

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 174 Session of  
2007

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INTRODUCED BY SANTONI, BARRAR, BIANCUCCI, BOYD, CAPPELLI, CURRY,  
FABRIZIO, GRUCELA, HENNESSEY, JAMES, W. KELLER, KORTZ, KULA,  
MANN, MYERS, PAYNE, PETRONE, PRESTON, READSHAW, SCAVELLO,  
SEIP, K. SMITH, YOUNGBLOOD, GEIST, FRANKEL, PASHINSKI AND  
SIPTROTH, MARCH 29, 2007

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AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, OCTOBER 2, 2007

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## A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to  
2 prepare a report with findings and recommendations on the  
3 feasibility of the Pennsylvania State Police using the  
4 electronic transmission of fingerprints.

5 WHEREAS, The protection and safety of children, older adults  
6 and individuals with disabilities are a priority concern of the  
7 general public and members of the House of Representatives; and

8 WHEREAS, Criminal history record information about an  
9 individual who applies to work in a facility or program serving  
10 vulnerable populations, such as children, older adults or  
11 individuals with disabilities, enables an employer to determine  
12 if an applicant's criminal record could jeopardize the safety  
13 and well-being of children or adults; and

14 WHEREAS, A gap in safeguards currently exists because of the  
15 difficulty in obtaining Federal criminal history information;  
16 and

17 WHEREAS, There is a disincentive to requiring Federal

1 criminal history record information due to routine delays of  
2 eight to ten weeks in obtaining Federal background checks,  
3 compared to almost immediate turnaround time for requests for  
4 State criminal history record information; and

5 WHEREAS, A current barrier in requesting Federal criminal  
6 history record information is the use of hard-copy fingerprint  
7 cards submitted to the Federal Bureau of Investigation by the  
8 Pennsylvania State Police; and

9 WHEREAS, Recording an individual's fingerprint patterns  
10 through a rolling process using ink can result in smudges of the  
11 prints through handling and mailing, causing prints to become  
12 illegible and adding to delays in processing the clearance  
13 checks; and

14 WHEREAS, Improvements in technology have led to the increased  
15 use of digitized fingerprints, an inkless fingerprinting process  
16 that relies on the electronic transmission of fingerprints,  
17 which replaces the recording of fingerprint patterns through a  
18 rolling process using ink; and

19 WHEREAS, Electronically transmitted fingerprints, referred to  
20 as a livescan process, can result in clearer fingerprints,  
21 faster record checks and expedited hiring processes; and

22 WHEREAS, The Pennsylvania State Police are electronically  
23 scanning the majority of fingerprints in criminal arrests but  
24 not in other instances; therefore be it

25 RESOLVED, That the House of Representatives direct the  
26 Legislative Budget and Finance Committee to prepare a report  
27 with findings and recommendations on the feasibility of the  
28 Pennsylvania State Police using the electronic transmission of  
29 fingerprints rather than the transmission of fingerprint cards  
30 to the Federal Bureau of Investigation for processing Federal

1 criminal history record information for individuals who apply  
2 for employment where they will have contact with certain  
3 vulnerable populations; and be it further

4       RESOLVED, That, at a minimum, the study identify the extent  
5 to which the electronic transmission of fingerprints can  
6 expedite the retrieval of Federal criminal history record  
7 information and accelerate the job application process, costs  
8 incurred by the Pennsylvania State Police related to the  
9 implementation of electronic transmission of fingerprints for  
10 noncriminal justice purposes, possible changes in fees for  
11 individuals requesting Federal criminal history record  
12 information based on the experience in other states that have  
13 adopted digitized fingerprinting related to background checks  
14 for employment purposes and alternatives to prevent or reduce  
15 fee increases and advantages and disadvantages of designating a  
16 private entity under contract with the Pennsylvania State Police  
17 to administer requests for Federal or State criminal history  
18 record information for noncriminal justice purposes;  
19 and be it further

20       RESOLVED, That the Legislative Budget and Finance Committee  
21 report its findings and recommendations to the House of  
22 Representatives ~~by December 31, 2007.~~ WITHIN SIX MONTHS OF THE  
23 ADOPTION OF THIS RESOLUTION OR BY NOVEMBER 20, 2008, WHICHEVER  
24 IS SOONER.

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