



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 13, 2018

Ordinance 18674

Proposed No. 2017-0484.3

Sponsors Balducci, Dunn, Lambert, Kohl-
Welles 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 August 7, 2018, of a proposition to
4 support continuation of the regional automated fingerprint
5 identification system, also known as AFIS, program by
6 replacing authorization of an expiring property tax levy in
7 excess of the levy limitation contained in chapter 84.55
8 RCW, for a consecutive six-year period, at a first year rate
9 of not more than 3.5 cents per one thousand dollars of
10 assessed valuation for collection beginning in 2019, with
11 subsequent maximum levy collections being increased by
12 the limit factor defined in chapter 84.55 RCW, as amended,
13 for the purpose of funding the continued operation of the
14 regional automated fingerprint identification system
15 program and related technology and services, which
16 maintains expanded crime scene and arrest identification
17 capabilities, and provides for the research of new
18 identification technologies for all local criminal justice
19 agencies in King County.

20 STATEMENT OF FACTS:

21 1. To expand and enhance upon the limited identification services
22 provided by individual city and county law enforcement agencies or at the
23 state level, in 1986 the voters of King County approved funding for the
24 purchase of a shared regional automated fingerprint identification system
25 ("AFIS") computer, which matches unknown fingerprints to known
26 fingerprints. King County's AFIS database holds over eight hundred
27 thousand individual's fingerprint records, over four hundred thousand
28 palmprint records and unidentified crime scene prints from approximately
29 twenty-six thousand cases. The King County AFIS is a regional system
30 with program services available to every city and unincorporated area in
31 King County.

32 2. The AFIS computer is used for two primary purposes:

33 a. To quickly identify arrested individuals, and prevent the wrongful
34 release of those who use false names to evade arrest warrants or hide
35 criminal records; and

36 b. To search fingerprints and palmprints collected from crime scenes to
37 identify unknown suspects and aid in convictions.

38 3. The county first purchased the shared AFIS computer after the voters
39 of King County approved a property tax levy for that purpose in

40 November 1986. The ballot measure was authorized by Ordinance 7747.

41 Since 1986, the voters of King County have continued to endorse this

42 service by approving renewal property tax levies ranging from \$0.0200 to

43 \$0.0665 per one thousand dollars of assessed valuation as needed to
44 support, expand and enhance AFIS services. The levy history for the
45 AFIS program is:

46 a. Five-year renewal levy approved in November 1990. The ballot
47 measure was authorized by Ordinance 9603;

48 b. Five-year renewal levy approved in November 1995. The ballot
49 measure was authorized by Ordinance 11948;

50 c. Five-year renewal levy approved in September 2000. The ballot
51 measure was authorized by Ordinance 13894. Through conservative
52 spending, the county accumulated a fund balance, which sustained AFIS
53 program operations through 2006 without a concurrent property tax levy;

54 d. Six-year renewal levy approved in September 2006. The ballot
55 measure was authorized by Ordinance 15537. Again, by spending below
56 budget the program accumulated a fund balance, which allowed the
57 county to reduce levy rates in 2011 and 2012; and

58 e. Six-year renewal levy approved in November 2012. The ballot
59 measure was authorized by Ordinance 17381. Continued conservative
60 spending should result in a fund balance at the end of the current levy,
61 which contributes to reducing the proceeds required to continue the AFIS
62 program, and lowering the proposed rate.

63 4. The AFIS computer, first installed in 1988 and updated in 1999, was
64 replaced with a new system in 2011. The new system introduced
65 palmprint searching for the first time in King County, and has improved

66 matching capabilities and increased storage capacity. An average of five
67 thousand crime scene prints are identified each year and, since the new
68 installation, over one hundred new subjects were identified in cold cases,
69 where no other evidence existed.

70 5. On December 31, 2018, the 2012 AFIS levy, which was adopted at a
71 rate of \$0.0592 per one thousand dollars of assessed valuation, will expire.

