

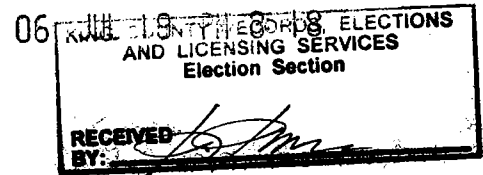
KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 11, 2006

Ordinance 15537



Proposed No. 2006-0264.4

**Sponsors Ferguson, Hague, Phillips,
Lambert and von Reichbauer**

1 AN ORDINANCE providing for the submission to the
2 qualified electors of King County at a special election to be
3 held in King County on September 19, 2006, of a
4 proposition authorizing a property tax levy in excess of the
5 levy limitation contained in chapter 84.55 RCW, for a six
6 year period, at a rate of not more than \$0.0568 per one
7 thousand dollars of assessed valuation for collection in
8 2007 and as allowed by chapter 84.55 for the five
9 succeeding years, for the purpose of funding the continued
10 operation of the automated fingerprint identification
11 system.

PREAMBLE:

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13
14 The automated fingerprint identification system levy is intended as
15 supplemental funding to provide crime scene identification, positive
16 identification and criminal history services on a regional basis. This levy
17

18 shall not at any time provide general criminal justice funding or fund
19 programs or purposes not otherwise consistent with this ordinance.

20 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

21 SECTION 1. Findings: The council makes the following findings:

22 A. On November 4, 1986, the voters of King County approved an additional
23 property tax levy of \$0.025 per one thousand dollars of assessed valuation for five years
24 for the purchase and implementation of an automated fingerprint identification system
25 ("AFIS"). This ballot measure was authorized by Ordinance 7747. The primary goal for
26 the establishment of AFIS was to identify perpetrators of crimes by matching their crime
27 scene fingerprints to known prints stored in the AFIS database. By the end of 1990, more
28 than one thousand two hundred crime scene prints were matched to potential suspect
29 fingerprints in the AFIS database. Very few of these identifications would have been
30 possible without the AFIS program, therefore AFIS significantly contributed to the ability
31 of law enforcement in King County to identify and convict criminals.

32 B. With the 1986 AFIS levy expiring at the end of 1990, on November 6, 1990,
33 the voters of King County authorized an additional property tax levy of \$0.020 per one
34 thousand dollars of assessed valuation for five years. This ballot measure was authorized
35 by Ordinance 9603. The funding of this levy addressed two critical limitations in AFIS
36 operations. With the growth of the inmate population, only sixty percent of the inmates
37 booked into the King County Jail were fingerprinted given the existing number of staff.
38 Without these fingerprints, there was a greater likelihood that inmates with outstanding
39 warrants would be released from jail. The second limitation was related to a shortage of
40 staff to process crime scene fingerprints and to train law enforcement on lifting crime

41 scene fingerprints, resulting in lower than anticipated submissions of fingerprints. With
42 the resources provided in the 1990 levy, the AFIS program fingerprinted on average
43 ninety-seven percent of all inmates booked into the county jail and processed these prints
44 on average within five and three-tenths hours. In addition, the AFIS program provided
45 five hundred twenty-four hours of training for suburban police agencies, improved
46 processing time for crime scene fingerprints and identified three thousand four hundred
47 crime scene fingerprints.

48 C. With the 1990 AFIS levy expiring at the end of 1995, on November 7, 1995,
49 the voters of King County authorized an additional property tax levy at a rate of \$0.0665
50 per one thousand dollars of assessed valuation for five years. This ballot measure was
51 authorized by Ordinance 11948. The levy addressed several needs:

52 1. The funding of staff needed to capture additional fingerprints of juvenile
53 offenders at the department of youth services, persons convicted of driving under the
54 influence of alcohol or controlled substances at the North Rehabilitation Facility, and
55 inmates booked into the new Regional Justice Center in Kent. Ninety-nine and nine-
56 tenths percent of all available fingerprints were obtained from persons who were booked
57 at those sites with the resources provided in the 1995 levy;

