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SHERIFF-CORONER-MARSHAL

STEPHEN L. D'ARCY
UNDERSHERIFF

To: Board of Supervisors
Date: March 20, 2007
From: Edward N. Bonner, Sheriff-Coroner-Marshal
Subject: Public Hearing to consider adopting a resolution for the collection of a fee from the Department of Motor Vehicles for the Purpose of enhancing Automated Mobile and Fixed Location Fingerprint Identification in Placer County



ACTION REQUESTED

Your Board is requested to:

- 1) Conduct public hearing to consider adopting a resolution for the collection of a one dollar (\$1) annual vehicle registration fee on vehicles registered in Placer County pursuant to Vehicle Code Section (VC) 9250.19 to enhance automated mobile and fixed location photo and fingerprint identification programs in Placer County. In addition to the one dollar (\$1) fee, commercial vehicles would be subject to an additional fee of two dollars (\$2).
- 2) Approve the attached Resolution (Attachment A) authorizing the County to approve the required terms of implementation with the California Department of Motor Vehicles and participate in the fee collected on vehicle registrations as outlined above.
- 3) Authorize the County Auditor-Controller to assure the deposit into an interest-bearing trust fund account for staff and equipment to accomplish the goals set by the Remote Access Network (RAN) Board in accordance with Penal Code Section 11112.2 and compatible with the Department of Justice Cal-ID Master Plan.
- 4) Reconvene the RAN Board to direct and approve funds for staffing, equipment, infrastructure and telecommunications to be funded by monies collected pursuant to VC 9250.19.

BACKGROUND

On September 30, 1997 the Governor signed Senate Bill 720 (Statutes 1997, Chapter 587, adding Section 9250.19 to the California vehicle code. This section, upon adoption of a resolution by the Board of Supervisors, will impose a one-dollar (\$1) fee on non-exempt vehicle registrations and renewals within Placer County. The monies collected are exclusively to fund programs that enhance the capacity of local law enforcement agencies to provide automated mobile and fixed location photo and fingerprint identification of individuals who may be involved in crimes while operating a motor vehicle, particularly driving under the influence of alcohol or drugs or vehicular manslaughter. The legislation was effective January 1, 1998 and was to be repealed January 1, 2003. It was extended to January 1, 2012. Based on current DMV estimates, approximately \$357,472 would be available annually, plus the additional one-dollar fee for commercial vehicles and increases based on additional registrations annually.

In addition, the legislation requires that the data from any programs implemented from funds collected be made available by the local law enforcement agency to any local public agency that is required by law to obtain a criminal history background as a condition of employment. The intent is to share data on a regional basis to enhance public and officer safety not only countywide, but also on a regional basis and to avoid tragedies that local communities have experienced in the past. With the close proximity of the Sacramento metropolitan area and the growing incidents of Placer County residents being targeted with criminal intent, it becomes increasingly important to have prompt access to identification data when conducting patrol stops.

SB 720 money funded from VC 9250.19 was developed to provide monies at the local level (cities/county) to build the necessary infrastructure to operate and share automated identification systems. Placer County has fixed location fingerprint identification systems that provide fingerprint services to those agencies requiring a criminal history background check. Staffing and availability for these systems is limited due to lack of funding for a focused delivery of service. Appointments must be made well in advance and are limited to the days and times available, depending on location. Placer County's system, although connected directly to the Department of Justice, has not developed an overall county or regional CAL-ID/Livescan master plan coordinated with other agencies.

The Sheriff's Department has a Cal-ID computer where investigative identification is conducted and processed with limited evidence staff performing multiple roles. As technologies emerge with more capabilities and more requirements from the Department of Justice along with Federal requirements, our ability to meet requirements, upgrade aging equipment and systems, or expand is limited by staffing, equipment and funding for them.

The local RAN board is designated to develop a master plan for the county to enhance the capability of local agencies to apprehend those committing crimes involving motor vehicles. Most crimes committed involve motor vehicles in some aspect. The RAN Board is comprised of seven members by legislation. The members designated are the Sheriff, two city law enforcement officials (this has been previously designated as the City of Roseville and the City of Rocklin), a member of the Board of Supervisors, the District Attorney, a city mayor, and a member at large. The RAN Board makes the decision on how funds are spent. The uses of funds are quite specific such as latent finger and palm identification, to include photo identification, the related equipment and infrastructure, staff support, and telecommunications between agencies. Placer County RAN Board has not been active since funding has been limited to those funds received at the county level from penalty assessments. We are recommending the RAN Board reconvene so that Placer County needs as outlined above, along with other allied agencies, can be assessed and a countywide master plan be developed to implement the programs funded by VC 9250.19.

A general overview of possible uses for the fee to provide funding for the equipment and software acquisition and updates, annual maintenance, including technology staff support and countywide program manager for the following programs:

- Live Scan finger and palm print identification – provides data to the statewide system and the means for agencies and certain business to submit information in regards to criminal history background check; and
- Cal-ID system – provides accessibility to the statewide and Federal databases for finger, palm and photo identification and comparison; and

- Photo Mug shot system – connection and access for photo mug shots from our local data base as well as connection and access to other local agencies and Department of Motor Vehicles through the County of Sacramento; and
- 2D Video Recognition – provides the ability to search a photo from a video from a bank robbery or other location against the mug shot system for possible suspects; and
- Mobile Identification System – termed the “grab-em” project – provides a mobile handheld tool to identify subjects in the field that may be suspected of identify theft.