72 This ordinance proposes a renewed AFIS levy at a rate of \$0.035 per one
73 thousand dollars of assessed valuation with collections beginning in 2019.

74 Without renewed revenue, funding for the program will end.

75 6. Large cities and metropolitan areas around the country have realized
76 great benefit from having their own AFIS technology and supporting staff,
77 but it is often not affordable for local independent police agencies. King
78 County is the only county in the state of Washington with its own AFIS
79 computer, and it is the only Washington county with a shared, regional
80 model that provides services to all local law enforcement agencies. By
81 centralizing services, technology, and resources, this regional approach
82 supports crime-solving at a lower overall cost, through economy of scale.

83 Other benefits of a regional approach include a larger, higher quality
84 database that results in more identifications, and more information sharing
85 between agencies.

86 7. In 2016, the AFIS program searched and registered almost eighty
87 thousand electronically submitted fingerprint records and identified over
88 four hundred individuals who had given false names when arrested. The

89 program responded to over one thousand six hundred requests for crime
90 scene assistance, processed almost fourteen thousand pieces of evidence
91 and identified well over five thousand unidentified crime scene prints.

92 Over one thousand of the crime scene prints identified were from
93 palmprints. The AFIS computer also searched over five thousand
94 fingerprint records submitted by officers in the field using mobile
95 identification devices.

96 8. King County criminal justice agencies consider the AFIS program to be
97 essential to law enforcement, and the AFIS program is often recognized
98 for its exceptional standards and service. The program's regional model
99 has provided effective crime-solving support to all criminal justice
100 agencies in King County since its inception in 1988. The current AFIS
101 program provides for many shared services, including:

102 a. The purchase, maintenance, and staff operation of the AFIS computer
103 which stores, searches and provides potential matches for fingerprints and
104 palmprints;

105 b. The purchase, maintenance, training and support for fifty Livescans,
106 which are fingerprinting devices installed at thirty-two law enforcement
107 agencies throughout King County for the purpose of collecting better
108 quality prints and transmitting them electronically for a faster and more
109 efficient response;

110 c. The purchase, maintenance, training and support for roughly two
111 hundred and fifty handheld mobile identification devices deployed at

112 thirty-nine agencies, which enable officers to quickly search fingerprints
113 in the field, which aids the officers in determining whether to detain or
114 release an unknown subject;

115 d. The collection of high quality fingerprints in county jail facilities, and
116 fingerprint examiners available twenty-four hours a day and seven days a
117 week, for the quick identification of arrested individuals;

118 e. Examiners and technicians who collect prints from crime scenes,
119 process them chemically and photographically for better clarity, search
120 them in AFIS and identify unknown potential suspects or store the
121 unidentified prints for continual search as new records are added to the
122 system; and

123 f. Training on fingerprint collection and crime scene processing, and
124 customer support for all law enforcement agencies.

125 9. During the last six years, the AFIS program has maintained effective
126 operations, achieved efficiencies to reduce staffing, replaced end-of-life
127 Livescan devices, added photographs to the electronically transmitted
128 arrest fingerprint records, deployed mobile identification technology and
129 is in the process of replacing the outdated and undersized processing
130 laboratory.

131 10. The AFIS program has developed a six-year budget overview with
132 associated revenue projections for 2019-2024. The proposed levy would
133 maintain current services with a first year levy rate that is lower than both
134 the current rate and the first year levy rate approved by voters in 2012.

135 The proposed budget includes a reduction of eleven positions equating to
136 approximately a \$6.9 million reduction in expenditures over six years,
137 with no reduction in the quality or quantity of services. This reduction in
138 funding will be achieved by implementing efficiencies, relying upon
139 advancements in proven technology and consolidating services.

140 11. The proposed budget includes funding to allow the AFIS program to
141 research new biometrics and technology that may improve case
142 turnaround times, automate manual processes, or otherwise identify, or
143 eliminate, suspects to help investigators solve crimes in a faster, more
144 efficient and accurate manner. The research could result in a pilot project
145 to explore the viability of a new biometric technology in King County.