58 2. Insufficient funding for adequate levels of AFIS staff to process crime scene
59 fingerprints through the computerized system. The lack of staffing resulted in large case
60 backlogs waiting to be processed in AFIS and insufficient field training for officers
61 collecting crime scene fingerprint evidence. This resulted in lengthy delays in some
62 cases, which made officers reluctant to either collect or submit important fingerprint
63 evidence. Currently most cases are initiated on the day they are received in the latent lab,

64 and field training is available for officers responding to crime scenes. Officer training
65 was limited somewhat in the early years of the levy to focus on training of newly hired
66 latent print examiners;

67 3. The AFIS computer, purchased in 1987, could not be supported or maintained
68 by the vendor after 1999. It also would not meet emerging national standards, which
69 would allow a more efficient exchange of fingerprint information and access to
70 fingerprint information stored on state and federal databases. By the end of 1999, the
71 computer was replaced by AFIS 21, which was fully Year 2000 compliant. Data storage
72 capacity increased from four hundred fifty thousand to seven hundred fifty thousand
73 records. The system is contracted to meet national standards of data transmission; and

74 4. The inked fingerprinting process can be inefficient and duplicative. Live-
75 scan, an inkless means of capturing one set of fingerprints and submitting these prints
76 electronically, was funded through this levy and was installed by the close of this levy
77 period ending in 2000.

78 D. With the 1995 AFIS levy expiring at the end of 2000, on September 19, 2000,
79 the voters of King County authorized an additional AFIS property tax levy at a rate of
80 \$0.05874 per one thousand dollars of assessed valuation for five years. This ballot
81 measure was authorized by Ordinance 13894. This fourth levy continued the AFIS
82 implementation of the previous levy and supported several incremental enhancements to
83 the program:

84 1. Staffing additions to handle low range estimates of increased workload;

85 2. Completion of Live Scan implementation by purchasing and implementing an
86 additional seven Capture Stations beyond the 22 funded in 2000. Ultimately 10 Capture
87 Stations were purchased for the same cost through negotiation with the vendor; and

88 3. Establishment of print taking at Juvenile Court for juvenile offenders who
89 were never booked into detention.

90 E. On December 31, 2005, the 2000 AFIS levy expired, effectively suspending
91 AFIS program revenue. Through prudent fiscal management, the county accumulated a
92 substantial balance in the AFIS fund over the past decade. This balance sustained
93 appropriations in 2006 to continue AFIS program operations without a concurrent
94 property tax levy. This required AFIS management to carefully manage and monitor
95 AFIS fund expenditures in 2006 in order to fund 2006 expenditures without any new levy
96 revenue. The fund balance will approach exhaustion by the end of 2006. Unless new
97 revenue is identified, this valuable crime-fighting tool will need to cease operation in
98 2007.

99 F. The King County Regional Automated Fingerprint System, The Future of
100 AFIS report, dated May 15, 2006 ("Regional AFIS Report"), reaffirms that the regional
101 AFIS model has provided excellent and effective crime solving support to the criminal
102 justice agencies in King County since its inception in 1988.

103 G. The Regional AFIS Report identifies the financial resources needed to
104 continue and enhance the Regional AFIS program that best supports the crime fighting
105 efforts of all police agencies in King County for the foreseeable future. With the level of
106 funding recommended in the Regional AFIS Report financial plan, AFIS program
107 activities can continue at current levels with the following enhancements:

- 108 1. Procure, configure, and support a new generation computer system, replacing
109 the existing AFIS computer; which was installed in 1988 and upgraded for year 2000
110 compliance in 1999;
- 111 2. Upgrade the current live scan capture stations to capture data at a higher
112 resolution;
- 113 3. Add five additional criminal live scan capture stations, supplementing the
114 existing inventory to address remaining service gaps in the region;
- 115 4. Implement palm searching and storage capabilities, converting current master
116 palm card inventory to an electronic database, and adding three positions to search,
117 capture, and identify palm prints left at crime scenes;
- 118 5. Increase staffing in conjunction with increases in workload ensuring that
119 staffing levels will be reevaluated annually in the budget cycle based on available
120 funding;
- 121 6. Implement a "court identification study" to consider the legal, financial, and
122 operational policies and needs of the court system to identify and collect fingerprints
123 from defendants;
- 124 7. Provide the technology to ensure that King County law enforcement agencies
125 implementing wireless mobile identification can access and communicate with the
126 regional identification system;
- 127 8. Add two photographers to process and photographically preserve finger and
128 palm print evidence recovered from crime scenes;
- 129 9. Implement a three-unit court identification pilot program based on the
130 outcome of the court identification feasibility study; and

131 10. Implement a ten-unit mobile identification pilot project in order to ensure
132 that law enforcement agencies utilizing different wireless vendor products can
133 communicate with regional identification databases.

