

From: Kevin Baird
To: FFL's
Date: November 1, 2021
Subject: WSP Firearms Background Division Update - November 2021

Hello!

To keep you informed about the centralized firearms background check system progress we will be providing a monthly message via our listserv. You can expect that as the Secure Automated Firearms E-Check (SAFE) system is built and progresses, we'll provide updates on where we are with it.

Since work hasn't yet started on the new system, we thought we'd give you a look into what all goes into a 'background check' after you send off the paperwork to your local law enforcement agency (LEA) for processing.

After the LEA receives the DOL Firearms Transfer Application (FTA), indicating a Semiautomatic Assault Rifle (SAR) or Pistol Transfer Application (PTA), they run the person's name and date of birth through the State criminal justice telecommunication system, called "ACCESS" (A Central Computerized Enforcement Services System). This is the same system that police officers use to check driver licenses, vehicle registrations, warrants, protection orders, criminal histories, and other databases to do their job.

For firearms transfers (SARs and Pistols), the LEA running the check uses a query called a "National Instant Criminal Background Check System (NICS) Check". This query is very powerful, in that it combines multiple, separate queries into one, single press of a button. Use of the query is restricted... it can only be used for firearms transfers, concealed pistol licenses (CPLs) and the release of firearms from evidence or safekeeping by an LEA.

The NICS Check queries all of the following databases:

- a. NICS Indices – a repository of records of currently denied persons, whose denying information may not be visible on criminal history or in any other database.
- b. Interstate Identification Index or "III" (national criminal history)
- c. NCIC (national hot files – warrants, protection orders, etc.)
- d. WACIC (WA state hot files – warrants, protection orders, etc. – some state records don't go into NCIC, so both must be checked)
- e. WASIS (WA state criminal history)

The LEAs also check their own records management systems (RMS) for any local incidents that may be prohibiting, such as an officer contact where drug use was involved.

Next, the LEA checks Court records through another system offered by the Administrative Office of the Courts. Why...you ask? Because unless a person is fingerprinted for the arrest, the arrest will NOT show up on their criminal history record. Checking the AOC system ensures prohibiting arrests are not missed.

Finally, the LEA fills out a form and faxes it to the Washington State Health Care Authority (HCA) to check for any mental health commitments. Some agencies go further and check with their local mental health agencies to make sure nothing is missed.

As you can see, it's a very detailed process, and one that can take quite a bit of time to complete. With the SAFE system, we'll be able to run all of these checks simultaneously, and in many cases, provide a nearly instantaneous response (proceed or denial) to you if the person is clear or has a record that prohibits them from having a firearm.

Thank you,

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