



LACRIS

LOS ANGELES COUNTY
REGIONAL IDENTIFICATION SYSTEM

Facial Recognition Policy Template

This template may be used by member agencies for creating policy and procedures that adhere to Federal and State laws pertaining to 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.

XXX – PURPOSE AND SCOPE

The purpose of this policy is 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 to 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 face recognition system as well as personnel who are permitted to request face recognition searches. Any outside agency, or personnel from an outside agency, requesting face recognition assistance with an investigation must also adhere to this policy, and must fill out a request form (samples at end of document), which indicates adherence to these policies.

XXX – DEFINITIONS & TERMS AS DEFINED BY LACRIS

Digital Mugshot System (DMS) – DMS is the repository of all criminal booking photos (mugshots) and includes 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 training by the FBI or LACRIS in facial comparison. (1) The review of a candidate list to identify possible matches. (2) One-to-one verification conducted in a high-throughput environment (e.g., stadium entrance).

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

Probe- The facial image or template 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 to solely utilize face recognition technology as an investigative tool during investigations, while recognizing the established privacy rights of the public.

XXX – PROHIBITIVE USES

1. Members shall not use face 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 face recognition on live stream video unless there is an imminent threat to life or involves at risk individuals.
3. Members shall not use facial recognition in connection with portable recorders (Penal Code 832.19. It should be noted 832.19 PC current sunset date of 01/01/2023).
4. 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 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 and shall only utilize the LACRIS DMS to conduct facial recognition searches. **(If your agency purchases or utilizes a separate commercial facial recognition system, (eg. Vigilant and Clearview) add a sentence 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)).**
2. **[Insert agency name here]** will only utilize the LACRIS DMS countywide 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. Ensuring 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 open source photo 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 or identification.

XXX – DOCUMENTATION

With any possible match where an investigative lead is generated on the facial recognition software, the face 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. Face reviewers will determine if probe image(s) is suitable for facial recognition searches and may process images for the purpose of conducting a facial recognition search.

XXX – TRAINING

[Insert agency name here] personnel accessing the facial recognition system shall have successfully completed training provided by the Federal Bureau of Investigations (FBI) or LACRIS, which shall meet the Criminal Justice Information Services (CJIS) minimum training criteria for usage of facial recognition systems. Investigative searches shall only be conducted by trained face reviewers. Trained Face 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 will be performed on a need to know and right 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, and LACRIS. In the event of an audit, the user will be required to provide appropriate justification for the use or request of a face recognition search.

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.

SAMPLE

Face Recognition Manual Search Request Form

Attention [Insert agency / unit name here] Staff:

Please assist our agency's investigation by conducting a facial recognition search of the attached images in the Los Angeles County Digital Mugshot Repository, as well as any repositories that are searchable through the California Facial Recognition Interconnect (CAFRI).

Our agency understands that any results are to be used as investigative leads only and shall not be considered a positive identification.

Requesting Agency:

Requester Name:

Requester Phone
Number:

Requester Email:

Case/File Number:

Reason for search:

Number of Images
attached:

Date:

Requester Signature

Printed Name

Approving Supervisor Signature

Printed Name

Insert Agency Logo here
is desired

UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
Cal-ID / Facial Recognition
Unit Manual Search Report

**THIS DOCUMENT IS NOT A POSITIVE IDENTIFICATION. IT IS AN INVESTIGATIVE TOOL ONLY
AND IS NOT PROBABLE CAUSE TO ARREST. FURTHER INVESTIGATION IS NEEDED TO
DEVELOP PROBABLE CAUSE TO ARREST.**

(Insert your Facial Recognition Case # here)	Submitted by:
Date Searched:	Investigating Agency:
Face Reviewer:	Agency Case Number:

Submitted Image	Investigative Lead
<i>Insert probe image here</i>	<i>Insert picture returned from facial recognition search here</i>

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

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

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

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

In the event LACRIS is notified to seal/destroy this record, it is your agency's responsible 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 in part. Questions pertaining to this document can be directed to (insert email or phone number of your Facial Recognition unit).