

**GENERAL DISTRIBUTION**

WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION

NUMBER: 400.05

DATE: 26 July 2021

SUBJECT: **LIVESCAN DEVICE USAGE**

# POLICY DIRECTIVE

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**PURPOSE:**

To set forth the procedures for the use of the LiveScan devices in Division of Corrections and Rehabilitation facilities.

**REFERENCE:**

WV State Code §15-2-24.

**RESPONSIBILITY:**

No additional written instructions on this subject are required.

**CANCELLATION:**

Any previous written instruction on the subject, including DOC Commissioner's Instruction #16-12, dated 31 August 2016; and DOC Director's Protocol, Director of Records 1501, dated 01 October 2016.

**APPLICABILITY:**

All facilities within the Division of Corrections and Rehabilitation (DCR) equipped with LiveScan devices. This Policy is available for general distribution.

**DEFINITIONS:**

**LiveScan:** The technology used to capture fingerprints electronically, without the need for the more traditional method of ink and paper. The fingerprints are securely transmitted to a government agency, which performs a criminal history background check.

**POLICY:**

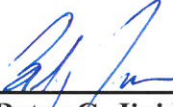
- I. All intakes, including parole violators, will be fingerprinted, and photographed (on an 18% grey background) on the LiveScan device during the intake process. Three (3) photographs will be taken; front view, left profile, and right profile. These photographs of the inmate and demographic information will become part of the inmate's Offender Information System (OIS) record.
  - A. All inmates who receive a new conviction (felony and/or misdemeanor) while incarcerated will be fingerprinted on the LiveScan device in order to capture their new conviction information.
  - B. All inmates, who have had a conviction vacated while incarcerated, will be fingerprinted on the LiveScan device in order to capture the new disposition.
- II. Superintendents/designee will designate facility employees to have access to the data contained on the secure site (e.g. photographs of the inmate, also known as "mugshots;" demographics and criminal history).
  - A. Employees designated to have access will go to *apps.wvsp.gov* and click "Create Account," and follow the prompts to establish an account.
  - B. The Superintendent's designee will email the DCR Director of Records & Interstate Compact or designee to advise the account has been established. The Director or designee will contact the appropriate WV State Police personnel to approve access for that employee.
  - C. Superintendents will ensure an appropriate number of staff remain trained to utilize the LiveScan device to meet the needs of the facility.
- III. Designated facility employees will access *apps.wvsp.gov* to retrieve the photographs of the inmate and demographic information after an inmate has been finger-printed. These photographs will then be uploaded to OIS. The front view will be the only photograph used for the OIS header.
- IV. Facility Records Clerks will access *apps.wvsp.gov* to retrieve the criminal history report on fingerprinted inmates. The report will be uploaded to the appropriate file in OIS. It may take up to forty-eight (48) hours for this report to be available.
- V. If a hard copy of a fingerprint card is needed, facility staff will contact the DCR Director of Records & Interstate Compact or designee who will contact the appropriate personnel at the WV State Police to request a hard copy.
- VI. For data-entry mistakes, such as an inmate is fingerprinted under an alias, the DCR Director of Records & Interstate Compact or designee will be contacted to complete the steps required to correct the data.

- VII. For customer support or network issues, facility staff will contact the DCR Director of Records & Interstate Compact or designee who will contact appropriate WV State Police personnel.

**ATTACHMENT(S):**

None.

APPROVED SIGNATURE: \_\_\_\_\_

  
Betsy C. Jividen, Commissioner

7-9-21  
Date