

4.1.4 Mandatory Fingerprinting

I. POLICY

It is the policy of the Johnstown Police Department to comply with section 9112 of the Pennsylvania Crimes Code [Title 18] in regard to mandatory fingerprinting requirements.

II. PURPOSE

This policy provides the police department personnel with guidelines on mandatory fingerprinting requirements.

III. PROCEDURES

A. Mandatory Fingerprinting

Fingerprints will be forwarded to the appropriate repository within 48 hours of processing.

1. Fingerprints of all persons arrested for a felony, misdemeanor or summary offense that becomes a misdemeanor on a second arrest after the conviction of that summary. The fingerprints are electronically submitted to the State and FBI with the departments fingerprint card being placed within the persons arrest jacket in the Records Department.
2. Where private complaints for a felony or misdemeanor result in a conviction, the court of proper jurisdiction shall order the defendant to submit for fingerprinting by the municipal police of the jurisdiction in which the offense was allegedly committed or the State Police. Fingerprints so obtained by the Johnstown Police Department shall be maintained in the persons arrest jacket in the Records Department.
3. Where defendants named in police complaints are proceeded against by summons or for offenses under section 3929 relating to retail theft, the court of proper jurisdiction shall order the defendant to submit within five [5] days of such order for fingerprinting by the municipal police of the jurisdiction in which the offense allegedly was committed or in the absence of a police department, the State Police. Fingerprints so obtained by the Johnstown Police Department shall, be forwarded to the Records Department.

4.1.4 continued

B. Automated Fingerprint Identification System [AFIS]

1. No police officer should release any defendant from custody before processing and identifying him/her accurately. AFIS is a valuable tool in identifying a defendant. But remember, the information received from AFIS is only as good as the information put into the system. AFIS processing will provide an AFIS criminal history, FBI criminal history, NCIC/CLEAN warrant and wanted person checks.
 - a. If there is even the slightest doubt as to the defendant's identification or there is the existence of an alias use the scan.

C. Criminal Miscellaneous Order 196-98

1. By order of the President Judge of Cambria County the prosecuting officer will fill out the service fee form mandating the defendant to pay for the cost of processing. This form will be placed into the arrest file.
 - a. This is not a fine, but a service fee and shall be collected as part of any plea bargain or ARD program.

Effective Date:

Date: October 1, 2010

By Order Of:

Craig Foust
Chief Of Police