



LACRIS

LOS ANGELES COUNTY
REGIONAL IDENTIFICATION SYSTEM

Facial Recognition Policy Template

Member agencies may use this template for creating policies and procedures that adhere to Federal and State laws regarding facial recognition use. This template adheres to current LACRIS policies and procedures regarding the use of facial recognition.

LACRIS will update and forward all new policy revisions when applicable.

Policy XXX – Facial Recognition

XXX – PURPOSE AND SCOPE

This policy aims to establish procedures for the acceptable use of the images (probe and candidate), information, and tools within the facial recognition system. Facial recognition shall only be used when there is reasonable suspicion that such use will provide information relevant to an active investigation, imminent threat to health or safety (“at-risk”) or help in the identification of deceased persons or persons unable to identify themselves. This policy applies to all law enforcement personnel who are granted direct access to the facial recognition system and the personnel permitted to request facial recognition searches. Any outside agency, or personnel from an outside agency, requesting facial recognition assistance with an investigation must also adhere to this policy and fill out a request form (samples at the end of the document), which affirms adherence to these policies.

XXX – DEFINITIONS & TERMS AS DEFINED BY LACRIS

Los Angeles County Regional Identification System (LACRIS) - The California Department of Justice’s CAL-ID program, is responsible for providing biometric identification services to Los Angeles County law enforcement agencies.

Digital Mugshot System (DMS) – DMS is the repository of all criminal booking photos (mugshots) associated with criminal tenprint fingerprints and a criminal history record, including a Facial Recognition application.

Facial Recognition – The automated searching of a facial image (probe) against a known database(s), resulting in a list of candidates ranked by computer-evaluated similarity score. This is commonly referred to as a one-to-many comparison.

Facial Reviewer- A person who successfully completed facial recognition training by the Federal Bureau of Investigations (FBI) or LACRIS capable of performing comparisons of candidate images against probe images.

Probe- The facial image or template is searched against a known mugshot database in a Facial Recognition System.

Surveillance- Lawful close watch kept over someone or something.

XXX - POLICY

This policy of the **[Insert agency name here]** is intended to solely utilize facial recognition technology as an investigative tool during investigations while protecting the privacy of the public and civil liberties.

XXX – PROHIBITIVE USES

1. Members shall not use facial recognition to actively surveil members of the public through any camera or video device unless the person(s) are under an active criminal investigation or the surveillance is in response to an imminent threat of life.
2. Members shall not use facial recognition on live stream video unless there is an imminent threat to life or it involves at-risk individuals.
3. Members shall not use facial recognition for predictive analysis

XXX – FIRST AMENDMENT ACTIVITY

Facial recognition must be used in accordance with all federal and state laws, and all Departmental policies.

[Insert agency name here] and its personnel will not perform or request facial recognition searches about individuals or organizations that will violate the First, Fourth, and Fourteenth Amendments of the US Constitution and shall not be based solely on any of the following:

1. Their religious, political, or social views or activities.
2. Their participation in a particular noncriminal organization.
3. Their race, ethnicity, citizenship, place of origin, age, disability, gender, gender identification, sexual orientation, or other protected classification.

XXX – DATABASE AND DATA LIMITATIONS

1. **[Insert agency name here]** will not maintain, utilize, or keep any database to conduct facial recognition searches.
 - a. **Note:** If your agency purchases or utilizes a separate facial recognition system, (e.g., Vigilant Systems and Clearview), add language that clearly states which facial recognition system other than the LACRIS DMS your agency will use or maintain; and ensure the clear separation between the LACRIS DMS and any other system(s). I.e., The LACRIS DMS system, and Vigilant Systems facial recognition systems shall be maintained separately with no interface between them, nor shall they share the same database.
2. **[Insert agency name here]** will only utilize the LACRIS DMS facial recognition system to conduct facial recognition searches. (If your agency uses more than the LACRIS Facial Recognition application, take out “only” and add the other system(s) you will be using and ensure the clear separation between the LACRIS DMS and any other system).
3. No non-mugshot databases, such as the California driver’s license photo database, or publicly sourced image databases, are linked to or accessible via the LACRIS DMS.
4. Potential matches returned by the facial recognition system are to be considered investigative leads only and cannot be used as the sole basis for an arrest, detention, or identification. Investigative leads require investigative follow-up to corroborate the lead before any action is taken.

