

STATE OF MICHIGAN DEPARTMENT OF STATE POLICE

DATE: Friday, March 22, 2013
TO: MSP and Court Staff
FROM: Ted Kilvington, MSP Court Reporting Coordinator
SUBJECT: Local Fingerprinting

Michigan Compiled Law 28.243 is the statute governing criminal biometric data and disposition reporting to the Michigan State Police (MSP). It requires that arrest fingerprints be sent to MSP for all criminal offenses where the maximum punishment is 93 days confinement or more. While MCL 28.243 requires the arresting law enforcement agency to ensure that the arrest prints are sent to MSP, MSP **does not** require that the arresting law enforcement agency actually collect the fingerprints themselves. For example, in some counties the Sheriff's Office has the only Live Scan device.

What MSP does require when one agency collects and submits arrest fingerprints on behalf of another agency is that they put the correct local information on the criminal history build. For example, if the Ironwood Police Department detains and prints someone on a Monroe warrant, they submit the ORI and complaint numbers for the Monroe County Sheriff Department or Police Department, Monroe County Prosecutor, and Monroe County 1st District Court. If arrest prints were already submitted for that case, MSP does not need any other fingerprints submitted locally for that case. When there are two arrest fingerprint submissions for the same case, it is the responsibility of the local arresting agency to notify MSP of the duplicate fingerprinting.

Furthermore, MSP routinely accepts prints from the Michigan Department of Corrections (MDOC) to build criminal history incidents, such as when a person is sent to prison without the original arrest prints having been sent to MSP. MSP can also use MDOC prints to build arrests for prisoners who are being charged with other offenses while they are incarcerated.

For further questions about submitting arrest fingerprints, you may contact Keith Kramer, MSP Live Scan Analyst, at 517-241-0723 or at KramerK3@michigan.gov.

For further questions about matching criminal court dispositions to arrest fingerprints, you may contact Ted Kilvington, MSP Court Reporting Coordinator, at 517-241-0612 or KilvingtonT@michigan.gov.