134 H. The Regional AFIS Report acknowledges the need to ensure that the Regional
135 AFIS program continues to meet the emerging needs of the community and industry
136 performance standards by recommending preparation of a comprehensive review of the
137 program every funding period and an update of the status of the initiatives and
138 performance measurements annually.

139 I. The Regional AFIS Report had two preferred recommendations to fund the
140 AFIS program. The report contained as the preferred choice a permanent property tax
141 levy. However, in the event that the permanent levy was not viable, a six-year levy was
142 proposed for the purpose of paying for the continued operation of the AFIS program.

143 J. The success of the regional AFIS program would not have been possible
144 without the close collaboration of law enforcement agencies from across the county.
145 Similarly, the 2006 levy will require timely communication with and the continued
146 involvement of all law enforcement agencies in the county in major policy and
147 appropriation actions concerning levy proceeds to ensure informed implementation
148 decisions by King County.

149 **SECTION 2. Definitions.** The definitions in this section apply throughout this
150 ordinance unless the context clearly requires otherwise.

151 A. "AFIS" means automated fingerprint identification system.

152 B. "AFIS program" means the acquisition, implementation, maintenance and
153 operation of the regional AFIS system. It also means the countywide effort of trained

154 personnel who, through fingerprint, palm prints, and other identification methods:
155 identify detained persons; identify from crime scene evidence suspects of crimes; assist in
156 the conviction of criminals through identifying this crime scene evidence; train law
157 enforcement on crime scene evidence collection and identification methods; support
158 accurate and complete criminal history records; and otherwise enhance public safety as
159 consistent with this ordinance and permitted by law. It also means studies and research
160 aimed at improving and enhancing the AFIS system and operations.

161 C. "AFIS system" means the Automated Fingerprint Identification System, which
162 is the computer system that utilizes AFIS as its foundation, and through modular design
163 incorporates other databases of criminal identification records, and related equipment and
164 technology, employed by trained staff for capturing, storing and comparing criminal
165 identification records based on friction ridge analysis, or successor technology.

166 D. "County" means King County.

167 E. "Levy" means the levy of regular property taxes, for the specific purpose and
168 term provided in this ordinance and authorized by the electorate in accordance with state
169 law.

170 F. "Levy proceeds" means the principal amount of funds raised by the levy, any
171 interest earnings on the funds and the proceeds of any interim financing following
172 authorization of the levy.

173 **SECTION 3. Levy submittal to voters.** To provide necessary funds for the
174 AFIS program, the county council shall submit to the qualified electors of the county a
175 proposition authorizing a regular property taxes levy in excess of the levy limitation in
176 Chapter 84.55 RCW, for six consecutive years commencing in 2006 with collection

177 beginning in 2007, at a rate not to exceed \$0.0568 per one thousand dollars of assessed
178 value. In accordance with RCW 84.55.050, this levy shall be a regular property tax levy
179 in excess of the levy limitation, which is subject to the statutory tax rate limit of RCW
180 84.52.043.

181 SECTION 4. Deposit of levy proceeds. All levy proceeds collected as
182 authorized in this ordinance shall be deposited into the AFIS fund.

183 SECTION 5. Eligible expenditures. If approved by the qualified electors of the
184 County, all proceeds of the levy authorized in this ordinance shall be used to pay the
185 costs of the regional AFIS program, together with the necessary software and hardware
186 operations and maintenance expenses, eligible expenditures include the salaries, benefits,
187 training, office and laboratory supplies and equipment, space rental, contracted goods and
188 services, related studies and research, administration and other costs incidental to the
189 operation and enhancement of the regional AFIS program.

