

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 3-21-13

AGENDA ITEM: PPB ID Technician jobs

FOR: X AGAINST: \_\_\_\_\_

NAME: Jamie Rogers

CONTACT INFORMATION (optional):

ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

PHONE: 503-823-0721 EMAIL: \_\_\_\_\_

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1. Complete this form and submit to the Board Clerk.
2. Presenters are called to testify in the order their form is received. The Presiding Officer may rearrange testimony or may ask Invited Guests or Elected Officials to speak first.
3. Public testimony is limited to **3 minutes or less** per person unless otherwise directed by the Presiding Officer.
4. Written materials may be submitted to the Board Clerk for distribution to the Board and entry in the official record. Please provide 7 copies.
5. All meetings are audio and video recorded.
6. When your name is called, come forward & be seated at the presenter's table; state your name for the record and speak clearly into the microphone.
7. A buzzer will signify the end of your allotted time.
8. The Presiding Officer has authority to keep order and may impose reasonable restrictions necessary for the efficient and orderly conduct of a meeting. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance may be asked or required to leave and upon failure to do so becomes a trespasser.

**IF YOU WISH TO SUBMIT WRITTEN INSTEAD OF ORAL COMMENTS TO THE BOARD:**

1. Complete this form and submit it along with your written testimony to the Board Clerk at the meeting, or by e-mail at: [lynda.grow@multco.us](mailto:lynda.grow@multco.us)
2. Written testimony will be entered into the official record.

# Portland Police ID Technicians Budget Impact Statement For Multnomah County

March, 2013

The Portland Police Bureau's proposed elimination of funding for 20 Identification Technicians would drastically change how Multnomah County Jail identifies and processes fingerprints of inmates. The following information is provided in the attempt to communicate the potential impact of that decision.

## Safeguarding the Community

The TECHNICIANS of the Forensic Evidence Division lead the region in the service they provide the citizens of Multnomah Co. The advanced safeguards in place assure that the necessary searches are completed, and clear and concise identification information is provided in a timely manner.

- **35,834:** The number of subjects taken into custody in 2012 and booked into the Multnomah Co Jail to be identified by fingerprint comparison. (20,865 originate from the Portland Police Bureau)
- **22,395:** Simple slap prints are obtained on repeat offenders. Technicians visually compare these prints against our extensive local card file to verify identity. **THIS IS NOT AN AUTOMATED PROCESS** and is not dependent on unreliable computerized systems to complete.
- **13,407:** Full sets of finger and palm prints are obtained and electronically submitted to populate regional and national (FBI) databases. Working in concert with the Oregon State Police, TECHNICIANS complete fingerprint comparisons on all subjects. Arrest information is submitted to the OSP and forwarded to the FBI for inclusion into a CCH record.
- **85%-90%:** When various databases become unavailable, TECHNICIANS can transition to alternate systems and call on strategic partners in law enforcement in order to clear for release over 85%-90% of all subjects booked into jail.
- **0:** The number of subjects in custody with a prior record that were cleared to release back into the community under an unknown or concealed identity.

**Impact:** *Without access to the accumulated local files, full sets of fingerprints will need to be obtained on the entire 35,834 subjects booked into jail. Additional and expensive Livescan equipment will need to be installed. The added workload will frequently delay the jail intake process for arresting officers and jail personnel alike. This overcrowding in the holding area will increase the risk level for deputies causing probable safety issues. The allotted 4 hr window to hold subjects in custody will be exceeded during peak booking times forcing some to be released before the regional and national searches can be completed. The entire identification process will be reliant on a single source (the Oregon State Police) to provide all critical and timely identification information.*

## Limiting Liability – Responsible Reporting

ID Technicians take responsibility for the proper documentation of all findings. This is a technical and comprehensive process. Every Tech is expected to respond to subpoenas and give expert forensic testimony when called upon to do so.

- **323:** TECHNICIANS created 323 False Information Special Reports that documented situations where subjects in custody were found to have fingerprints on file under an alternate name and date of birth. Reasons for this false information are often rooted in deception and involve a convoluted story. However, the correct documentation is absolutely critical to the entire process following arrest. In addition, and perhaps more importantly, TECHNICIANS are quick to identify situations where citizens are wrongfully taken into custody and booked on warrants that do not belong to them.

