



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 16, 2000

Ordinance 13894

Proposed No. 2000-0285.4

Sponsors Nickels and Phillips

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, 2000, of a
4 proposition authorizing the continuation of a property tax
5 levy in excess of the levy limitation contained in Chapter
6 84.55 RCW, for an additional five consecutive year period,
7 at a rate of not more than \$0.05784 per one thousand dollars
8 of assessed valuation, for the purpose of paying for the
9 continued operation of the Automated Fingerprint
10 Identification System (AFIS).

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13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

15 A. On November 4, 1986, the voters of King County approved an additional
16 property tax levy of \$0.025 per one thousand dollars of assessed valuation for five years
17 for the purchase and implementation of an Automated Fingerprint Identification System

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18 (AFIS). This ballot measure was authorized by Ordinance 7747. The primary goal for
19 the establishment of AFIS was to identify perpetrators of crimes by matching their crime
20 scene fingerprints to known prints stored in the AFIS database. By the end of 1990, more
21 than one thousand two hundred crime scene prints were matched to potential suspect
22 fingerprints in the AFIS database. Very few of these identifications would have been
23 possible without the AFIS program, therefore AFIS significantly contributed to the ability
24 of police departments in King County to identify and convict criminals.

25 B. On November 6, 1990, the voters of King County terminated the 1986 AFIS
26 levy and authorized an additional property tax levy of \$0.020 per one thousand dollars of
27 assessed valuation for five years. This ballot measure was authorized by Ordinance
28 9603. The funding of this levy addressed two critical limitations in AFIS operations.
29 With the growth of the inmate population, only sixty percent of the inmates booked into
30 the King County Jail were fingerprinted given the existing number of staff. Without
31 these fingerprints, there was a greater likelihood that inmates with outstanding warrants
32 would be released from jail. The second limitation was related to a shortage of staff to
33 process crime scene fingerprints and to train police on lifting crime scene fingerprints,
34 resulting in lower than anticipated submissions of fingerprints. With the resources
35 provided in the 1990 levy, the AFIS program fingerprinted on average ninety-seven
36 percent of all inmates booked into the county jail and processed these prints on average
37 within five and three-tenths hours. In addition, the AFIS program provided five hundred
38 twenty-four hours of training for suburban police agencies, improved processing time for
39 crime scene fingerprints and identified three thousand four hundred crime scene
40 fingerprints.

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41 C. On November 7, 1995, the voters of King County authorized a continuation of
42 the AFIS property tax levy at a rate of \$0.0665 per one thousand dollars of assessed
43 valuation for five years. This ballot measure was authorized by Ordinance 11948. The
44 levy addressed several needs:

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

51 2. Insufficient funding for adequate levels of AFIS staff to process crime scene
52 fingerprints through the computerized system. The lack of staffing resulted in large case
53 backlogs waiting to be processed in AFIS and insufficient field training for officers
54 collecting crime scene fingerprint evidence. This resulted in lengthy delays in some
55 cases, which made officers reluctant to either collect or submit important fingerprint
56 evidence. Currently most cases are initiated on the day they are received in the latent lab,
57 and field training is available for officers responding to crime scenes. Officer training
58 was limited somewhat in the early years of the levy to focus on training of newly hired
59 latent print examiners;

60 3. The AFIS computer, purchased in 1987, would not be supported or
61 maintained by the vendor after 1999. It also would not meet emerging national standards,
62 which would allow a more efficient exchange of fingerprint information and access to
63 fingerprint information stored on state and federal databases. By the end of 1999, the

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64 computer was replaced by AFIS 21, which is fully Year 2000 compliant. Data storage
65 capacity increased from four hundred fifty thousand to seven hundred fifty thousand
66 records. The system is contracted to meet national standards of data transmission; and

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

71 D. On December 31, 2000, the current AFIS levy will expire, thereby eliminating
72 all funding for the AFIS program. Reauthorization of the AFIS levy is, therefore,
73 necessary to continue to provide this valuable crime-fighting tool. The proposed levy
74 rate is set at a level to fund the AFIS program in a manner that best supports the crime
75 fighting efforts of all police agencies in King County. With this level of funding, the
76 AFIS program will be able to sufficiently fund its current operations and provide the
77 following enhancements: the addition of staffing to handle low-range estimates of
78 increased workloads; the completion of Live-scan implementation including seven
79 additional units; the establishment of print taking at Juvenile Court; and the retention of a
80 target ending fund balance of eight hundred thousand dollars.

81 E. Recognizing that advancements in forensic identification are occurring at a
82 rapid rate and that many jurisdictions are reviewing the use of DNA databases and other
83 types of automated forensic identification systems, it is the intent of the council that the
84 King County Executive use no more than \$0.0001 of the proceeds from this levy to
85 investigate the feasibility of developing other regional identification systems. The
86 executive shall prepare a proposal for soliciting feasibility studies by January 1, 2001 and

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87 submit the proposal to the council for review and approval.

