


HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
Issue Date February 2021	Review Date February 2022	Directive Number 4.4.1
Accreditation Index: 4.4.1		Rescinds: Directive # 4.4.1 of November 2019
Chapter: Four – Pennsylvania Legal Mandates		Section: Four - Fingerprinting
Chief of Police: <i>John F. Viola</i>		

SUBJECT: PROCESSING – FINGERPRINTING AND PHOTOGRAPHS

I. PURPOSE

The purpose of this Directive is to provide Department personnel with guidelines on mandatory fingerprinting requirements.

II. POLICY

It is the policy of this department to comply with section 9112 of the Pennsylvania Crimes Code (Title 18) in regard to mandatory fingerprinting requirements.

III. PROCEDURES

A. Mandatory fingerprinting.

1. Title 18 Pa. C.S., Section 9112 requires fingerprinting of all arrestees charged with the following types of crimes:
 - a) Fingerprints of all persons arrested for a felony, misdemeanor, or summary offense which becomes a misdemeanor on a second arrest after conviction of that summary offense, shall be taken by the arresting authority, and within 48 hours of arrest, shall be forwarded to, and in a manner and such form as provided by, the central repository.
(PLEAC 4.4.1)
 - b) 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 days of such order for fingerprinting by the municipal police of jurisdiction in which the offense allegedly was

committed. Fingerprints so obtained shall, within 48 hours, be forwarded to central repository in a manner and in such form as may be provided by the central repository.

- c) 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. Fingerprints so obtained shall, within 48 hours, be forwarded to the central repository.
- d) The central repository shall transmit the criminal history record information to the criminal justice agency which submitted a complete, accurate and classifiable fingerprint card. This criminal record shall be placed in the case file.
- e) Arrestees mandated by Title 18 Pa. C.S., Section 9112 to be fingerprinted shall also be photographed.
- f) A copy of the State Police Fingerprint card shall be placed in the case jacket for storage as a comparison print.

B. Juvenile Fingerprinting

- 1. Fingerprints and photographs of juveniles shall be taken in accordance with the policy and procedures outlined in Directive 4.7.1. Handling and Custodial Care of Juveniles.

C. Live Scan

- 1. No officer should release any defendant from custody before processing and identifying him/her accurately. Live Scan is a valuable tool in identifying a defendant. Live Scan processing will provide AFIS criminal history, FBI criminal history, NCIC / CLEAN warrant and wanted person checks.
- 2. Officers shall ensure that the Live Scan Processing Form is completed, placed in the case jacket and turned into records.
- 3. In most cases, Live Scan / CPIN will be the method of processing for this department. If our Live Scan / CPIN station is out of service officers shall notify the Supervisor on duty.
 - a) The on duty Supervisor shall contact another Live Scan / CPIN processing police department and arrange to process the arrestee at that department using our ORI.
 - b) If the Live Scan / CPIN system is unavailable regionally and the arrestee has met the requirements for release the on duty supervisor shall notify the on duty Lieutenant and the arrestee shall be processed via traditional ink and a picture shall be taken with a digital camera.

(1) No arrestee will be released without processing by some method.

4. Live Scan processing shall be used by officers when they are not able to obtain proper identification on a defendant, or there is even the slightest doubt as to the defendant's identification, or there is the existence of an alias.

BY ORDER OF THE CHIEF OF POLICE