Failing to have these safeguards in place led to a recent incident involving the Clark Co Sheriff's Office resulting in a lawsuit as reported by Aimee Green of the Oregonian:

*"The suit exposes a gap in Clark County's police and jail system:....Jailers don't verify inmate's identities unless police specifically ask them to. That's different from what jails have done for many year in Multnomah, Washington, and Clackamas counties as well as Seattle's King county. ...their jails verify the identities of every new inmate by running their fingerprints through a national database to see if they match any fingerprints already on record."*

**Impact:** *Automated systems do not respond to subpoenas and give expert testimony. The DA's office may drop cases where identities were in question. Officers will not receive timely "false information" special reports to aide in documenting the incident. Mistakes in CCH entries will go unchecked and allowed to remain incorrect or incomplete. Subjects will be held in custody for an indefinite amount of time on invalid warrants when systems are not functioning properly. In our absence, the community will lose confidence in local government's ability to provide this basic yet vital function.*

## Reliance on Our Work Product – Quality Control

There is a direct relationship between the quality of the fingerprints obtained by ID Technicians and those who depend on fingerprint evidence to clear and successfully adjudicate cases. Technicians have on average over 10 years of experience in obtaining, searching, and comparing fingerprints.

TECHNICIANS can be contacted in the jail around the clock to respond to investigative requests for prints from Officers, Detectives and Criminalists in the field.

- **41%:** In 2011, 1137 latent finger and palm prints were lifted from crime scenes. 463 were positively identified by Criminalists using prints on file almost exclusively provided by TECHNICIANS. (2012 totals are not yet available)
- **481:** In addition to finger and palm prints obtained electronically via Livescan, TECHNICIANS obtained 481 sets of inked palm prints (also includes major case prints) in direct response to ongoing investigations.

In acknowledgement of this process, Chief Reese included the following in a letter of Commendation to Criminalists Jones, Willard and Morgan who obtained and searched latent prints; and Identification Technician Schurter, who took Major Case Prints on the suspect in jail:

*"...I commend you for your professionalism and for a job well done. This is an excellent example of methodical, timely, and focused forensic work. It is also an excellent example of Criminalists, Technicians, and Detectives working together to solve serious crimes and to quickly arrest a violent offender."*

**Impact:** *Poor quality fingerprints added to the database will ensure that fewer latent prints will be identified by Criminalists. Fewer major cases and property crimes that include fingerprint evidence will be solved. Fingerprints that are rejected by the FBI do not make it into the national database to be searched. Investigators will not be able to rely on special requests for prints to aide in ongoing investigations.*

The ID Technicians of the Portland Police Bureau are absolutely committed to the mission of the Sheriff's Office to provide quality services to the communities of Multnomah County. ID Technicians are mindful that all individuals have infinite dignity and worth. We believe that ultimately the members of the community we all serve will be adversely impacted by the loss of ID Technicians and the timely services we provide as to true identities.

Respectively submitted by the Identification Technicians of the Portland Police Bureau's Forensic Evidence Division

# Forensic Evidence Division

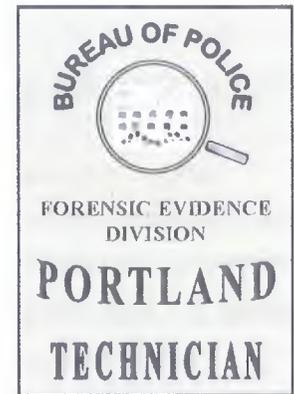
## Technician Statistics

The Tenprint unit of the Forensic Evidence Division is comprised of 20 experienced Non-Sworn Identification Technicians. Techs are available 24 hours a day to provide a variety of vital services for the Portland Police Bureau as well as the citizens of Multnomah County. The following statistics are provided in the attempt to quantify the duties and tasks performed by Technicians in 2012.

### Adult Inmate Processing

In 2012, Technicians successfully searched and verified the identity of over 36,000 adults that were booked into the Multnomah Co Jail. The following is a breakdown on the amount of subjects that were submitted for identification by arresting agency. ▲ ▼ Arrows indicate increases and decreases over 2011.

	20,865	Portland Police Bureau	▲ 1259
	3,611	Multnomah Co Sheriff	▼ 212
	3,339	Gresham Police Department	▲ 288
	2,239	Regional Transport	▼ 56
	1,891	Tri-Met Police	▲ 488
	1,382	Court Commit	▲ 203
	1,258	Parole & Probation	▼ 41
	367	Troutdale Police	▲ 65
	334	Port of Portland Police	▲ 72
	139	Fairview Police	▲ 31
	109	Oregon State Police	▼ 21
	568	Other	▼ 45
	Includes outside jurisdictions, FBI and US Marshals.		



Multnomah Co Jail Intake Door

Many will associate the sound this door makes to one of the worst experiences of their life.



Inmate Livescan Processing

Technicians must maintain close physical contact with inmates during the fingerprinting process.



## Processing Breakdown

While Technicians will conduct a fingerprint comparison on all subjects that are submitted for identification, not all receive the same amount of processing. The processing can be broken into 3 basic levels.