146 For any biometric technologies that fall outside of the traditionally
147 fingerprint-based scope of the AFIS program, concurrence of the AFIS
148 advisory committee will be sought and the program will assess the new
149 biometric technologies with privacy rights experts and advocates. Levy
150 fund expenditures on biometric technology research or pilots will not
151 occur until the council acknowledges by motion receipt of a report on the
152 proposed new biometric technologies or services.

153 12. The AFIS program produces publicly available annual reports that
154 provide status updates on program initiatives and accomplishments. The
155 success of the regional AFIS program has been a result of regular
156 collaboration with law enforcement agencies across King County.

157 13. The proposed levy will be authorized for six years.

158 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

159 SECTION 1. Definitions. The definitions in this section apply throughout this
160 ordinance unless the context clearly requires otherwise.

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

162 B. "AFIS computer" means the automated fingerprint identification system,
163 which is the computer system that utilizes AFIS as its foundation, and through modular
164 design incorporates other databases of criminal identification records, and related
165 equipment, technology, networks and interfaces employed by trained staff for capturing,
166 storing and comparing criminal identification records based on friction ridge analysis, or
167 successor technology.

168 C. "AFIS program" means the acquisition, implementation, maintenance and
169 operation of the regional AFIS computer. "AFIS program" also means the countywide
170 effort of trained personnel who, through fingerprints, palmprints and other identification
171 methods: identify detained persons; identify suspects of crimes from fingerprints and
172 palmprints left on evidence at crime scenes and other locations; assist in the conviction of
173 criminals through these identifications; train law enforcement on crime scene evidence
174 collection and identification methods; support accurate and complete criminal history
175 records; conduct research aimed at improving and enhancing program services through
176 new and existing identification technologies; and otherwise enhance public safety as
177 consistent with this ordinance and permitted by law.

178 D. "Biometric" means the measurement and analysis of physical or biological
179 characteristics as a means of determining personal identity. "Biometrics" excludes the
180 fingerprints, palmprints and other biometric identification methods or technologies

181 currently supported by the program.

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

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

188 **SECTION 2. Levy submittal to voters.** To provide necessary funds for the
189 AFIS program, the King County council shall submit to the qualified electors of the
190 county a proposition to replace an expiring levy and authorize a regular property tax levy
191 in excess of the levy limitation contained in chapter 84.55 RCW for six consecutive
192 years, commencing in 2018, with collections beginning in 2019, at a rate in this first year
193 not to exceed \$0.035 per one thousand dollars of assessed value, with levy increases in
194 years two through six limited by the limit factor defined in chapter 84.55 RCW, as
195 amended.

196 **SECTION 3. Deposit of levy proceeds.** All levy proceeds collected as
197 authorized in this ordinance shall be deposited into a subfund in the automated fingerprint
198 identification system fund and used only for the eligible expenditures described in section
199 4 of this ordinance.

200 **SECTION 4. Eligible expenditures.** If approved by the qualified electors of the
201 county, all proceeds of the levy authorized in this ordinance shall be used to pay the costs
202 of the AFIS program, together with the necessary software and hardware operations and
203 maintenance expenses and such sums as are necessary to provide for the costs incurred by

204 the county that are attributable to the election. Eligible expenditures include the salaries,
205 benefits, training, office and laboratory supplies and equipment, work space, contracted
206 goods and services, related studies and research, administration and other costs incidental
207 to the operation and enhancement of the regional AFIS program. Work space
208 expenditures may include the lease, rental or purchase of land or building space to house
209 AFIS program technology, staff or laboratory functions.

210 Eligible expenditures shall also include non-bonded debt and finance costs and
211 the reimbursement of extraordinary expenditures incurred by the county after the
212 effective date of this ordinance with regard to the AFIS program. The AFIS levy is
213 intended as supplemental funding to maintain the current expanded crime scene and
214 arrest identification technology and services on a shared regional basis, which lowers the
215 cost of technology and staff through economy of scale and makes the benefit accessible
216 to all agencies. The levy shall not at any time provide general criminal justice funding or
217 fund programs or purposes not otherwise consistent with this ordinance.