190 Eligible expenditures shall also include non-bonded debt and finance costs and
191 the reimbursement of extraordinary expenditures incurred by the county after the
192 effective date of this ordinance with regard to the AFIS program.

193 SECTION 6. Call for special election. Pursuant to RCW 29A.04.321, it is
194 hereby deemed that an emergency exists requiring the submission to the qualified
195 electors of the county at a special election to be held on September 19, 2006, of a
196 proposition authorizing the regular property tax levy for the purposes described in this
197 ordinance. The manager of the King County records, elections and licensing services
198 division shall cause notice to be given of this ordinance in accordance with the state
199 constitution and general law and to submit to the qualified electors of the county, at the

200 said special county election, the proposition hereinafter set forth. The clerk of the council
201 is hereby authorized and directed to certify that proposition to the manager of the King
202 County records, elections and licensing services division in substantially the following
203 form, with such modifications as may be required by the prosecuting attorney.

204 The King County Council passed Ordinance ___ concerning this
205 proposition for the Automated Fingerprint Identification System (AFIS)
206 levy. This proposition would fund the continued operation and
207 enhancement of the AFIS program, which assists law enforcement
208 agencies in identifying and convicting criminals. It would authorize King
209 County to levy an additional regular property tax of not more than \$0.0568
210 (5.68 cents) per \$1,000 of assessed valuation for collection in 2007 and
211 levy the tax each year thereafter as allowed by chapter 84.55 RCW for
212 each of the five succeeding years. Should this proposition be:

213 Approved []

214 Rejected []

215 SECTION 7. RCW 29A.32.280 provides that for each measure from a
216 jurisdiction that is included in a local voters' pamphlet, the legislative authority of that
217 jurisdiction shall formally appoint a committee to prepare arguments advocating voter
218 approval of the measure and a committee to prepare arguments advocating voter rejection
219 of the measure.

220 SECTION 8. Pursuant to RCW 29A.32.280, the following individuals are
221 appointed to serve on the voters' pamphlet committees, each committee to write a

222 statement for or against the proposed automated fingerprint identification system ballot
223 measure:

224	FOR	AGAINST
225	1. Norm Maleng	1. _____
226	2. Sue Rahr	2. _____
227	3. Gil Kerlikowske	3. _____
228	4. Rick Keifer	4. _____

229 **SECTION 9. AFIS advisory committee established.** If the levy is approved by
230 the voters in accordance with section 6 of this ordinance, an AFIS advisory committee
231 shall be established to review AFIS operations and expenditures and make
232 recommendations concerning the AFIS program.

233 **SECTION 10. Ratification.** Certification of the proposition by the clerk of the
234 county council to the King County manager of records, elections and licensing services in
235 accordance with law before the election on September 19, 2006, and any other act
236 consistent with the authority and before the effective date of this ordinance are hereby
237 ratified and confirmed.

238 **SECTION 11. Severability.** If any provision of this ordinance or its application
239 to any person or circumstance is held invalid, the remainder of the ordinance or the

240 application of the provision to other persons or circumstances is not affected.

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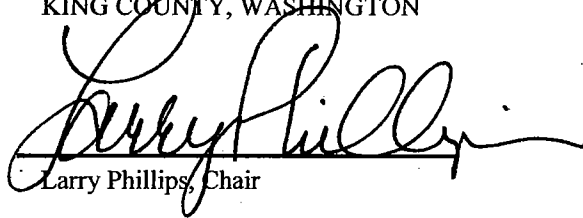
Ordinance 15537 was introduced on 6/5/2006 and passed as amended by the Metropolitan King County Council on 7/10/2006, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Ms. Patterson and Mr. Constantine

No: 0

Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



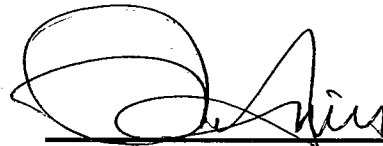
Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 10 day of July, 2006.



Ron Sims, County Executive

Attachments None

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CLERK
KING COUNTY COUNCIL