88 F. It is the intent of the King County Council that county, city, and state
89 representatives work over this levy period to establish a process and work collaboratively
90 to develop a permanent funding source for this vital service that is not reliant on voter
91 approved property tax levies. Accordingly, any proposed permanent funding source
92 should be sufficient to support true regional service delivery without relying on a separate
93 property tax levy.

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

96 A. "County" means King County.

97 B. "AFIS" means the Automated Fingerprint Identification System, which is the
98 computer system, including the database of fingerprints, and related equipment employed
99 by trained staff for capturing, storing and comparing fingerprints.

100 C. "AFIS program" means the acquisition, implementation, maintenance and
101 operation of AFIS. It also means the countywide effort of trained personnel who, through
102 fingerprint and other identification methods: identify detained persons; identify from
103 crime scene evidence suspects of crime; assist in the conviction of criminals through
104 identifying crime scene fingerprints; train police on fingerprint identification; support
105 accurate and complete criminal history records; and otherwise enhance public safety as
106 permitted by law.

107 D. "Levy" means the levy of regular property taxes, for the specific purpose and
108 term provided in this ordinance and authorized by the electorate in accordance with state
109 law.

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110 E. "Levy proceeds" means the principal amount of funds raised by the levy, any
111 interest earnings on the funds and the proceeds of any interim financing following
112 authorization of the levy.

113 **SECTION 3. Levy submittal to voters.** To provide necessary funds for the
114 AFIS program, pursuant to RCW 84.55.050, the county council shall submit to the
115 qualified electors of the county a proposition authorizing a regular property tax levy in
116 excess of the levy limitation contained in Chapter 84.55 RCW, for five consecutive years
117 commencing in 2000 with collection beginning in 2001, at a rate not to exceed \$0.05784
118 per one thousand dollars of assessed value. This rate is reduced from the previously
119 adopted rate of \$0.0665 per one thousand dollars of assessed value. In accordance with
120 RCW 84.55.050, this levy shall be a regular property tax levy, which is subject to the
121 statutory tax rate limit of RCW 84.52.043.

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

124 **SECTION 5. Financing.** After voter approval and pending collection of the levy
125 authorized in this ordinance, the county may provide by ordinance for the issuance of
126 limited general obligation bonds or other securities in order to finance the AFIS program
127 or any portion thereof as permitted by law.

128 **SECTION 6. Eligible expenditures.** If approved by the qualified electors of the
129 County, all proceeds of the levy authorized in this ordinance shall be used to pay the
130 costs of the AFIS program. Together with the necessary software and hardware
131 operations and maintenance expenses, eligible expenditures include the salaries, benefits,
132 training, office and laboratory supplies and equipment, space rental, contracted goods and

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133 services, administration and other costs incidental to the operation and enhancement of
134 the AFIS program.

135 Eligible expenditures shall also include payment of any debt issuance costs and
136 service to retire any debt incurred for the AFIS program, as well as: the funding,
137 refunding, financing or refinancing of debt; or the reimbursement of extraordinary
138 expenditures incurred by the county after the effective date of this ordinance with regard
139 to the AFIS program.

140 SECTION 7. Call for special election. Pursuant to RCW 29.13.010, it is hereby
141 deemed than an emergency exists requiring the submission to the qualified electors of the
142 county as a special election to be held on September 19, 2000, of a proposition
143 authorizing the regular property tax levy for the purposes described in this ordinance.

144 The manager of the division of records and elections shall cause notice to be given of this
145 ordinance in accordance with the state constitution and general law and to submit to the
146 qualified electors of the county, at the said special county election, the proposition
147 hereinafter set forth. The clerk of the council is hereby authorized and directed to certify
148 that proposition to the manager of the King County division of records and elections, in
149 substantially the following form, with such modifications as may be required by the
150 Prosecuting Attorney.

151 King County Proposition No. _____ concerns the Automated Fingerprint
152 Identification System (AFIS) program levy. This proposition would fund continued
153 operation and enhancement of the AFIS program, which assists law enforcement agencies
154 in identifying and convicting criminals, and replace an expiring AFIS levy, as provided in
155 King County Ordinance No. _____. It would authorize King County to exceed RCW

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156 84.55 regular property tax limitations and levy an additional regular property tax of not
157 more than \$0.05784 (5.784 cents) per \$1,000 of assessed valuation for five consecutive
158 years with collection beginning in 2001. Should this proposition be approved?

159 SECTION 8. Ratification. Certification of the proposition by the clerk of the
160 county council to the King County director of records and elections in accordance with
161 law before the election on September 19, 2000, and any other act consistent with the
162 authority and before the effective date of this ordinance are hereby ratified and
163 confirmed.

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SECTION 9. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Ordinance 13894 was introduced on 5/8/00 and passed as amended by the Metropolitan King County Council on 7/10/00, by the following vote:

Yes: 12 - Mr. von Reichbauer, Ms. Miller, Mr. Phillips, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Vance and Mr. Irons
No: 0
Excused: 1 - Ms. Fimia

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Pete von Reichbauer, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, 2000.

Ron Sims, County Executive

Attachments A. King County Automated Fingerprint Identification System (AFIS) 2000 Levy Options and Costs