### Level 1 - Full Process

Those who are submitted for identification that do not appear to have a prior arrest record in Oregon and more specifically within Multnomah County will be subjected to what Technicians consider a "Full Process". The Jail Technician will obtain a full set of finger and palm prints electronically via Livescan. A regional search through the Western Identification Networks AFIS as well as a national search through the FBI's IAFIS system will be conducted on all fingerprints at this level of processing. This is a time consuming process that can take up to 3 hours to complete. No subject will be cleared for release until both of these searches have been completed.

In 2012, 7055 or 20% of all subjects submitted for identification fell into this category. This is an increase of 454 transactions over 2011.

Level 1 7,055 Full Process

▲ 454

### Level 2 - Re-Arrest

Recidivists who have an existing arrest record within Multnomah County but are brought in on felony or selected misdemeanor charges will be subjected to what Technicians consider "Re-Arrest" processing. Selected misdemeanor charges include domestic assault IV, and prostitution as well as all drug and weapons charges. The processing at this level is very similar to a "Full Process" in that a full set of finger and palm prints will be obtained via Livescan. Technicians will compare prints submitted with those that are already on file to confirm identity. If identity is established, no further searches are necessary.

Level 2 6,352 Re-Arrest

▲ 543

#### A Full Set of Fingerprints Consists of:



Standard 8x8  
Fingerprint Card

Upper Right & Side Palm

Lower Right Palm

Upper Left & Side Palm

Lower Left Palm



The Western Identification Network relies on the contribution of fingerprint data from 8 western states.

The regional database allows access to nearly 7,000,000 fingerprint records to search against.

#### 8 Western States:

- Alaska
- Idaho
- Montana
- Nevada
- Oregon
- Utah
- Washington
- Wyoming



AFIS Candidate List View

An AFIS search produces a candidate list comprised of the top 10 possibilities.

Technicians conduct a comparison on each candidate to determine if there is match or not.



## Applicants

To aide in the background process, Technicians obtain fingerprints and searches are conducted on all bureau applicants and building contractors. Technicians also fingerprint the public for a fee.

172	Bureau Applicants & Contractors	▲	22
32	New Police Officers	▼	19
	Includes inked palm prints for crime scene elimination.		
31	Cadets	▼	2
51	Volunteers	▼	1
17	BOEC	▲	5
	Obtained fingerprints only, no search conducted.		
46	DA's Office	▼	3
	Obtained fingerprints only, no search conducted.		
32	Misc.	▲	19
234	Public	▼	508

## 24 Hour Service

Technicians are available 24 hours a day to provide information on all functions performed by the members of the Forensic Evidence Division. Technician's field thousands of calls and facilitate the dispatch of a Criminalists to crime scenes. Our unit is often the hub for new technologies being implemented throughout the bureau. 24 hour support is critical to the success of these systems.

### Ask A Tech:

- IBIS
- Criminalist Crime Scene Response
- DIMS
- In Custody Identity Questions
- Juvenile Mug & Fingerprint Processing
- Forensic Processing for Property Evidence
- ID Card Updates



Applicant Card

False Info Special Report

Technicians created 323 False Information Special Reports that documented situations where subjects in custody were found to have fingerprints on file under an alternate name and date of birth. Techs can also be called upon to provide expert testimony as to their findings. Reasons for this false information are often rooted in deception and involve a convoluted story. However, the correct documentation is absolutely critical to the entire process following arrest. In addition and perhaps more importantly, Technicians are quick to identify situations where citizens are wrongfully taken into custody and booked on warrants that do not belong to them.

Article from  
Sept. 11, 2012

# The Oregonian



**“Man sues Clark County Sheriff’s Office after spending 10 days in jail in mistaken identity case”**



## Why This Won't Happen Here

Not sure if you saw this story on the front page of the Oregonian, or on the local news..... (see attached)

PPB Identification Technicians work in Multnomah County Jail and in the FED office 24/7 everyday of the year obtaining

and searching fingerprints of individuals booked into jail. The current processes we have in place would prohibit what happened in Clark County from occurring in Multnomah County Jail. PPB ID technicians run thorough checks in multiple systems and visually identify—by fingerprint comparison—the identities of ALL inmates booked into MCDC. We operate on the philosophy that everyone’s identity is in question, and rely on fingerprints, not DMV or prior mug shot photos for confirmation of who they are.



Fingerprint Stats	June	July	Aug
Inmates Identified	2,982	3,033	3,203
Provided False Name	14	16	20
Valid Warrants	6	6	8

In July, two subjects were booked into Multnomah County Jail on warrants that did not belong to them. They were properly identified and released within hours.

Both local and national databases are utilized in a fingerprint search. We provide Multnomah County with an individuals SID (State ID) and FBI# within an average of two

to four hours of being booked into county jail. This includes cases of mistaken identities where individuals are brought in on warrants not belonging to them due to another's misuse of their personal information. Our timely response allows the county to quickly release these individuals which saves the county and booking agency thousand's of dollars in potential lawsuits.

Daniel Conley is suing Clark County for an undisclosed amount of money for 10 days of wrongful incarceration due to mistaken identity. The services technicians provide Multnomah County Jail are vital for the protection against such lawsuits against PPB and MCSO.

# County jail sued over brother ID mix-up



Photo by [Troy Wayrynen](#)

The Clark County Jail has had three inmates commit suicide this year, including a 55-year-old man found early Wednesday.

By [Stephanie Rice](#)  
Columbian staff writer

Originally published September 12, 2012 at 10:51 a.m., updated September 12, 2012 at 8:08 p.m.

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Daniel S. Conley, who spent 10 days in jail in 2010 despite his insistence that officers had the wrong man, has filed a lawsuit against the Clark County Sheriff's Office.

The lawsuit, filed in Clark County Superior Court on Aug. 24 by Vancouver attorney Robert Milesnick, seeks damages but does not name a specific monetary amount.

Conley, 45, was taken into custody on Sept. 7, 2010, when he showed up at the Clark County Jail to post bail for his brother, David M. Conley, 47.

Daniel Conley gave his name to a county employee, who ran a search and found a warrant.

The warrant had been issued because David Conley had been arrested three times that summer for driving under the influence and driving with a suspended license, and each time he gave Vancouver police officers his brother's name, date of birth and Social Security number. David Conley had told officers he was not carrying any identification.

When David Conley did not show up to court, a warrant was issued for Daniel Conley.

According to the lawsuit, Daniel Conley, who has a criminal record, protested his Sept. 7 arrest by sheriff's Deputy Richard Guadan.

Daniel Conley showed Guadan "two large tattoos on each arm distinguishing him from his brother" that had been on record with the sheriff's office since 2009 (when defendants are booked, tattoos are listed on the intake form). Daniel Conley also pointed out that he's two years younger than David, as well as three inches taller and 40 pounds heavier.

Guadan was told by jail records staff that David Conley was in custody and that David had used Daniel's name, according to the lawsuit.

Daniel Conley spent 10 days in jail before posting bail. On Sept. 21, 2010, a Vancouver city attorney sent an email explaining the mix-up and said charges would be dropped against Daniel Conley.

The lawsuit raises the question why Clark County did not run a check of David Conley's fingerprints in a national database. Had David Conley's fingerprints been checked against the database, officers would have known he was lying. Had Daniel Conley's fingerprints been checked, officers would have known he was telling the truth.

Clark County Deputy Prosecutor Bernard Veljacic said Wednesday that he plans to file his general response to the lawsuit this week. He said he can't comment on the particulars of the lawsuit but said the jail does scan fingerprints of new inmates and sends them to the Washington State Patrol, which checks the prints against AFIS, which stands for Automated Fingerprint Identification System.

The lawsuit names Clark County, the Clark County Sheriff's Office, the Clark County Corrections Department and Deputy Guadan as defendants.

Sheriff's Office spokesman Sgt. Fred Neiman said Wednesday that he couldn't discuss the Conley case because of the pending litigation, but said typically an inmate's fingerprints are sent to Washington State Patrol. Most of the time, people who are arrested are carrying ID, but on occasion people give the name and date of birth of a relative or close friend, Neiman said.

Chief Deputy Prosecuting Attorney John Fairgrieve said in his 15 years in the prosecutor's office — which files approximately 2,000 felony cases a year — he twice had cases in which a defendant gave a false name.

In one case, a person pleaded guilty and served time in jail. Later, the person whose identity was stolen contacted the prosecutor's office and, by viewing booking photos and video of the court proceedings, the person was able to have his name cleared.

By that time, Fairgrieve said, prosecutors were able to determine the identity of the criminal.

"We've got folks out there who have quite a bit of criminal history," Fairgrieve said. By giving a false name, one that isn't linked to as many past crimes, they hope for a more lenient sentence.

Milesnick said Wednesday he does not know if his client asked Guadan to run his fingerprints.

“They should have taken that pretty simple step and done that themselves,” Milesnick.

Milesnick said his client has been sober for four years and has been living in an Oxford House, a group home which provides clean-and-sober living. In a statement released by Milesnick, Conley wrote that “at the time of the false arrest I was working to rebuild my reputation.”

Conley also wrote that he has another brother, Michael, who has also given his name to police.

He said that Michael Conley posted his bail, but only because he thought he was posting bail for David.

“So I caught a break ... but not for the right reasons, and not from jail,” he wrote.

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