The vehicle code requires annual reporting submitted each year. Placer County would be responsible for the annual reporting to the State. This includes expenditure and revenue information, a summary of activities, and any other program activities funded under VC 9250.19. This information would be compiled on an annual basis and submitted to for the annual reporting.

FISCAL IMPACT

Based on the number of registered vehicles, the estimated amount of fees collected is \$357,472 plus any commercial fees as applicable. If approved by Board, it would take four to six months before initial deposits were made from DMV. We are estimating this to be \$275,000 the first year. Thereafter, deposits would be made on a quarterly basis based on current registrations. We expect the growth rate in fees to be about 5% per year based on the population projections. All monies are earmarked for an interest bearing trust fund established by the Auditor Controller and disbursed consistent with legislation by approval of the RAN Board.

Traditionally, the costs of equipment and operations for Placer County’s CAL-ID/Livescan program has been financed by penalty assessments and deposited in the Automated Fingerprint Fund. The fund revenues generate approximately \$80,000 annually. Annual commitments, with limited staffing and without any equipment upgrades, are approximately \$60,000 to \$90,000 annually, with applicable costs starting to exceed the annual revenues. While we have built up a carryover balance of about \$150,000 for equipment and system support, replacement and emergencies, this does not generate the necessary revenue to purchase additional equipment, implement new technologies or infrastructure, additional telecommunications or to supplement the staffing to support it.

Revenues designated by implementing VC 9250.19 will allow the county and city allied law enforcement agencies within the county to provide more timely Livescan services to constituents with additional staff and equipment, build a countywide infrastructure to include mobile data collection and information sharing and look to emerging technologies and opportunities to develop and share this information on a regional basis. The definitive requests for funding will be based on recommendations by the RAN Board and the development of a countywide master plan consistent with the Department of Justice master plan. Depending on those recommendations, additional actions will be forthcoming to your Board for approval.

Before the Board of Supervisors
County of Placer, State of California

In the matter of: A resolution approving the collection of one dollar (\$1.00) fee on non-exempt vehicles registered in Placer County Code Pursuant to Vehicle Code 9250.19 for enhanced mobile and fixed location photo and fingerprint identification

Resol. No: _____

Ord. No: _____

First Reading: _____

The Board of Supervisors of the County of Placer duly passed the following **resolution** at a regular meeting held on **March 20, 2007**.

By the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

The Board of Supervisors of the County of Placer hereby resolves as follows:

WHEREAS, California counties are authorized to operate automated fingerprint and mobile identification systems; and

WHEREAS, the current penalty assessments are inadequate to fund the needs for comprehensive mobile and fixed location mobile and fingerprint identification programs countywide; and

WHEREAS, Placer County does not have a comprehensive countywide master plan consistent with the Department of Justice; and

WHEREAS, the existing Livescan and Cal-ID program systems and funding are limited in quantity and capacity and does not allow for emerging technologies or mobile data sharing; and

WHEREAS, the funding for the CAL-ID and Livescan systems from penalty assessments is not sufficient to enhance, expand, or provides only limited staffing and support; and

WHEREAS, the local law enforcement agencies within the County of Placer have limited resources available to fund programs that enhance the capacity of law enforcement to provide automated mobile and fixed location fingerprint identification of individuals involved in crimes using motor vehicles particularly driving when under the influence of alcohol or drugs and vehicular manslaughter; and

WHEREAS, Section 9250.19 of the California Vehicle Code provides for the collection of one dollar (\$1) to be paid at the time of registration or renewal of every non-exempt vehicle registered in Placer County for the sole purpose of funding programs that enhance the capacity of local law enforcement to provide automated mobile and fixed location photo and fingerprint identification of individuals involved in crimes using motor vehicles; and

WHEREAS, no money collected pursuant under this section shall be expended to offset a reduction in any other source of funds.

NOW, THEREFORE, BE IT RESOLVED that the Placer County Board of Supervisors find that the funding will allow enhancement of automated mobile and fixed photo and fingerprint identification necessary for the timely identification of individuals who may be involved in crimes involving vehicles, particularly driving under the influence of alcohol and drugs or vehicular manslaughter.

BE IT FURTHER RESOLVED that this Board approves the reconvening of the Remote Access Network (RAN) Board as designated by legislation to direct the development of a countywide master plan to enhance the capacity of local law enforcement to provide automated mobile and fixed location photo and fingerprint identification; and

BE IT FURTHER RESOLVED that this Board imposes and formally requests the State of California Department of Motor Vehicles implement and commence collection of the one dollar (\$1) fee as specified in Vehicle Code Section 9250.19 on all non-exempt vehicles registered in Placer County and in addition, upon the implementation of the permanent trailer identification plate program, to collect the two dollar (\$2) fee as specified in Vehicle Code Section 9400.1; and

BE IT FURTHER RESOLVED that the funds generated by these fees be placed in a separate interest-bearing Automated Fingerprint Identification Trust Fund as established by the County Auditor-Controller, and will be used to fund staff, equipment and services to develop and support these programs as designated by law and recommended by the RAN Board; and

BE IT FURTHER RESOLVED that the fee will be repealed as of January 1, 2012 unless the Legislature extends the authorization for the fee to a later date, in which case the fee will be repealed as of the date the statutory authorization for the fee expires.