218 **SECTION 5. Call for special election.** In accordance with RCW 29A.04.321,
219 the King County council hereby calls for a special election to be held on August 7, 2018.
220 The King County director of elections shall cause notice to be given of this ordinance in
221 accordance with the state constitution and general law and to submit to the qualified
222 electors of the county, at the said special county election, the proposition hereinafter set
223 forth. The clerk of the council shall certify that proposition to the King County director
224 of elections in substantially the following form, with such modifications as may be
225 required by the prosecuting attorney:

226 The King County council has passed Ordinance ___ concerning this

227 proposition for the automated fingerprint identification system (AFIS)
228 levy. This proposition would replace an expiring levy and fund continued
229 operation of the regional AFIS Program to provide enhanced and
230 accessible forensic fingerprint, palmprint and other technology and
231 services to identify criminals and aid in the administration of justice. It
232 would authorize an additional property tax for six years beginning with a
233 2018 rate of \$0.035 (3.5 cents) per \$1,000 of assessed valuation for
234 collection in 2019. The 2019 levy amount would be the base for
235 computing limitations under Chapter 84.55 RCW for collection in years
236 2020 through 2024. Should this proposition be:

237 Approved []

238 Rejected []

239 **SECTION 6. AFIS advisory committee extension.** If the levy is approved by
240 the voters in accordance with section 5 of this ordinance, the AFIS advisory committee
241 previously authorized by the voters shall be retained to review AFIS operations and
242 expenditures and make recommendations concerning the AFIS program.

243 **SECTION 7. New technologies and biometrics.** A. As part of the expenditures
244 authorized in section 4 of this ordinance, the AFIS program may research and pilot new
245 biometrics and technology that will improve case turnaround times, automate manual
246 processes, or otherwise identify, or eliminate, suspects to help investigators solve crimes
247 in a faster, more efficient and accurate manner.

248 B. Levy proceeds shall not be expended or encumbered to research, pilot or
249 implement any new biometric technology or services until the AFIS program transmits a

250 report on the proposed biometric technology or services and a motion that should
251 acknowledge receipt of the report and a motion that acknowledges receipt of the report is
252 passed by the council. The motion shall reference the subject matter and the ordinance
253 number in both the title and body of the motion. The report shall include, but not be
254 limited to:

255 1. The purpose of the proposed new biometric technology and an explanation of
256 how the new biometric technology could be used to complement and enhance the
257 identification services currently offered by the AFIS program and a description of the
258 new biometric technology's capability; and

259 2. A description of the process that the AFIS program used to assess the proposed
260 new biometric technology with the AFIS advisory committee and privacy rights experts
261 and advocates and a description of the feedback received by the program during this
262 process.

263 C. The AFIS program must file the report and motion required by this section in
264 the form of a paper original and an electronic copy with the clerk of the council, who
265 shall retain the original and provide an electronic copy to all councilmembers, the council
266 chief of staff and the lead staff for the law and justice committee, or its successor.

267 **SECTION 8. Ratification.** Certification of the proposition by the clerk of the
268 King County council to the director of elections in accordance with law before the
269 election on August 7, 2018, and any other act consistent with the authority and before the
270 effective date of this ordinance are hereby ratified and confirmed.

271 **SECTION 9. Severability.** If any provision of this ordinance or its application to

272 any person or circumstance is held invalid, the remainder of the ordinance or the
273 application of the provision to other persons or circumstances is not affected.
274

Ordinance 18674 was introduced on 11/20/2017 and passed as amended by the Metropolitan King County Council on 3/12/2018, by the following vote:

Yes: 8 - Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 0
Excused: 1 - Mr. Gossett

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Clerk of the Council



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KING COUNTY COUNCIL

APPROVED this 15 day of MARCH, 2018.



Dow Constantine, County Executive

Attachments: None