AUTOMATED FACIAL RECOGNITION (AFR)

FACIAL RECOGNITION

- Facial recognition technology involves the ability to examine and compare distinguishing characteristics of a human face through the use of biometric algorithms contained within a software application. This technology can be a valuable investigative tool to detect and prevent criminal activity, reduce an imminent threat to health or safety, and help in the identification persons unable to identify themselves or deceased persons. The Orange Police Department has established access and use of a facial recognition software system to support investigative efforts. The software will be treated as any other investigative lead and should never be used as a sole guarantee or for probable cause to arrest.

FACIAL RECOGNITION

ALL DEPLOYMENTS OF THE FACIAL RECOGNITION SYSTEM ARE FOR OFFICIAL USE ONLY AND ARE LAW ENFORCEMENT SENSITIVE. AUTHORIZED USES OF FACIAL RECOGNITION INFORMATION ARE AS FOLLOWS:

- A REASONABLE SUSPICION THAT AN IDENTIFIABLE INDIVIDUAL HAS COMMITTED A CRIMINAL OFFENSE OR IS INVOLVED IN OR PLANNING CRIMINAL CONDUCT OR PLANNING CRIMINAL CONDUCT OR ACTIVITY THAT PRESENTS A THREAT TO ANY INDIVIDUAL OR THE COMMUNITY.

- AN ACTIVE OR ONGOING CRIMINAL INVESTIGATION.

- TO MITIGATE AN IMMINENT THREAT TO HEALTH OR SAFETY OF THE COMMUNITY.

- TO ASSIST IN THE IDENTIFICATION OF A PERSON WHO LACKS THE CAPACITY OR IS OTHERWISE UNABLE TO IDENTIFY THEMSELVES (SUCH AS AN INCAPACITATED, DECEASED, OR OTHERWISE AT RISK PERSON).

- TO INVESTIGATE AND/OR CORROBORATE TIPS AND LEADS.

- FOR A PERSON WHO AN OFFICER REASONABLY BELIEVES IS CONCEALING HIS OR HER TRUE IDENTITY AND HAS A REASONABLE SUSPICION THE INDIVIDUAL HAS COMMITTED A MISDEMEANOR OR FELONY CRIME OTHER THAN CONCEALING HIS OR HER IDENTITY.

- FOR PERSONS WHO LACK THE CAPACITY OR ARE OTHERWISE UNABLE TO IDENTIFY THEMSELVES AND WHO ARE A DANGER TO THEMSELVES OR OTHERS.

FACIAL RECOGNITION

- **CANDIDATE IMAGES** ARE THE POSSIBLE RESULTS OF A FACIAL RECOGNITION SEARCH. A CANDIDATE IMAGE IS AN INVESTIGATIVE LEAD ONLY AND DOES NOT ESTABLISH PROBABLE CAUSE TO OBTAIN AND ARREST WARRANT WITHOUT FURTHER INVESTIGATION.

- **FACIAL RECOGNITION SOFTWARE/TECHNOLOGY** ARE THIRD PARTY SOFTWARE THAT USES SPECIFIC PROPRIETARY ALGORITHMS TO COMPARE FACIAL FEATURES FROM ONE SPECIFIC PICTURE – A PROBE IMAGE – TO MANY OTHERS (ONE-TO-MANY) THAT ARE STORED IN AN IMAGE REPOSITORY TO DETERMINE MOST LIKELY CANDIDATES FOR FURTHER INVESTIGATION.

- **INVESTIGATIVE LEAD** IS ANY INFORMATION WHICH COULD POTENTIALLY AID IN THE SUCCESSFUL RESOLUTION OF AN INVESTIGATION, BUT DOES NOT IMPLY POSITIVE IDENTIFICATION OF A SUBJECT OR THAT THE SUBJECT IS GUILTY OF A CRIMINAL ACT.

- **VALID LAW ENFORCEMENT PURPOSE** FOR FACIAL RECOGNITION IS TO BE USED FOR INFORMATION/INTELLIGENCE GATHERING, DEVELOPMENT, OR COLLECTION, USE, RETENTION, OR SHARING THAT FURTHERS THE AUTHORIZED FUNCTIONS AND ACTIVITIES OF A LAW ENFORCEMENT AGENCY, WHICH MAY INCLUDE THE PREVENTION OF CRIME, ENSURING THE SAFETY, WHILE ADHERING TO LAW AND AGENCY POLICY DESIGNED TO PROTECT THE PUBLIC.

FACIAL RECOGNITION

- THE ORANGE POLICE DEPARTMENT CONSIDERS THE RESULTS, IF ANY, OF A FACIAL RECOGNITION SEARCH TO BE ADVISORY IN NATURE AS AN INVESTIGATIVE LEAD ONLY. FACIAL RECOGNITION SEARCH RESULTS ARE NOT CONSIDERED POSITIVE IDENTIFICATION OF A SUBJECT AND DO NOT, ON THEIR OWN, ESTABLISH PROBABLE CAUSE WITHOUT FURTHER INVESTIGATION. ANY POSSIBLE CONNECTION OR INVOLVEMENT OF THE SUBJECT(S) TO THE INVESTIGATION MUST BE DETERMINED THROUGH FURTHER INVESTIGATIVE METHODS.

- INVESTIGATIVE LEADS WILL NEED TO BE VETTED WITH SUPERVISORY OVERSIGHT. PERSONNEL WILL NEED TO ESTABLISH THEIR OWN PROBABLE CAUSE BEFORE MAKING AN ARREST. IN ANY CASE WHERE FACIAL RECOGNITION SOFTWARE WAS USED AS AN INVESTIGATIVE LEAD, THE EMPLOYEE'S SUPERVISOR WILL REVIEW THE CASE IN ORDER TO ENSURE THE FACIAL RECOGNITION WAS USED AS AN INVESTIGATIVE LEAD AND NOT SOLELY TO ESTABLISH PROBABLE CAUSE FOR AN ARREST.

QUESTIONS?