Facial Recognition Technology: Ensuring Transparency for LEA in Los Angeles County

Statement for the Record

The following is a statement from the Los Angeles County Regional Identification System (LACRIS) on the use of Facial Recognition Technology (FRT) being used by all Law Enforcement Agencies (LEA) in Los Angeles County (County).

Facial Recognition (FR), when used properly, can greatly enhance law enforcement capabilities to better protect public safety. However, if used carelessly and improperly, may negatively impact privacy and infringe on civil liberties. LACRIS has made FRT available to the LEA community within the County since 2006. The current software solution, Los Angeles PhotoManager (LAPH) was implemented in 2009.

LACRIS is committed to the protection of privacy and civil liberties when our systems are utilized by LEA. We provide some of the most comprehensive training for all of the systems we procure and support, FR among them. The training program required users to attend training and successfully pass before they can utilize FRT. This is in line with the Federal Bureau of Investigation's (FBI) standards and procedures. The FBI's training program was co-developed by Mark Dolfi, who is a LACRIS employee. Mr. Dolfi also chairs the Facial Identification Scientific Working Group's (FISWG) Training Task Group. The FISWG Training Task Group created the training standards adopted by the FBI. LACRIS' training program is known throughout the country as one of only a few class offerings that meet/exceed the requirements put forth by the FBI when it comes to using FRT.

Key points of FRT that LACRIS provides to the LEA community:

- LACRIS policy strictly governs the circumstances in which FR may be utilized, including what probe images may be used.
- FRT is provided strictly for law enforcement purposes with human review and additional investigation needed for each search.
- The use of FR produces a potential investigative lead and requires investigative follow-up to corroborate the lead before any action is taken.
- LACRIS is committed to ensuring that the FRT capabilities are regularly tested, evaluated, and improved.
- FR is not identification, nor can it be the sole basis of an arrest or detention.
- Audits of user activity within the system are routinely audited to prevent misuse, and to identify potential training topics for future users.
- FR tools offered to the Los Angeles Law Enforcement community is not surveillance. The system does not have the capability to record, ingest, process, scan, or save live video feeds.

It is important to mention that from a technical and information security perspective; FRT operates as a subsystem within LACRIS systems. All LACRIS subsystems (i.e. FR, Mobile ID, etc.) must follow security protocols and receive the appropriate security testing and authorization to operate within the Sheriff's Data Network (SDN).

The Los Angeles PhotoManager (LAPH) is a photograph repository that is known as the Digital Mugshot System (DMS). In the DMS, all criminal mugshots are associated with criminal tenprint fingerprints and a criminal history record. The DMS allows automated FR searches by trained and authorized users. The user submits an unknown or "probe" photo that is obtained pursuant to an authorized law enforcement investigation, to be searched against the mugshot repository. The DMS then returns a gallery of "candidate" photos. During the second step of the process, the user manually reviews the candidate photos and performs a more thorough one-to-one investigation to determine if any of the candidate photos are potentially the same person as the probe photo.

In March 2020, LACRIS enacted policy that required all law enforcement users to have completed training prior to conducting FR searches within the DMS. The training is conducted by LACRIS personnel and is consistent with the *Guidelines and Recommendations for Facial Comparison Training to Competency*, as outlined by FISWG. This document provides the recommended elements of training to achieve competency in facial comparisons.

As FR use expands, it is necessary for law enforcement agencies to ensure that comprehensive policies are developed, adopted, and implemented. Having such policies will guide the agency and its personnel in the day-to-day access and use of FRT. Once the policies are implemented, full compliance of the Criminal Offender Record Information (CORI) act and LACRIS policies will be achieved.

LACRIS performs audits of user activity within the DMS as they serve an important role in identifying and mitigating risks associated with users of information systems not meeting policy requirements. In addition, LACRIS requires all participating LEA to conduct their own audits of their employees.

LACRIS continues to identify and use new biometric criminal investigative technologies, such as new algorithms for FRT, to meet the high expectations of the law enforcement community when investigating crimes. The LACRIS mission is to collect criminal biometrics for the California Department of Justice, while providing biometric technology for safer communities. In order to comply with our mission, we embrace technologies such as FRT, while ensuring strong policies and auditing are in place to safeguard the public's civil liberties.