

Approved by the  
**WEST BLOOMFIELD  
TOWNSHIP BOARD**  
*Catherine Haughnessy* 9-9-13  
Clerk Date

**CHARTER TOWNSHIP OF WEST BLOOMFIELD**

**ORDINANCE NO. C-781**

**COLLECTING AND FORWARDING FINGERPRINTS AND BIOMETRIC DATA**

**ORDINANCE AMENDMENT**

An ordinance to incorporate and comply with amendments to the Bureau of Criminal Identification and Records Act, Public Act 289 of 1925, MCL 28.241 et seq., requiring the collection and forwarding of biometric data of persons arrested.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

**Section 1 of Ordinance**

Chapter 15, Offenses, Article V, Offenses Affecting Governmental Functions, Section 15-39 is hereby amended to read as follows:

**Sec. 15-39. Collecting and forwarding fingerprints and biometric data.**

- (a) The Bureau of Criminal Identification and Records Act, MCL 28.243 et seq., authorizes and as specified, requires a law enforcement agency to collect the biometric data of a person arrested. Biometric data means all of the following:
  - (i) Fingerprint images recorded in a manner prescribed by the Michigan State Police.
  - (ii) Palm print images, if the arresting law enforcement agency has the electronic capability to record palm print images in a manner prescribed by the Michigan State Police.
  - (iii) Digital images recorded during the arrest or booking process, including a full-face capture, left and right profile, and scars, marks, and tattoos, if the arresting law enforcement agency has the electronic capability to record the images in a manner prescribed by the Michigan State Police.
  - (iv) All descriptive data associated with identifying marks, scars, amputations, and tattoos.
  
- (b) It shall be unlawful for any person to refuse to allow or resist the collection of his or her biometric data, as defined above, by the township police department, or other law enforcement agency, as required or authorized by Section 3 of Public Act No. 289 of 1925, MCL 28.243, as amended, and which is hereby adopted by reference as an ordinance of the township as authorized by MCL 42.23.
  
- (c) A violation of subsection (b) is a misdemeanor punishable by imprisonment for not more than 90 days and/or a fine of not more than \$500.00 as provided in section 1-10 of this code.

**Section 2 of Ordinance**

Should any section, subdivision, sentence, clause or phrase of this ordinance, be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

**Section 3 of Ordinance**

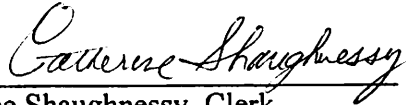
This Ordinance shall take effect immediately upon publication.

**CERTIFICATION**

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of West Bloomfield at a meeting duly called and held on September 9, 2013.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

September 9, 2013  
Date

By:   
Catherine Shaughnessy, Clerk