



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Sheriff's Office



DATE: July 29, 2011

BOARD MEETING DATE: August 9, 2011

SPECIAL NOTICE/HEARING: 9:15 am

VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Sheriff Greg Munks

SUBJECT: Increase Applicant Fingerprint Fee

RECOMMENDATION:

Adopt an Ordinance Amending Title 2, Article 2.4, Chapter 2.44, Section 2.44.110 of the San Mateo County Ordinance Code, authorizing the Sheriff of San Mateo County to increase the fee for applicant fingerprinting from \$18 to \$39 per person and waiver of reading the Ordinance in its entirety.

BACKGROUND:

In 1983-84, the California Legislature appropriated funds to establish the California Identification System "Cal-ID" to automate manual fingerprint files and to establish a statewide system for the identification of latent fingerprints.

In 1986, under SB190, the San Mateo County Sheriff's Office, 18 cities, and one Police District began participating in the Cal-ID system.

As required by Penal Code section 11112.4, the County developed a local Remote Access Network "RAN" Board. The RAN Board was established to develop any procedures necessary to regulate the ongoing use and maintenance of the fingerprint identification equipment, while adhering to the policies, guidelines and procedures adopted by the Sheriff's Office.

Criminal record checks of job applicants through fingerprint screening are an increasingly common requirement throughout the State and Country. Legislation has continued to add criminal fingerprinting requirements for an expanding list of various jobs, particularly those involving the care or education of children, elderly, or other vulnerable people. Following the events of September 11, 2001, there has also been an increase in security clearance requirements for sensitive government or private sector positions.

Pursuant to Penal Code Section 11122, any person desiring a copy of his/her own criminal justice record for employment purposes must complete an application form and the printing agency may charge a reasonable fee for processing of the application and fingerprints.

The Sheriff's Office fingerprints and processes approximately 3,500 job applicants annually. The Sheriff's Office has approximately 100 contracts in place with government, private, and non-profit employers for processing job applicants. These employers are billed monthly for this service. Fees charged directly to applicants or employers by the California Department of Justice for researching prints and criminal records are separate from the local fees charged by agencies for the actual taking and processing of fingerprints.

The current fee charged by the Sheriff's Office is \$18 per applicant, which was last reviewed and updated eight years ago.

DISCUSSION:

In FY 2010-11, the Sheriff's Office contracted with MGT of America to perform a user fee study. The study recommended a fee increase from \$18 to \$34 to achieve full cost recovery.

On May 23, 2011, the CAL ID Board approved a surcharge of \$5 per applicant fingerprint. The surcharge applies to all agencies using the Livescan machines to capture fingerprints and the Cal-ID system to transmit those fingerprints to the State Department of Justice for processing. The surcharge will assist in recovering the increased costs of maintaining the Livescan fingerprint machines and provide for partial replacement costs of the Livescan equipment. This surcharge increases the fee from \$34 to \$39.

Adoption of this Ordinance will accomplish full cost recovery and the CAL ID Board's recommendation of charging a \$5 surcharge.

County Counsel has reviewed and approved the Ordinance as to form.

Approval of this Ordinance contributes to the Shared Vision 2025 outcome of a Healthy Community to ensure our neighborhoods are safe and services throughout the County are seamless.

PERFORMANCE MEASURE:

Measure	FY 2010-11 Actual	FY 2011-12 Projected
Number of fingerprint applicants generating revenue	3,649	2,361

The number of fingerprinting requests is declining due to a downturn in the economy. In addition, other cities and the San Mateo County Office Of Education also provide applicant fingerprinting. For these reasons, it is expected that there will be fewer fingerprint requests in FY 2011-12.

FISCAL IMPACT:

The \$5 surcharge per applicant fingerprint will be transferred to CAL ID. The additional \$16 has the potential to increase revenue in the Sheriff's Office, but due to the decline in fingerprinting requests the budget for fingerprinting revenue will not change. There is no Net County Cost.

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SECTION 2.44.110 OF CHAPTER 2.44 OF TITLE 2 OF
THE SAN MATEO COUNTY ORDINANCE CODE GOVERNING
FINGERPRINTING FEES

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. Section 2.44.110 of Chapter 2.44, Title 2 of the San Mateo County Ordinance Code is hereby amended to read as follows:

Each individual who applies to have fingerprints scanned and processed by the Sheriff's Office for employment or other non-criminal-proceedings purposes shall pay a fee of \$39, payable at the time the fingerprints are taken. The Sheriff's Office shall retain \$34 to offset the costs of said service and CAL ID will receive \$5 to offset the costs of said service.

SECTION 2. This Ordinance shall be effective October 1, 2011.

* * * * *

ORDINANCE NO. _____

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

* * * * *

AN ORDINANCE AMENDING SECTION 2.44.110 OF CHAPTER 2.44 OF TITLE 2 OF
THE SAN MATEO COUNTY ORDINANCE CODE GOVERNING
FINGERPRINTING FEES

The Board of Supervisors of the County of San Mateo, State of California, ordains as follows:

SECTION 1. Section 2.44.110 of Chapter 2.44, Title 2 of the San Mateo County Ordinance Code is hereby amended to read as follows:

Each individual who applies to have fingerprints scanned and processed by the Sheriff's Office for employment or other non-criminal-proceedings purposes shall pay a fee of \$39, payable at the time the fingerprints are taken. The Sheriff's Office shall retain \$34 to offset the costs of said service and CAL ID will receive \$5 to offset the costs of said service.

SECTION 2. This Ordinance shall be effective October 1, 2011.

* * * * *