** – Can Probable Cause (PC) charges no longer be displayed to the public once they are disposed?

The CLJ-CMS Court User Work Group (CUWG) would like future case filings to be set up to have any PC cases first entered and disposed; then, if charges are filed, they are added to the same case. Therefore, everything for one incident would be on one case (Criminal, Infraction, even Vehicle Violations if cited from the same event). Also, a concern amongst some CUWG members is balancing the possibility of having these PC charges held against an individual with having the PC charges visible when they are pending.

Question: Is there a reason why the PC charges need to be displayed once they are disposed and replaced with actual charges?

2. **Civil Cases** – Can civil cases no longer be displayed if they are abandoned and/or not paid?

The CUWG would like any filing to create a case so courts can track in the CMS when someone files a motion to waive the filing fees that must be reviewed by the judge. This is wanted for recording the judge's time and tracking all documents received/scanned. However, sometimes when the motion is denied the filing fee never gets paid and the matter is considered "abandoned." The CUWG would like to balance the need for entering everything into the CMS for tracking with having the case display in public searches, listing the parties, and when the case was abandoned.

Question: Can the CUWG do a requirement that allows the prevention of a case from being displayed if the matter is abandoned? Depending on the COTS program selected in the end, it may be that the case can be created with only the petitioner's information, so it may not be an issue. The big concern for CUWG members is having lawsuits and anti-harassment petitions displayed against the defendant/respondent when it was never paid and is not a case against them.