XXX – DOCUMENTATION

With any potential match where an investigative lead is generated on the facial recognition software, the facial reviewer and/or investigator should write a detailed report on the information they have obtained.

XXX – INVESTIGATIVE SEARCHES

1. Probe images will only be used from legally obtained sources.
2. Facial reviewers will determine if probe image(s) is suitable for facial recognition searches and may process images to conduct a facial recognition search.

XXX – TRAINING

[Insert agency name here] personnel accessing the facial recognition system shall have successfully completed training provided by the FBI or LACRIS, which meets the Criminal Justice Information Services (CJIS) minimum training criteria for using facial recognition systems. Investigative searches shall only be conducted by trained facial reviewers. Trained Facial Reviewers are qualified to assess image quality and suitability for face recognition searches and to perform one-to-many and one-to-one face image comparisons.

XXX – AUDITS

The use of the LACRIS facial recognition system is controlled by state law pertaining to Criminal Offender Record Information (CORI). All use(s) of the LACRIS facial recognition system shall be performed on a right-to-know and need-to-know basis per CORI regulations. All use(s) of the LACRIS facial recognition system and search requests are subject to audit by the Cal-DOJ, LACRIS, and the local administrator from **[Insert agency name here]**. In the event of an audit, the user will be required to provide appropriate justification for the use or request of a facial recognition search.

The local administrator must conduct monthly audits of all User activities within the Facial Recognition system as defined by LACRIS. Monthly audits shall be retained for a period of five (5) years and submitted to Cal-DOJ or LACRIS upon request.

Appropriate justification shall include a situation description and purpose for the search, including a detailed account of circumstances amounting to reasonable suspicion, a case/complaint number, and a file class/crime type, if available.

Facial Recognition Search Request

Attention [Insert agency / unit name here] Staff:

Please assist our agency's investigation by conducting a facial recognition search of the attached image(s) in the Los Angeles County Digital Mugshot System and any searchable repositories through the California Facial Recognition Interconnect (CAFRI).

Our agency understands that any results will be used as an investigative lead only and shall not be considered a positive identification, reason for detention, or probable cause for an arrest.

Requesting Agency:

Requester Name:

Requester Phone Number:

Requester Email:

Case/File Number:

Reason for search:

Source image obtained from:

Image extracted from video? Yes No

Number of Images attached:

Requestor Signature

Printed Name

Date

Insert Agency Logo here
if desired

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

Cal-ID / Facial Recognition Unit

Manual Search Report

THIS IS NOT A POSITIVE IDENTIFICATION. IT IS AN INVESTIGATIVE LEAD ONLY, AND FURTHER INVESTIGATION IS NEEDED THIS IS NOT PROBABLE CAUSE TO ARREST OR A REASON FOR DETENTION.

Facial Recognition Case Number	Submitted by:
Date Searched:	Investigating Agency:
Face Reviewer:	Agency Case Number:

Submitted Image (Probe)	Investigative Lead Image

The above investigative lead is deemed viable for further investigation based on a facial recognition search and morphological comparison. See the demographic information below:

Name:	Date of Birth:
CDL:	MAIN #:
SID:	Recent booking number:

Comments: insert any pertinent info regarding recent arrests or contact locations here

[Insert agency name here] has determined that the image(s) provided did not result in a possible match in the digital mugshot repository. A new facial recognition search request form must be completed if your agency wishes to provide additional images.

If LACRIS is notified to seal/destroy this record, it is your agency's responsibility to destroy this information in compliance with California's Department of Justice Criminal Offender Record Information (Information Bulletin 13-04-CJIS).

This document is the property of [insert agency name here] and is prepared for the limited purpose of information sharing. This information is designated U//LES and is shared in confidence. This document contains Personally Identifiable Information (PII) and must be handled in accordance with the LACRIS Policy and FBI CJIS Security Policy. It may be shared with other LE agencies but may not be posed within public view. This document must not be reclassified in any way, in whole or part. Questions about this document can be directed to (insert email or phone number of your Facial Recognition unit).