



BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 4378 (Substitute H-1)
Sponsor: Representative John M. Maynard
House Committee: State Affairs
Senate Committee: Judiciary

Date Completed: 6-8-88

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SUMMARY OF HOUSE BILL 4378 (Substitute H-1) as passed by the House:

The bill would establish the Automated Fingerprint Identification System (AFIS) Policy Council Act, and create the AFIS Policy Council within the Department of State Police.

The Automated Fingerprint Identification System Policy Council

The Council would be comprised of the following members: the Attorney General, the Secretary of State, the Directors of the Departments of State Police and Corrections, the State Court Administrator, the chief of the Detroit police department, three representatives of the Department of State Police, three representatives of the Michigan Association of Chiefs of Police, four representatives of the Michigan Sheriffs' Association, three representatives of the Prosecuting Attorneys Association of Michigan, one representative appointed by the Governor representing private industry and security concerns in the State, and one representative appointed by the Governor representing human services concerns in the State.

The Council annually would elect a chairperson and would have to meet quarterly during the months of January, April, July and October. The chairperson could call meetings at other times deemed appropriate. In addition, the Council chairperson would appoint committee chairpersons. Council members would serve two-year terms without compensation, but would be entitled to actual expenses incurred during attendance at a regular or special Council meeting and in traveling to and from a meeting.

Duties of the Council would include:

- Establishing policy and rules regarding the operational and audit procedures to be followed by agencies using the AFIS.
Designing a proposal, in conjunction with the Department, which would provide for statewide identification of individuals using an AFIS.
Establishing minimum standards for AFIS sites and installation.
Reviewing proposed applications for the AFIS and approving or disapproving the applications and the sites for system installations.

- disapproved, the applicant would have to be notified in writing of the reasons for disapproval.
Establishing policy and rules restricting the dissemination of identification information to individuals and agencies.
Establishing policy and rules for compilation of criminal and noncriminal history records through fingerprint identification.
Establishing policy and rules for audit completeness and accuracy of history record information.

In addition, the Council could remove AFIS equipment if the agency or entity controlling the system equipment failed to comply with the established policies or rules of the Council.

Funding and Location of Fingerprint Terminals

The bill would require that the Department fund at least 80% of the cost of all latent input terminals approved by the Council and that all terminals be funded at the same rate. The Council would have to authorize the latent input terminals of the AFIS. One latent input terminal would have to be installed at each of the seven State Police crime laboratories and be fully funded and staffed by the Department. The remaining terminals would have to be located strategically throughout the State at locations recommended by the Department and reviewed and approved by the Council.

In addition, the bill would set up a formula for the purchase of automated fingerprint jail identification terminal equipment as follows:

Table with 2 columns: Population and Local Cost. Rows show population ranges from 0-24,999 to 75,000-99,999 and corresponding local costs from \$500 to \$2,750.

Local cost would continue in increments of \$750 for every additional 25,000 population until the local cost equaled the total cost of jail identification terminal equipment.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The AFIS Policy Council was created in a State Police appropriations bill boilerplate in FY 1985-86 when the project was established. The 21-member council is to receive travel expenses and actual expenses during attendance at a Council meeting.

Section 7 of this bill would require the Department of State Police to fund fully seven latent input terminals (one at

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each crime lab). Latent terminal costs range from \$100,000 to \$380,000. This could potentially cost the State anywhere from \$700,000 to \$2,660,000 depending on the cost of the terminal. The Department also would have to fund 80% of the cost of all latent terminals approved by the Council for local agencies. There could be as many as 10 local terminals approved which would cost the State anywhere from \$800,000 to 43,040,000 depending on the cost of the input terminal.

Each jail identification terminal would cost the State approximately \$10,000. Section 7(3) specifies a cost sharing formula that would require the State to pay anywhere from \$0 - \$9,500 depending on the population size of the local jurisdiction. How many terminals would be required is yet unknown.

Fiscal Analyst: M. Hansen

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.