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191367

Emergency Ordinance

*Authorize Intergovernmental Agreement between Portland Police Bureau and State of Oregon Department of State Police to provide access to the Automated Biometric Identification System

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Western Identification Network, Inc (“WIN”) provides services related to the reading, digitizing, matching, storing, and retrieval of fingerprint and palm print images, data records, and respective minutiae data (“ABIS” services).
2. In addition to fingerprint and palm print services, WIN then expanded its services to include the reading, digitizing, matching, storing, and retrieval of other biometric data; WIN renamed its system to Automated Biometric Identification System (ABIS).
3. For the State of Oregon, Oregon State Police (OSP) is required to install and maintain systems for filing and retrieving fingerprint data and supplemental information submitted by criminal justice agencies for the identification of criminal offenders as the Superintendent of State Police deems necessary.
4. WIN has determined that all local law enforcement agency access should be authorized through a direct contract with the principal state law enforcement agency. OSP is authorized by WIN to subcontract WIN ABIS access through agreements such as this Agreement.
5. PPB and OSP have entered into intergovernmental agreements in the past whereby OSP would provide fingerprint and palm print image, data record, and respective minutiae data reading, digitizing, matching, storing, and retrieval services to PPB. The most recent of these agreements will expire on June 30, 2023.
6. OSP and PPB further acknowledge that if OSP’s participation in WIN terminates, for whatever reason, prior to the expiration date of this Agreement, OSP and PPB understand and agree that OSP and PPB will negotiate a new Agreement, prior to any OSP termination in WIN, so that PPB will continue to receive ABIS services from OSP.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Police](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

July 12, 2023

Time Requested

20 minutes

7. The maximum payable amount to OSP under this Agreement is \$100,080. This is funded with the bureau's ongoing General Fund discretionary appropriation.

NOW, THEREFORE, the Council directs:

- A. The Chief of Police is hereby authorized to enter into an intergovernmental agreement with the Oregon State Police for Automated Biometric Identification System access.
- B. The Mayor and City Auditor are hereby authorized to draw and deliver warrants to the State of Oregon, Department of State Police when demand is presented and approved by the proper authority.

Section 2. The Council declares that an emergency exists because delay in proceeding with this agreement will unnecessarily deprive the Oregon State Police and the City of the mutual benefits of this agreement; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
July 12, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This Intergovernmental Agreement addresses payment for access to The Western Identification Network Inc (WIN). This agreement is limited to the Automated Biometric Identification System (ABIS) fingerprint and palm print image, data record, data reading, digitizing, matching, storing, and retrieval services. WIN is a nonprofit corporation created to provide automated fingerprint identification services for the member states. Oregon State Police (OSP) is a member of WIN and the Portland Police Bureau is a remote site with access to WIN services.

These services include: storing rolled fingerprint and palm print impressions in a digital format; storing of latent fingerprints found at a crime scene (latent prints); retrieval of stored rolled fingerprint and latent print images, matching of rolled fingerprints, palm print, and latent prints; searching of the database to identify rolled and latent fingerprints and palm prints; searching of the database with access to records from the eight WIN states (WA, OR, ID, MT, AK, UT, WY & NV).

Portland Police Bureau's (PPB) access to these systems is crucial to recording and identifying individuals arrested. The latent print database is used to investigate crimes such as burglary, robbery, theft, and homicide. OSP will allow the PPB's Forensic Evidence Division access to OSP's ABIS system under this Agreement.

The PPB's prior intergovernmental agreement for this service with OSP was initiated in 2013; it expires on June 30, 2023.

The agreement is limited to the Western Identification Network, Inc. (WIN) ABIS fingerprint and palm print image, data record, and data reading, digitizing, matching, and storing and retrieval services. This Agreement does not extend to other biometric services at this time. Access to other biometric services would require an Amendment to this Agreement and an increase in funding to allow access to those services, which would require PPB to come to Council for further authorization.

Financial and Budgetary Impacts

There will be no revenue generated by this Intergovernmental Agreement. The maximum, not-to-exceed compensation payable to OSP by the City under the Intergovernmental Agreement, which includes any allowable expenses, is \$101,080. The prior Agreement was capped at \$91,000. This is funded with the bureau's ongoing General Fund discretionary appropriation.

No positions will be created, eliminated, or reclassified as a result of this legislation.

Community Impacts and Community Involvement

The Intergovernmental Agreement allows for the continuation of a long-standing intergovernmental relationship with Oregon State Police for the networked sharing of biometric information, which is used in criminal investigations. This item relates to an internal business practice to facilitate access to essential data the bureau requires for a basic function of Forensic Evidence Division.

This Agreement will not change the nature or function of the relationship between OSP and PPB in regard to its use of the ABIS system and will not include access to facial recognition or similar technologies.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

The maximum allowable expense of \$101,080 under this intergovernmental agreement is funded with the bureau's ongoing General Fund discretionary appropriation.

Agenda Items

583 Regular Agenda in [July 12-13, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/7/12) (<https://www.portland.gov/council/agenda/2023/7/12>)

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea