

City of Johns Creek Police Department

<i>Subject:</i> Mobile Biometric Fingerprint Identification (RapidID)		<i>Number:</i> 01-20
<i>Reference:</i> GCIC Operations Bulletin 2011-51		<i>Amends:</i>
<i>Effective:</i> 07/11	<i>Review Date:</i> Annually	<i># of Pages:</i> 3

PURPOSE:

To provide guidelines for the issuance, training and use of the Mobile Biometric Fingerprint Identification (RapidID) device.

POLICY:

The RapidID system was developed for law enforcement officers in the field and those participating in major crime sweeps as a means to quickly and accurately establish the identity of a person through a fingerprint-based check. The issuance and the use of the RapidID system is intended to provide members with a specialized tool to assist in the positive identification of individuals under the appropriate circumstances, within specific requirements and guidelines for its use.

DEFINITIONS

A. RapidID System/Device – two finger fingerprint identification solution that searches against a centralized fingerprint database; *the database is populated with arrests made in Georgia.* The system enrolls four fingers, with two fingers being used for an identification match. As part of the identification check, automatic secondary searches of wanted files, watch lists, sex offender registries, and probation/parole lists are also included.

B. Agency RapidID System Administrator (RSA) – the person designated by the Chief of Police to administer and oversee the deployment and use of the RapidID system. The RSA will ensure all required training requirements and GCIC Terminal Operator Inquiry Level Course have been completed prior to deployment/use of the system. The RSA or agency IT representative will also receive training from DataWorks on the procedure for registering users, tracking agency activity and troubleshooting problems (GCIC Operations Bulletin 2011-51).

PROCEDURES:

Passwords (01-20-01)

All users will be registered on the RapidID system with a unique user name and password. The following procedures will be followed regarding passwords (GCIC Operations Bulletin 2011-51):



2.

Issuance (01-20-02)

1. A RapidID device will be issued only to members that have had training on the operation of the unit. Each officer or agency personnel using the mobile fingerprint device must complete the GCIC Terminal Operator Inquiry Level Course. Training will also include legal issues and requirements for using the device.

Guidelines for Use of the RapidID Device (01-20-03)

1. The RapidID device may be used in situations where the subject to be fingerprinted has given a knowing and willing voluntary consent or permission for the member to use the device. This may include consent during lawful encounters. (i.e. traffic stops).
 - a. As with other forms of consent, the consent can be limited or withdrawn at any point by the subject.
 - b. If consent is withdrawn; use of the RapidID device is *not* authorized and its use must stop immediately. Members shall not force or coerce anyone to submit to the scan.
2. The RapidID device may be used in situations where reasonable suspicion can be articulated that the subject to be printed has committed, or is about to commit a criminal act, when there is a justifiable and reasonable belief that such printing via the RapidID device will either establish or nullify the subject's connection with that crime. The key here is that the use of the RapidID device is used as quickly as possible after reasonable suspicion is established.
 - a. Failure to comply with the request to provide a RapidID scan under these circumstances may constitute a form of obstruction; however, it may be more appropriate to use the failure to comply as further evidence of suspicion for the suspect crime and simply proceed with the investigation without the scan.
 - b. The RapidID Device may be used in situations where the subject to be printed would otherwise be required to give traditional fingerprint samples; examples may include:
 1. Probable cause criminal arrest situations;
 2. Required sentencing fingerprints for court.
3. RapidID may be used in situations where the use of the device has been specifically authorized pursuant to a valid subpoena; however, if the subpoena is not for immediate compliance the subject should be allowed to appear for fingerprinting at the future time indicated on the subpoena.
 - a. Members shall be aware that the subject may be able to move to quash the subpoena.
 - b. Failure to honor a subpoena for RapidID use should be addressed in court and

not handled by attempting to force compliance via enforcement actions at the time of the refusal to comply.

4. Use of the RapidID device for random or generalized investigative or intelligence gathering, with no focused case or other reason is ***not*** authorized. Care should be taken to ensure devices are not used for purposes that may lend themselves to the inference of improper “profiling”.
 - a. Any specialized non-standard use of the RapidID device shall require notification and authorization by the member’s immediate supervisor or shift commander. As soon as practical the RSA must also be notified of the non standard use. This notification does not have to occur in order to proceed with the identification process.
 - b. Examples of non-standard use may include:
 1. Request from an outside agency to fingerprint a suspect in custody (as long as the requesting agency complies with the procedures set forth in this policy).
 2. In a death or traffic homicide investigation in which there is no other identifying paperwork for the victim; or
 3. To identify an unconscious or otherwise incapacitated subject who cannot be identified by any other means.
5. Guidelines cannot be written to encompass every possible application for the use of a RapidID device. Members, therefore, should keep in mind the guidelines set forth in this policy to assist them in deciding whether the device may be used or not.
6. Members are expected to justify, based on these guidelines, training, experience and assessment of the circumstances, how they determined that the use of the RapidID device was justified under the circumstances.